

SPECTRUM



# Crime, Justice and Women

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## By way of a preface

Nearly half a century ago, in the hill station of Shillong which was our home, there was a knock on the door one sleepy afternoon. When my mother opened it, with us toddlers in tow, we saw a strange gipsy woman in a flaring skirt, faded velvet blouse, wearing silver chains, anklets and a round nose pin seated on the doorstep holding a large, squat glass bottle of ghee. Her dark eyes flitting over us, she urged my mother to buy her ghee so that we may bloom in health. She pointed to my baby brother and said two spoons of ghee daily for a month would transform him to Nand Gopal, the beloved God and young avatar of Lord Krishna.

No mother could afford to ignore such words. Soon my mother bought a small amount, money changed hands and the woman hurried away, her face covered by a veil, her skirts swishing. While I, the crankier, more difficult to manage child refused to have the ghee, my brother happily lapped it up. Within three days there were ominous signs that something was very wrong. My brother's lips had turned blue, his fingers were swollen and his appetite gone. He was rushed to the family doctor and put under observation. The crisis abated soon enough, but for years my parents spoke with anger and fear about the gipsy woman.

She, whose name we never found out, is the earliest connection I made between women and crime. The evil enchantress who lays a spell on mothers and poisons their children, she played out in my fledgling imagination as a powerful, malevolent entity who preys on the most innocent and the vulnerable.

Much water has flown under the bridge since then. Today I view that long ago vendor as just another poor woman desperately trying to make money with adulterated ghee. She provided me with my first idea of the perils you could face when trusting strangers. And more importantly, she planted the germ of this book

deep in my mind – the idea of exploring the lives of women who committed crimes. As Simon Wiesenthal, author and Jewish Holocaust survivor put it so succinctly “The history of man is the history of crimes, and history can repeat. So information is a defence. Through this we can build, we must build, a defence against repetition.” It is not enough for perpetrators of crime to be arrested and jailed. One must follow the threads of their narratives to reach far into the tangled motives for their crimes, and the situations that compelled or facilitated such acts. In our country we continue to witness the abuse, exploitation and harm of the most vulnerable members of our society. Unless that is addressed with effective policies and resources, women will continue to be drawn into the web of crime – both as victims and perpetrators. Every crime is a failure of the community and it is deeply disturbing to realize that no punishment has ever possessed enough power of deterrence to prevent the commission of crimes. Through the span of two years I visited several jails in Assam, met social activists, jail authorities, lawyers, psychiatrists to piece together the multiple stories of women offenders – the voiceless and forgotten members of the sisterhood. Many questions perturbed are as I began my cautious exploration. Who were this women, and what led them to crime? Were they victims as much as offenders? Once in jail, did they have access to counseling - legal/ psychological? How were they coping with separation from their families?

Visiting the women in jail, I came to know of heartrending stories narrated by women suffering from a lifetime of poverty, abuse and exploitation. They bared before me their most intimate secrets, their acts of passion and violence, the desolate landscapes of their bleak lives, families torn asunder and bitter regret. They spoke of their feelings of apathy and hopelessness and their fears of never seeing their loved ones again. The decision to examine the lives of women cadres of

the militant United Liberation Front of Assam is one that I undertook after a lot of soul-searching. Hailing from rural and semi-rural backgrounds, these rebel women were drawn to the idea of a sovereign Assam and they were committed to freeing the motherland from what they perceived as colonial rule. They mobilized as student activists during the anti-foreigners student movement from 1979-1985. When the Centre declared Assam a Disturbed Area, Mahila Samities reorganized themselves to the cause of Assamese nationalism. Other outfits in the region like the Meira Paibis of Manipur and the Naga Mother's Association have showed how women lead a community through times of crisis. But there is a strong public perception that women insurgents of ULFA are simply care-givers, hewers of wood and drawers of water, and often comfort women. But it cannot be denied that they were efficient emissaries who spread the outfits' mission. Though their induction was a tactical strategy of the ULFA leadership, women formed only 12-15 per cent of the membership. Women insurgents underwent arms training and carried out subversive, anti-national activities. In that way it was necessary to look into what made perfectly normal, law-abiding women leave their homes and families to challenge an all-powerful State. My conversations with ULFA women leaders such as Pranati Deka, Kaberi Kachari and Runima Chetia provided some answers. All of them without exception, made it evident that for them the end – that of a sovereign independent Assam, justified the means. On the other hand, they also sought a much-publicised public apology for the bomb blasts that ULFA engineered in Dhemaji district of Upper Assam killing innocent civilians, including children.

There are women cadres in other important conflict zones and one felt it would be myopic to focus on the ULFA women alone. My study examined how women were drawn into anti-State groups in Kashmir, in India's Red Corridor of Maoist

insurgency and also the Liberation Tigers of Tamil Eelam in Sri Lanka. One notable fact that emerged, among others, in this study was that patriarchy was firmly entrenched even within these groups and the women found themselves marginalized and to a large extent, subjugated by the overwhelmingly male outfits.

. [Reading through these testimonies that I wrote down after listening to them, a friend of mine sighed and said. “But your book is so very dark.” His words started off a small niggling doubt in me. Then things fell into place when Violet Baruah, SP, CID was awarded the President’s Medal at the Republic Day parade in Guwahati.]

All at once, a gleam of an idea was born. After all the bleak, often heart-rending stories of women drawn into a life of crime, violence, deceit, betrayal and chaos, a concluding narrative of hope and affirmation would have a salutary effect on the reader. So it came to pass that I interviewed no less than five brave women police officers, three women from the legal profession, and had first hand experience of the dramatic daily goings on of an all-women police station in the heart of Guwahati. My encounters with this group many of them who put their lives on the line in upholding the law, made me realize how education, career opportunities and an upbringing marked by proper values helped women make a valuable contribution to society. From the ones who broke the law to those who have staked all to defend the law, it had been a long, intense and unforgettable journey.

One unexpected fall-out of the decision to include criminal offenders, insurgents and women upholding the law was that it provided a kind of dramatic tension to the narrative, a point counterpoint of motives, actions and world views.

In an everyday, ordinary world, a woman hacks her alcoholic husband to death. In the remote forests where time stands still, women in battle fatigues smuggled

deadly arms to yet another hideout. A mother and wife in police uniform, in hot pursuit of terrorists, knows that she could be sprayed with bullets at any moment.

In the court, the lawyer tries everything in her power to see that justice is served. It is said that the strength of a woman is not measured by the impact that all her hardships in life have had on her, but the strength of a woman is measured by the extent of her refusal to allow those hardships to dictate what she becomes. Alas, all too often, as I have discovered in my interviews with women convicts and undertrials, there was a fundamental lacuna in their lives, a closing off of opportunities for happiness and self-worth. And yet, in conversations with women upholding the law, what is noticeable is the availing of education and job opportunities, an absence of prejudice regarding the girl child, and a supportive environment for the flowering of talents. Journalism trains us to understand that truth has many dimensions and it is worth examining the lives of women on both sides of the ideological/ moral divide. Chris Kramarae said that feminism is the radical notion that women are human beings.

This journey would not have been complete without the help, encouragement and advice of many people. I express my gratitude to Sri PG Baruah and Babita Rajkhowa, my editor Supriya Das, journalist Rajeev Bhattacharya and academician Prof Nani Gopal Mahanta, IGP S Gogoi (Prison) Mukesh Agarwalla, IPS, Teresa Rehman, my sons Shankar Brata Raimedhi, IPS and Sidharth Raimedhi. I am also indebted to my colleagues Ragini Baruah, Bidisha Singha, JK Puzari, Debasish Sinha, Gautam Kakati and Lohit Gohain of The Assam Tribune Group.

I send this book to the great world with the hope that it will bring people a step closer to understanding the complexity of motives and circumstances that lie behind human actions. I am grateful that I made this journey, discovering that there

are experiences which cannot be put into words and that which cannot remain silent.

## Chapter I

### Murder She Wrote

Winter has arrived late this year. The sunshine has turned a weak amber honey and a chill wind has driven us indoors. Christmas is just three days away and the shoppers are snapping up burly Santas, plastic junipers and paper lanterns. All across the city, malls, car showrooms, gift shops are ablaze with twinkling lights. Television screen show repeat visuals of a pretty, slender and dusky Devyani Khobragade, the Deputy Counsel General of the Indian Embassy at New York, who, to the indignation of one point two billion of her compatriots, has been arrested on the street by US Marshals, handcuffed, strip-searched and forced to spend the night behind bars with prostitutes and drug addicts, All this because she has allegedly committed visa fraud. For a time the Devyani debacle, with two of the most powerful countries in the world in a face off, distracts viewers from the passing of the Lok Pal Bill and the triumph of the Aam Admi party.

Sometime early this year, I made a decision. I was going to prison. Having been known to be somewhat headstrong and a quirky Aquarian to boot, family and friends were concerned. At a party the Director General of Police Sri Jayanta Chowdhury, by way of police small talk, asked me what I was interested in.

"Crime". I replied "I'm fascinated by crime – the committing and then the solving of it". The next day he sent me two books, a novel by celebrated crime writer P D James and "*Depraved*", a shocker of a book depicting the story of America's first serial killer, H.H Holmes and his house of horror in Chicago in the last quarter of the nineteenth century. I read them with interest and was pleased to discover that I had by now, over the years, developed a high threshold for stomaching human depravity. Even as a girl I had eagerly lapped up all the Agatha Christies, Ruth Rendall Holmes. I could lay my hands on. My expatriate uncle, home for vacations from California, was bemused by my cheery prattle about Baby faced Nelson, Bonnie and Clyde and John Dillinger – crooks who had fired the imagination of Americans. Mario Puzo's *Godfather* had me in thrall and I have lost count of the number of times I have read it. The soundtrack, playing suddenly on a TV re-run, never fails to haunt.

Cold case files, John Does or unidentified male corpses use of luminol to detect blood stains, terms like person of interest, DNA profiling, polygraph tests,



narcoanalysis - thanks to crime shows, like *CSI* and *Law and Order*, these were familiar terms. I began to believe, like crime writer P.J. rourke, that you can learn all about the human condition from covering the crimes beat of a big city. Crime is revealing. It unveils the tastes, the habits, attitudes and even the soul of the offender. Crime and failed lives tell us what is wrong with the State. Every crime is a failure of the community. Isn't it disturbing that no punishment has ever possessed enough power of deterrence to prevent the commission of crimes? All the books, the film noir and psychology texts have led me to understand that if you squeeze human nature into the straightjacket of criminal justice, nothing but crime is going to appear. No less than Friedrich Engels had opined that some laws of state aimed at curbing crime are even more criminal. One of the greatest defence lawyers of all time Clarence Darrow refused to ascribe crime to poverty. He said that life is too complex, heredity is too variant and imperfect, too many separate things contribute to human behavior, to make it possible to trace all actions to a single cause. Crime is a unique feature of the human species. It makes the offender secret and elusive.

I was about to go to prison for a reason – to write a non-fiction book on what went on within prison walls, the multiple stories of women offenders and what got them incarcerated there. I had just completed a book on twelve women who

had risen to positions of power and eminence through sheer grit, hard work and talent. Now I wanted to explore the voiceless and forgotten members of the sisterhood. Many questions troubled me. Who were these women, and what led them to crime? Were they as much victims as offenders? Did they have access to legal aid, counseling? Did they have children with them in prison or who was looking after their young outside those walls? How did they spend their time and did they repent what they had done?. Would they trust me enough to tell their stories, or would they be suspicious and resentful? Would I be able to silence my authorial voice in order to make theirs audible? What would we gain from these narratives? There is solace in sharing one's troubles. Perhaps I could provide them with this relief. Fyodor Dostoevsky said that prisons give us a picture of civilization. Venturing to that dim shadowy world guarded by high walls, barbed wire and watch towers could actually reveal what was wrong with the outside world. How did women – denied justice, equality and freedom in society, cope with prison life. – with apathy, stoicism or rebellion? A new year was wanting to dawn, and even as around me people got ready to celebrate, I was readying myself to visit a place that is on nobody's wish list.

Tucked inside a black folder in my study drawer was a letter which was my passport to the unknown world. It would get me past the high walls, iron doors

would clang open and I would meet those whose lives I had come to discover, understand and accept. In a terse official letter signed by the Inspector General of Prisons, Assam, it informed me that I was allowed to visit the Central Jail Guwahati/ Nagaon and Jorhat, subject to observance of rules and regulations of Jail and as per the convenience of the Jail Authority.

An important step had been taken and I was all set to enter a new threshold of experience. I had watched prison documentaries on Youtube for countless hours, waded through reams and reams of research, talked to lawyers, journalists, social workers, police offices. Not one person had shot down my idea. Now, on this cold evening a day before Christmas Eve, I call up sister Asha, a nun who slips in and out of prison, bringing succour to inmates. I am going to rely on her own experiences and feedback so that I know what to expect in prison and avoid striking a wrong note. I am yet to meet her in person but we have spoken several times on the phone. She always sounds warm, cordial and willing to help. After wishing her Merry Christmas, we fix up a meeting for December 26.

A nun working in prison, spreading the light of God... it rang a bell somewhere. I then remembered Susan Sarandon's Academy Award winning role in *Dead Man Walking*. Sarandon plays the role of sister Helen Prejean, a real life nun, and her

attempt to bring redemption for Mathew Poncelet (Sean Penn) a Death Row prisoner. It is a powerful story of sin and forgiveness. Sister Helen never gives up on the criminal and her faith is a testimony of love and humanity. I hope that sister Asha will have stories about her work within those high walls and I am eager to listen to her experiences and the challenges of her unusual vocation.

Christmas eve and I visit my parents living in the eastern suburbs of Guwahati. Sipping mother's special ginger tea and biting into a crisp samosa with a keema filling, I brief my eighty-five year old father on the progress. I have made in inching closer to the walled fortress.

At his age, it is normal to forget things and many details slip his mind. But the word prison prompts to a humorous query from him. "Oh, so you are storming the Bastille, eh?" We laugh in unison. As you know, the Bastille was a fortress in Paris, known formally as Bastille Saint Antoine. It played an important role in the internal conflicts of France and most of the time it was used as the State prison by the kings of France. It was stormed by a crowd on 14<sup>th</sup> July 1789 in the French Revolution, becoming a symbol of the French Republican movement.

My father warmed his hands on the heater and asked. "What was the name of the book... about the prisoner who escapes by leaping off the cliff into the sea?"

"Its Papillon." I said, happy to draw him into a long conversation. "You got it for us from the library in the eighties."

Papillon is a memoir by convicted felon and fugitive Henri Charriere, which was first published in France in 1969, describing his escape from a penal colony in French Guinea. Full of heart stopping twists and turns, the book had its detractors and the author's credibility is questionable. Papillon meant a butterfly and the title was taken from a tattoo on the skin of the main protagonist. It was made into a Hollywood film in 1973, starring Steve McQueen as Charriere.

It was now my mother's turn to speak. Not surprisingly, her first concern is my safety. My mother is the kind of woman who worries even if her middle-aged daughter has to cross the road or catches a cold. I assure her. "They will be unarmed, remember. They will be sad and mixed up and waiting to get out of there. I could be their friend you know, just listening, not telling them what is right or wrong. Its being told that makes them angry."

"Okay", she shifted gears swiftly. "So what will you wear?"

"I have to be accepted by these woves I think my image should be matter-of-fact, understated. Sober cotton saris, flat shoes, a folder, bag without frills. And my spectacles will certainly help. I will, of course, have to go without my usual

costume jewellery. But believe me, Ma, all I need to be is natural. They don't care how I look. God knows they have more worrisome things to bother about."

As I settle in my seat on the long drive home, I look at people on the pavements, people streaming out of malls and movie theatres. We, who are on the outside, look up at skies full of jeweled stars and watch the Brahmaputra flow ceaselessly past. We read books, listen to music, meet up with friends. We start families and earn a living. We take our freedom for granted, thinking little of how it makes our lives worth living. As the day nears for my prison visit, these thoughts occur with rising frequency.

For the last half an hour, I have been mailing e-cards to my sons and daughter-in-law. Card after card appeared on the screen, awash with tubby Santa Clauses, bells and mistletoe, glimmering candles and ...Nativity..... scenes. As a mother I have this driving need to gift a safe and pretty world to my children, and yet, now I am gladly back in the world of crime, handcuffs, barred calls, punishment and atonement – tapping a few keys I come across a Times of India report dating to October 14, 2003. For the first time in its history, the Mumbai Police has drawn up a list of India's seven most wanted women criminals. A senior police official admits that while the attention of the forces has traditionally been focused on

male criminals, women criminals sometimes get away due to their gender. Six women (the seventh's photograph is not available) stare back at me. One of them is in her bridal finery. Another, with her flowing hair and eloquent eyes, looks a sure heart breaker. Topping the most wanted criminals in India are Reshma Memon, wife of Tiger Memon and Shabana Memon, wife of Ayub Memon, notorious underworld dons. Both women are known to be fully updated on their husband's nefarious activities. Anjali Makan is wanted for defrauding a national bank of rupees one crore. A grim-faced Archana Sharma, staring back with her dark, pitiless eyes and mouth set in a thin, hard line, is wanted for carrying out abductions for dons Fazlu and Babloo Srivastava. Monica Maurice is wanted for pulling off a fake currency racket. She was arrested but jumped bail. The beautiful Sameera Jumaní ran a forged passport racket, getting away with lakhs of rupees. A Red Corner notice has been issued against several of these women. A Red Corner notice is a warrant for arrest issued by Interpol to its branches in 44 countries. If the accused is sighted in any of these countries, his or her home country is alerted so that extradition or deportation proceedings can begin.

There are several Indian names in Asia's list of offenders evading arrest. They include Bhavna Doshi, Rupal Doshi, Bhartiben Rajesh Patel, Indira Prasad.... All of

them are wanted for counterfeiting, forgery and fraud. These are crimes of greed, not passion, and for that reason they do not engage my interest.

It is close to four in the afternoon and the after work traffic is already evident. I am going to Pan Bazar to pick up sister Asha Preethi D'Souza, a nun working under the Prison Ministry of India. Imposingly tall and gangly, Sister Asha laughs with girlish jollity and miracle is a word that she uses frequently. Eldest daughter of a well-do-do businessman father, Sister Asha, now in her mid thirties, has given up the comforts of home and family life in Mangalore to offer solace and help to men and women behind bars. Belonging to the Ursuline Franciscan Congregation, Sister Asha lives on a pittance and explains that God often comes to her rescue, with strangers pitching in with gifts of money to pay for her travel expenses and other necessities. Indeed, there is a tranquil air about her and she says she has learnt to live for the moment. Sister Asha has been a regular attendee at prisoners across the region since 2010. The Prison Ministry of India has its



headquarters in Bangalore and Sister Asha is the only one of the order working in the North East.

This fact alone implies great responsibility and she loves her work". I have always wanted to do something different, risky and challenging, she declares, waving her hands. "I was a teacher for a while but it was too tedious. But this job can take a lot out of you. There is uncertainty, red-tapism, resistance from both prison authorities and the inmates. There is long delay in the court cases. I have to counsel inmates who are angry, depressed, bitter about their lives. If I probe too much into the conditions in prison, permission to visit them may be revoked by jail authorities. I have heard many heart breaking stories and tried to help by listening, by going to court during hearings, cajoling lawyers to defend them well. There was an old inmate by the name of Heema Munda. Since there are no women's prisons in Assam, the women inmates are transferred here and there whenever things get crowded. Heema, who was suffering from cancer, was in Guwahati jail whereas

her folks are from Doom Dooma in Upper Assam and too poor to visit her. Heema passed away in jail, suffering alone and in deep despair. It was easter and I would not find a single priest to conduct the last rites. In fact, I requested the jail officials for the services of four gravediggers to prepare her grave at the Uzan Bazar cemetery. So there we were, three jail officials, myself, the prisoners with their spades and Heema in her coffin. I conducted the service and gave her a simple burial. That incident seems to have made a deep impact on the four prison inmates and they would often remind me of it. Perhaps they felt happy that we had not abandoned a hapless woman in her death. Heema had been convicted of witch-hunting but in those final hours, she was just a woman who needed to rest in peace."

Sister Asha is troubled by the conditions of women prisoners in Guwahati Central Jail. "The male inmates have a lot of space to move about. The library is in their premises. They can even buy essentials in shops inside the premises. Women are housed in a corner, with little

space. They do not have a proper routine of work and are often idle. They are not motivated to become literate. Loud arguments break out among them on minor issues. They worry about their homes and families. Women who have their children with them agonize about how their children will be taken away from them once they reach the age of six. I think that if women are involved in preparing the meals, they would have a kind of purpose and be less miserable.

Sharp at five in the evening Sanjay Ray walks into my living room. A well-mannered personable young man, Sanjay has been on the crime beat for close to a decade, first at the web portal [northeasttribune.com](http://northeasttribune.com) and then at *The Assam Tribune*. We are colleagues and I often take his help in getting contact numbers of police officers.

"Crime and sports are close to my heart," he smiles. "Being a crime reporter brings me close to a dangerous, shadowy world that is full of mystery. It takes a lot of patience to unearth stories, follow up leads and report accurately. I have to cultivate many sources who wish to be anonymous. So, I have to win their trust. Many police officers reveal valuable information off the record and I scrupulously avoid quoting them."

"In your years as a crime reporter, what have been your findings regarding women committing crimes?" I ask with curiosity.

"Looking back, I see that there has been a rise in the number of female offenders. These women are mainly the wives, sisters or paramours of men who mastermind crimes like drug-peddling and human-trafficking. For the most part women commit non-violent offences. Most are very poor and they are easily tempted by the lure of money! They often make more money out of these crimes than they would if they worked somewhere. They are also unaware of the serious implications of the offence and rely on their male partners to protect them. Sadly, when the law catches up with these women, the men simply vanish into thin air. Then there are women who are widowed or abandoned by their husbands. Worse, they are saddled with young children, which makes it hard for them to work. It is all very easy for people like you and me to moralise, but what else can these women do? The government has a scheme whereby a widow or spinster who is of 45 years is eligible for an allowance of rupees three thousand per year. What happens to younger women? And what use is that measly amount.? Our society, our government has failed these women. When they are hungry, when their children cry to be fed, they cannot afford to think what is right and wrong, what is lawful and what is not."

"Is it always women with families who offend?" I ask. "Surely there are young, single women, women who are middle class and aspire for more affluence, even glamour?"

"I was coming to that," he said. "There has been migration of people from other parts of the State and region to Guwahati on a massive scale. Many young men and women enjoy a lot of freedom, as they make a life away from their parents. Many young women tend to spend a lot of money on themselves and when they are unable to make ends meet, are drawn into prostitution and drug-trafficking. It starts

innocently enough – a party here, a meeting there, but before they can figure it out, they are pawns in a well-organised ring that ruthlessly exploits them. In my rounds as a reporter I have come to know how beauty parlours and girls hostel run this racket under disguise. The fact that this city is growing so rapidly means that one is totally anonymous and there is no one to keep watch."

"What about violent women criminals? Surely you must have come across some?"

"Yes, certainly. There was this daughter who killed her own mother in cold blood. The mother was planning to bequeath a part of the property to a trust. The daughter hired four men. She let them into the house one night and they strangled the women. The police initially thought it was a robbery but after many hours of interrogation, the woman confessed. I felt sickened by this crime by a daughter against her aged, helpless mother. Then, in the Kamakhya Hills, a 55-year-old cloth merchant was murdered by his 25-year-old wife and her paramour. These are rare cases. These days young girls are also used to set up as honey traps for businessmen, security personnel etc. Security personnel are often stationed away from their families and this makes them easy targets. They often pay-up when they are black-mailed, and the matter is seldom reported. This only emboldens these criminals.

For the last couple of days an obese, brash young woman has been a regular television screens. The caption says it all – lawmaker Seema Devi not her real name\_ arrested for alleged links to a nationwide car theft racket. Seema , 34, is a legislator in Assam and her name has been linked to a swarthy, pot-bellied crook who is alleged to have stolen around 3000 cars, shunting them around the country with

changed number plates, false papers, hurried paint jobs, the works. In 2013 and 14, it is alleged that legislator Seema arranged car passes for her associate the car thief to attend the Assembly Sessions.

The Gauhati High Court rejected Seemas plea for anticipatory bail. In a hurriedly convened press briefing she swore her innocence, saying that an appeal for anticipatory bail did not imply that was guilty. The police want to question Seema about her alleged links with the car thief and whether she had provided him with protection, making it easy to operate from Assam and the North East. She was arrested under sections of the law dealing with conspiracy, cheating and harbouring an offender.

Seema, who is a doctor, has strenuously tried to claim that this is a political conspiracy and that she had issued the passes at the request of the car thieves wife, who is a party worker. .

Seema was first elected to the Assam Assembly as a BJP candidate . Four years later, she joined the Congress in 2010 and a year later won the elections as a member of the party.

Seemas private life has been under public scrutiny when she converted into Islam to marry a second time, walking out on her husband and child. She fell out with her second husband , accusing him of domestic violence. He was arrested last month.

The car thief, a hardened criminal is wanted in Mumbai, Delhi, Kolkata and other cities. He had once been arrested in Meghalaya, but had managed to escape.

Seema, escorted to jail for a two week stay, very predictably complained of illness and the court has ordered a medical check-up. It is now reported that she is pregnant.

One of the luxury cars used by her estranged second husband , is believed to have been taken by Seema from the car thief. A. In July 2012, a mob thrashed Seema and her second husband at a Karimganj hotel and the incident was widely covered by the media. The irate mob of 200 people wanted to punish the couple for the alleged bigamy and her conversion to Islam. Seema was four months pregnant at that time. For several years Seema has been at the centre of speculation and controversy. She had met her second husband on Facebook and suddenly vanished, leaving her first husband and a three-year-old daughter, only to surface as a coy, bejewelled bride. The public were, however, not ready to accept her dramatic enactments. Beaten black and blue and rescued in the nick of time, Seema claimed it a political conspiracy. She has the dubious distinction of being the first woman MLA to be physically assaulted while in office.

Seema is a classic cautionary tale. She could be Madam Bovary, chaffing against the bondage of conjugal life. She could be Anna Karenina, trying to make a new life for herself with her lover, away from her husband and child. She wants power, wealth, love by any means. She is brash, arrogant, without scruples. But there is also naiveté. She misjudged the public and the law. Today she is among the women inmates I interviewed last year. I am sure she is creating a ruckus, putting on an act, demanding privileges. She almost had it all, but with arrogance, foolishness and lack of scruples, wrote herself out of the script. As the weeks and month pass, we will see and hear more of this controversial woman and it perhaps won't be long before

somebody makes a film on her. You can certainly throw a wager on that.

## **Chapter II**

### **A chilling secret**

This is the day before I visit the Central Jail in Guwahati. It has shifted from its premises in Fancy Bazar to a large area at Sarusaja, close to the National Highway. I am a little disappointed for I would miss the history of the previous jail. As the hours pass by, I grew distinctly nervous.

After office hours, I visit a nearby beauty parlour to trim my hair and tweeze my eyebrows. "Be careful." Says my younger son, who, till this moment, had not expressed any reservation about the project. At the back of my mind I am looking for the sort of image I would have to project before the inmates. I would have to look middle-aged,



motherly, cheerful yet authoritative, a good listener, sympathetic without seeming condescending. I would wear a sober sari, tone down on the make-up, wear a simple chain. But I must have my lucky rings on my fingers.

In my application, I had described my book as a gender project. So, at night, sitting at my computer, I type in feminism and crime. I begin to perceive that what I am setting out to do – tentative and exploratory as it seemed, was geared to be an organized activity on behalf of women's rights and interests. And that, in a nutshell, was the definition of feminism.

If this was so, I needed to get some things clear. The study of crime and the criminal justice system is defined as criminology. The main objection of feminists to findings of criminology has been that theories of criminality have been developed from male subjects. It is assumed that these theories would apply to women too and most often this is not the case. Women are not expected to be criminals and if they are

found to be so, they are termed as mad not bad (Loyd 1995 XVII). These women who have committed crimes by daring to go against their natural biological tendencies of being passive, obedient are thought to have lost their mental balance. Women commit crimes at a far lesser level to men. Female murderers are few and far between, compared to male murderers.

Criminologists Lombroso and Ferrero opined that men and women committed different crimes due to their physical difference. It stems from the belief that women are passive, caring and nurturing. It was inferred that therefore normal women did not commit crimes.

Dalton (1964) put forward the premises that hormonal or menstrual factors can influence women to offend in certain circumstances.

Freda Adler links a dramatic rise in female criminality to the arrival of the Second Wave of Feminism in the 1970s. According to her, while women demanded equal opportunities in legalized avenues, some women forced their way into major criminal activity such as murder,

robbery and white collar crime (Adler 1975). The new woman criminal is engaged in predatory crimes of violence and corporate fraud.

Woman's emergence in the work place has also given her the temptation and opportunities to offend.

Denscombe (2001) points out to a new breed of women who have taken up male attitudes and risk taking behavior, whether it is drunk driving or taking drugs and indulging in brawls in public place. The studies of James and Thornton revealed that most women convicts came from impoverished and disadvantaged backgrounds, and are more or less illiterate.

While it was previously stated that women committed less crime because, as home-makers and care-givers, they did not have the time and the opportunity to do so, circumstances in women's lives have changed and this no longer holds true. A caring mother and wife could be perpetuating a fraud etc.

Parsons came up with his theory of the passive nurturing woman unable to commit crime in 1937. Hirschi backs Parsons in his bond attachment theory. According to him, the more attached a person is to certain aspects of society, the less likely they are to risk it all by committing a crime. A woman with children will have more at stake when offending, for her children may be taken away from her custody.

If I am to write a book of any value on the lives of women prisoners in the jails of Assam I have to have a clear idea of the feminist school of criminology. This school was developed in the 1960s and 1970s as a counterpoint to the general disregard and discrimination of women in the study of crime. A patriarchal bias made criminology studies andocentric. Feminist theory of criminality was the offshoot of the Second Wave of Feminism. It upholds that crime is caused by hostility in men, but also that crime is the result of inequalities within society. Politically, there is a range from Marxist, Socialist to liberal feminism examining the gender ratio problem – attempting to explain why fewer women commit crime or the generalisability problem – how findings on male criminal behavior are indiscriminately applied to women offenders.

A woman's gender role continues to define acceptable behaviour in a woman, with violation of this leading to social sanctions. This is a

powerful form of social control and Herdenson (1992, 2000) suggest a male based control theory. Women have been denied their full civil rights and access to resources (Naffine 1996).

Federalism have given greater freedom but not change the pattern of women's crimes. Feminists are now calling for women to be involved in environmental teaching, research, theory and publishing.

Criminological studies since the nineteenth century have clubbed women offenders with juvenile delinquents and the insane. This was understandable, considering how women lacked legal and civil status.

Feminists also intrigued the strain theories of criminal behavior as being hypocritical. When male offenders commit a crime under certain kinds of opportunity blockage, their commission of crime is seen as a normal response. And yet, the same theory judges women's crimes in similar circumstances as weakness.

An interesting angle is the handling of female offenders in the criminal justice system. In the traditional chivalry made, women offenders are seen as victims and treated leniently. In the evil women hypothesis, women offenders are treated more harshly as they are seen not only transgressing legal boundaries but also breaking rules of acceptable behavior.

“I will got to jail today”, I say to my mother on the phone as I gather my notebooks and pens to thrust into my large bag. I am wearing black trousers, a dark green kurta, a sweater and shawl.

“Please don’t say it like that!”, she said timidly. For her, as for most people, that is an inauspicious utterance, and it is the worst thing that can happen to anybody, especially a woman.

Guwahati Central Jail is fourteen kilometers away from my home. I am a bit vague about the address and so is the driver, but we have been told it is just off Highway No 37, beyond Lokhra Chariali. The mercury has dipped further and a thick bag obscures the sun. Since it is a Sunday, traffic is thin and we are able to speed our way there. Sure enough, there is a large white concrete gateway with Guwahati Central Jail inscribed on it with black paint. We move over a nondescript road with houses and shops and stop outside the iron gates manned by three policemen. I get down from the car, producing my identity card. A policemen walks me across a bare front yard to the enormous jail gates painted a screaming red. As the gate is unlocked, I enter a large, rather gloomy hall flanked by two parallel gates. Three guards, a table and chair, a rather worn out register – my eyes quickly take in the scene before I am swept into Jailer Arup Patangia’s office room. Beyond the cursory introduction and stating the purpose of my visit, there is little I

am able to do because he is deep into the logistics of arranging guard duty. Consulting three guards, he runs his finger over a list which appears to be a kind of duty roster. They completely disregard my presence and I am happy to be as inconspicuous as possible and soak in the atmosphere. From what I understand, posting two guards hailing from the same area or professing the same faith is avoided. As Patangia thrashes out the matter with the other men in uniform, I glance quickly around and notice the pretty little girl on a calendar and lace curtains on the windows. They add a soft, feminine touch to what is clearly a very macho set-up. A burly man with a long stick swaggers into the room. He looks tough and you can be sure he means business. He gives me the once over, and proceeds to ignore me, to my relief. More orders and telephone calls later, Patangia orders cups of tea and speaks.

The Guwahati Central Jail shifted from Fancy Bazar to this campus on 1<sup>st</sup> April 2012. The entire area of the jail is 85 bighas, out of which 34 bighas are enclosed. There is less than a bigha for the women inmates. He consults a register and says " As of now we have 211 male convicts facing life imprisonment. Among the females, two are serving life sentence, three have been booked under Narcotic, drugs and psychotropic substances acts. We have a total of 37 women inmates. Many are undertrials and are waiting for the court hearing.

A plump, well-dressed gentleman with a pleasant smile smoothly joins our conversation. He is introduced to me as Muhibur Husain (name changed), one of the names that had made the headlines in a scam involving crores. He ...ruefully..... admits that it is his bad fortune that has landed him here. Having come to know the purpose of my visit, he requests me to write a book on male inmates too, as they too suffer greatly from having to stay apart from their loved ones.

“What are the challenges of running a Central Jail?” I change the subject and ask Patangia.

“ I joined the jail in November and have tried my best to tackle various problems. There were many large depressions in the campus, which I got filled up with earth. Then we have large rocks which have to be chipped down. We are still doing that. We have built mandir, masjid and gurudwara for the inmates. Prayers and worship help them get relief from their agony. We need to have a proper dining hall for the inmates and the kitchen is not in a good shape. The women’s prison should actually be totally separate from the men’s block, but now it is near the prison hospital which is frequented by males. Water scarcity is a major problem and when our pump broke down recently, we had to spend several thousand rupees to purchase water for the inmates.



My headache is not the inmates housed here, but the jail staff who must be managed with a firm hand. They often make excuses to stay away from work. We have a staff of sixty, of which 46 are on active duty at present. There is a Head Warden, three wardens of which one has been suspended due to a prisoners escape and another for a different reason. We have 43 guards, out of which two guards have been assigned to accompany inmates to Guwahati Medical College Hospital and back. Heading the jail administration is Sri Madhav Chandra Saikia ,whom I had talked on the telephone several times. Next to him is Jailer Patangia, and five assistant jailers including a lady. The rest are prison guards.

"I have worked in prisons for twenty four years .." stated Patangia.

"People only have sympathy for the victims of crime. There is no concern that the offenders too suffer, sometimes for the rest of their lives. I had in my custody an eighty year old man, nearly blind, suffering from ...parkinsons disease. He had been jailed for defrauding someone. It was up to us to take care of this poor man as best as we could."

I am now ushered into Madhav Saikia's office room across the front hall. As today was my first day of this enterprise, I was careful to be well-briefed. The bespectacled Saikia was soft-spoken and cordial. I explained to him the purpose of my book – to explore the

circumstances that compel women to commit crime, the experiences of their incarceration and their life after prison.

"It is a very good idea", he said approvingly. "I have long wanted to do a book like that myself. As you are aware, nobody is born a criminal.

There are many social and family issues that push a person to this path.

We see inmates, especially the women, with sympathy. There have many circumstances working against them – poverty, lack of education, abusive spouses, ignorance, ill-health. It is especially sad to see women having to live here with their young children in tow. We try to provide children with, milk, fruits, clothes. When a woman comes here pregnant, I feel she is my own daughter and I have to ensure she gives birth safely. We often go beyond the call of today. There is no issue ill-treatment whatsoever.

However, I am sad to say that the women in jail are not concerned about passing their time usefully here. We have tailoring, weaving, knitting and embroidery classes but they are reluctant to join. They prefer to sit idle and talk among themselves. They often have loud arguments and pull each others hair. We have a teacher but no one is interested in being literate. We often have to intervene and break up their fights. In places like West Bengal jails are called Sudhagrihas and every inmate is equipped with skills to face life after prison. For this I

think we need correctional services. At present we are simply housing and guarding them.

Saikia has indeed touched a valued point. Corrections encompasses secure detention facilities like jails and prisons, but it also includes programmes and personnel. Probation and parole rehabilitation training, counseling, restorative justice and drug and alcohol therapy programme are all contained within the broad meaning of corrections.

Just then, sister Asha, whom I had struck up a friendship just the other day, arrived pattering in her Kinetic Honda. She had free rein to the entire prison and her purpose today was to counsel and conduct prayers.

Then arrived the moment I had been waiting for. Saikia assigned me to accompany Dipti, one of the prison staff, a pretty girl in a neat bun and khaki sari, to the women's section. Dipti tapped on another giant red gate. It was unlocked by a guard on the other side. We walked along an open area which had a slope of jagged white rocks. In the flat level there were a few trees covered with white thermocol and tinsel decorations, evoking the Christmas spirit. High on a rocky boulder were two busts of Jawaharlal Nehru and Mahatma Gandhi. Crows cawed in the foggy winter sky and FM radio music floated from the men's quarters. The front gate of the women quarters was also painted red

but it was far smaller, as if it was the gate to a modest home. The guard who opened it for us was a silver haired granny like warder in a khaki sari, wearing glasses, who smiled in welcome but spoke little. There was a small Shiva temple in the inner courtyard and a couple of women were sitting on the steps, sipping cups of steaming black tea. They promptly dispersed when I went in. One of them, a plump woman in a loose salwar kameez, her hair piled on top of her head and a white shawl draped carelessly around her shoulders took me into a large hall. It had three looms, a couple of sewing machines, a chair, table and a large bench. I tell Dipti, the guard, that I want to speak to all the inmates. They troop in, a motley bunch of women ranging from eighteen to sixty perhaps. Their movements are lethargic, their faces wary. One or two of them smile tentatively. They are curious but silent. Dipti asks them to sit down on the floor. Some do so, other stand, a little defiantly. I rise from my chair and move closer to them. Folding my hands in greeting, I tell them "My name is Indrani and you can call me Indrani Baideo. I work in a newspaper and am a wife and mother. I have two sons. I write books which are stories about people. I want to write a book about all of you – where you come from, the families you have left behind. You are here for a reason. I will not blame you for what you did. I only want to understand your sadness, your pain and anger. I want you to tell me about your lives before and after coming

here. I hope to be like a friend, a sister, who will listen to you. Perhaps you will feel happy to tell me what has been in your mind so long. You may tell me your names but I would understand if you choose not to.

I can see hope flicker in a couple of faces. I decide to end it there, and avoid making it like a rehearsed speech, which it is not.

A slender woman, perhaps in her early forties, pushes her way from the rear. Against the deep lavender of her coarse woollen shawl, the pallor of her skin is startling. As she comes closer I see the fine crows feet around her eyes. Her face is contorted with barely controlled emotion. She seems ravaged by sorrow. "If I tell you my story, baideu, will you believe me? Please, baideu, will you?" Her voice is hoarse, as if she does not use it often. Her eyes beseech me as they meet mine.

This is more, much more than I had hoped for. In a spontaneous gesture, I touch her arm. "Of course I will", I said gently. "You can tell me when I come next Sunday, Ok?"

A dark elderly woman comes close to me. "Baideu, what if I want to talk to you on the phone? I may not be here next week. I have got bail. What can I do?"

For a split second, I hesitate. These are offenders. As a civilian, was I authorized to give them my mobile number.? But more than thirty pairs

of eyes are watching me closely. I have to win their trust at any cost. I open my notebook, tear out a page, scribble my name and number and press it into her grateful hands.

The ragtag group disperse slowly.

"Who is Rumi Chowdhury? I ask. "I would like to speak with Rumi, Please.

"I am Rumi," says the plump woman who has been sitting on the steps of the Shiva temple with a cup of tea. Rumi (not her real name) is a life timer, convicted of murdering her husband. It had been a grisly affair. I had been told by Sister Asha that Rumi was a natural leader, keeping the other inmates in their place.

Rumi sits down by my side. Her thick hair is piled up on her head. Her deep-set eyes look at me amiably. There are dark patches on her cheeks. She seems poised and self-assured. Slowly, she begins to speak.

"I am forty-one years old. I have spent eight years in jail, I am from Rupohi, in Morigaon district. At home now there is my mother and a younger brother. I am the eldest, and my father's pet. I had a happy childhood. I sang, acted in dramas, did well in my studies. I played the role of Krishna at a Raas performance. My eyes were painted, forehead dotted with sandal paste. I had a peacock feather on my top-knot. I

wore a silk dhoti and a velvet tunic. That was a special moment in my life. I am really an ordinary girl. I read my books, went on to college, took up economics as my major subject. My father then chose my groom and we got married in 1994. He was a bank employee. No, I cannot tell you the name of his bank because it will give me away. We got married four years after seeing each other. I wanted to be an ACS officer and on the day this happened, I was preparing for the exam. You must believe me when I say that there was nothing wrong in our marriage. We loved and cared for each other."

She pauses and wraps the shawl tightly. Her tone is even, conversational, almost flat. It must be because she has told this story numberless times – to the police, the lawyers, the judge, other inmates. She resumes speaking.

"Mrinal had taken a month's leave to help me study", she went on. "That night, at about nine O'clock, just as we were to have an early dinner – remember, I had the exam the next day – the door bell rang. Four or five men came in. I was in an inner room. My husband was a bank manager and I heard raised voices over some loan matters. I went out and told them to leave, saying they could settle matters in the office. But things got worse. My husband mentioned a file he had and there was a fierce argument. I was walking towards the kitchen to

warm the dinner when some of the men grabbed me from behind and pushed me into the kitchen. I began to scream and shout. I ran out of the house, seeing the men leave in a hurry. I was sure they had kidnapped my husband. I shouted to alert the neighbours and fainted. People gathered around me. My husband was found in the house, murdered. They took him to the hospital I did not see him. I was sedated by the doctor. My husband was dead. My parents arrived in the morning. We filed an FIR at the nearest police station and went to Lakhimpur. I was now a widowed daughter-in-law, I would have to be there and carry out the rites and rituals. But my father-in-law filed an FIR saying I had murdered his son that I had hired goons to do it. I had only one thing to say – what about the FIR I had filed? Why was no action taken on that?

All at once, one of the sentry guards marched into the room and said the jailer wanted to see me. I was to go at once. I craned my neck, closed my books, capped my pen, and followed him back, past the scattered boulders, the trees festooned with tinsel, the busts of Bapu and Nehru. I was filled with dread. Why was I being summoned so urgently, that too when my interactions with the women had only begun? Had I broken prison rules by giving my telephone number to an inmate? Would I be ticked off, like an errant schoolgirl, or, worst case scenario, have my permission to visit prison revoked sine die? Instead of the



jailers chamber, which I had visited earlier, I was briskly escorted upstairs. Loud male voices reached me on the landing. Was an inquisition being readied? I entered a hall and was jovially greeted by the Jail Superintendent and the Jailer. Seated on three tables were jail officials and sister Asha, eagerly demolishing a sumptuous lunch. A plate was ready for me, I sank down, deeply relieved and smiling. Soon I was tracking into a meal of fried bean, dal, salad, fresh fish cooked in a gravy and tender mutton curry. Jailer Patangia introduced me to the very youthful and good looking young man with sharp features as the gentleman hosting this feast. It was in honour of his daughter who had attained puberty. I congratulated him and he bowed in acknowledgement, smiling.

Later, in the chamber downstairs, Madhav Saikia tuned to me. "Do you know, he is a convict. He is unable to attend his daughters ceremony. If he is guilty of murder, it is certainly a tragedy. If he is innocent and wrongly convicted, it is a greater tragedy.

I was eager to get back to Rumi Chowdhury and listen to her story. But in the late afternoon the sky was already turning dark. I told Patangia that I ought to go back and tell her that we would resume our conversation the following Sunday.

“We cannot let you go back there without an escort;”, he said. “We have to make sure that no one attacks you.”

I felt a little prickle of fear, replaced by a feeling that not a single woman I had met there meant to harm me.

Patangia sent a guard to fetch Rumi. A good half an hour later she arrived. Her transformation was remarkable. Instead of the loose, untidy salwar .....kameez and white shawl she was wearing a pale purple sari with a white pattern. Her hair was neatly coiffed. At that moment, she seemed an attractive normal middle class woman dressed to go shopping. I smiled warmly at her, complimented her on the sari and promised to be back the following Sunday. She nodded politely and walked back the way she came. Watching her retreating back, a number of questions churned in my mind. Was this woman, so pleasant and composed, a cold blooded murderer? If she was innocent, why was there no rage against the system that had wronged her?

Driving home in the gathering darkness, I felt a deep gratitude for the day's experience. It had gone better than I had expected. I was eager to go back to my study, sit at my cluttered table and note down the day's happenings. At the fag end of the year, when people around me were lighting bonfires, feasting, tying gifts, singing and dancing at parties, I

had been among people that the outside world had forgotten. I couldn't wait to get back among them the following Sunday.

## **Chapter III**

### **Behind bars**

I am a journalist by training and a writer by inclination. Within me, each exerts a pull on the other. Background research is as vital as empathy, facts as valuable as the power of compelling story-telling. And without the solid backing of facts, this book would emerge as a self-indulgent whim.

Democratic India as notorious prisons that could be at par as those in countries having brutal dictatorial regimes The prison personnel violate international human rights as a matter of routine. The rigours of incarceration are intensified by appalling living conditions – overcrowding, inadequate sanitation, inedible food, lack of access to healthcare, verbal and physical abuse by guards, lack of privacy. Faulty Government policies and lack of transparency has created this limbo. The National Human Rights Commission has it that there are 70,000

complaints lodged by prisoners or their kin, 40% against the police, and the rest involving human rights violations inside jails. Female inmates remain silent about their rights violation either due to ignorance or are cowed down by the threat of punishment. Not only that, their gender-specific needs as prison inmates are completely overlooked. Held in jails around the world are a staggering half a million women. But since female prisoners comprise only four to five per cent of the total prison population gender-based approaches and policies are never enacted for such a minority.

India has 16 women prisons (as on 31 December 2007) and women comprise 4.1 of the total prison population. Assam does not have a single women's prison, though the National Commission for Women recommends the setting up of at least one women's prison in each State. Therefore, in Assam, women continue to be housed in a small area within a mixed jail. The much larger percentage of male inmates must certainly have a negative impact on the women, not to speak of their specific needs never looked into

Almost all women convicts or undertrials come from poor, marginalized backgrounds. Many have endured physical, emotional or sexual abuse. Most have never had the benefits of education. Many are unwed mothers or wives of violent drunkards, drug addicts or criminals. Many of them have mental problems which need the diagnosis of a psychiatrist and

medication. There are other health issues related to drug addiction, gynecological problems, sexually transmitted diseases, HIV AIDS.

Due to their ignorance, the women inmates are at sea regarding the law. They are too poor to hire a lawyer and too intimidated by law courts to be able to defend themselves. The legal assistance provided by the government through the Legal Services Authority Act is not always effective, as lawyers often have no interest to defend their client, since they are paid a nominal sum to do so.” And these hapless women cannot arrange for bail or the fine amount.

This book is being written with the belief that women’s incarceration experiences are different from a man’s. I want to find out if women inmates, though a tiny minority, can avail of the same facilities as male inmates. It is necessary to find out what are the biases that make her imprisonment even more galling than it already is.

Many Indian states have initiated prison reforms. Prison Manuals of Andhra Pradesh and Maharashtra were amended during 1979, but the jails of Assam still abide by the one prepared in 1934. Not surprisingly, the word “she” is nowhere in use, implying total disregard of even the possibility of having woman inmates. There is no separate fund allocation or policies to meet the gendered needs of this category of inmates.

A majority of the women that I have begun meeting are undertrial prisoners. Now of them have any idea when they will get out. Court attendance is a harrowing experience. They are unable to establish their innocence or defend themselves, and the magistrate almost always gives a fresh date. A woman who would normally be out of prison in a couple of months languishes for years. She is devastated as her children are on the outside and she does not know how they are, who is looking after them. When a man is in prison, his children are looked after the wife, but in a woman's case a man often abandons the children and takes up another woman as his wife. Under international standards ,detention prior to trial is seen as a last resort, such as the suspect failing to appear for trial or interfering with witnesses, evidence or other trial processes or is liable to commit other offences. One is to be denied bail only for serious offences. Woman who commit petty, non-violent crimes must not have to suffer pre-trial detention.

As on 30 September 2009, the prison population in Assam was 8951, as against the official capacity of 6862. No wonder over-crowding is the main problem, leading to poor hygiene and health issues, sanitary problems and improper living conditions.

Day two of my prison visit and I feel like an old hand already. The guard at the entrance recognizes me and waves me through.Stooping low and stepping over the small square gate fixed to the larger gate, I walk over to the guard with the visitors register and sign my name with a flourish.

After some pleasantries with Jailor Patangia, I am eager to go off to the women's quarters and begin my interaction.

“Not so fast”, the Jailer says a little testily. “You will have to be given an escort. No, I think it would be better to call whoever you want to interview here, in one of our office rooms. Interviewing them there won't be very easy for you.”

I am dismayed. I want to build a rapport with these women, observe them as a group, get them to talk freely with me. Coming to the office to be interviewed may scare them into silence.

“Actually I want to meet them all for a few minutes. I have brought some candy for them and want to give them myself.

I am taken to the women's wing. There is a large, rock strewn campus with young trees. But it is out of bounds for the women. The guard who accompanies me is the tough man with the stick who had ignored me the first day. He says he is due to retire soon and had stories to tell me. He raps sharply on the gate and a woman warden opens it promptly. There is quite a cacophony in the E shaped building. The inmates were hanging out washing to dry, combing their hair, climbing up and down the stairs, addressing each other loudly. The three female wardens stand watchful, alert, in the middle of the sunlit yard. In the bare hall on the ground floor, Rumi Chowdhury is bent over a length of half-woven red fabric on a loom. She comes forward with a bright, welcoming smile. I

feel a little unsettled ,for I have been meaning to go deeper into the crime she has been convicted of. On the other hand, it is she who may be going out of her way to be nice to me, and evade the grillings. It suddenly seems as if it is a cat and mouse game we are playing.

As the women gather around me, I take out a cloth bag of candies and ask an inmate to pass it around. I can see them smiling as they each clutch a toffee. I ask them once again to be prepared to tell me their stories. Just then, I notice a half naked baby on the hip of a young woman. She pushes past the others, comes close to my table and says in a plaintive voice. “Didi, please get me out of here. I and my baby have no clothes. We came with nothing. Please let me go. I am Sarifa.’

“Why did they arrest you? “The police said I stole mustard oil from a truck in Machkhowa. Another woman stole it and blamed me. The police believed her. I go to Machkhowa every day to bring home some rice or dal that falls from the sacks in the trucks. I have done nothing wrong. They brought me here with my boy, two weeks ago. He is only one and a half years old. I have another child in my belly. I do not know what to do.”

“Where is your husband”

“He is a mason. He works in contract system. We live in a jhopdi by the railway tracks. I have two other children Jaheeda Khatun is four and a



half. Papu is seven. The play on the railway tracks the whole day. So many trains keep coming and going. I worry about them all day here.”

“Hasn’t your husband come to get you out,”

“He came once,.” Her lips quiver. “He says there is a lawyer who is asking for ten thousand rupees. We have never seen so much money in our lives, didi. So my husband has told me “Sarifa, you stay in jail for three months with the baby. Then they will let you out and we will not have to use a lawyer.” But didi, how can I stay here so long. I am with child. This boy has no clothes. The food... it is so bad. We are poor but we eat better than this.”

I note the details of her case. Even if Sarifa is guilty, she does not deserve to be separated from her children. For women like her, perhaps it is a crime to be poor. Her eyes follow me hopefully as I leave the women’s quarters.

The stout guard with the stick escorts me to a secluded part of the main administrative building. Two men carry two chairs and a table.

Supervised by an elderly lady warden Rumi resumes the story of her life. We go back to the time her in laws file an FIR against her. At that time she was in Lakhimpur, at their house. Word was sent to her that the city SP of Guwahati wanted to see her immediately. She was puzzled but thought some more details of her husband’s murder had emerged. A police gipsy escorted her to Dispur thana. “There the police told me I

was suspected of killing my husband. Believe me Baideo, we loved each other. I had no motive to kill him. I did not love any other man...”

Suddenly her eyes welled up and her voice shook. She covered her face with the end of her shawl and shuddered as she wept. I put down my pen and gripped her hand, overcome once again by guilt. Did I have the right to compel her to relieve the memory of those terrible days?

She composed herself and went on speaking. “ I fought my case for fourteen and a half years, trying to establish my innocence.

Consultations with my lawyer, appearances in court. There were no witnesses who could speak on my behalf, give testimony. I felt so helpless, so alone. I stopped caring whether they declared me guilty or innocent.” She stops and bites her lips as the tears flow again. “What difference would it make? Would my husband come back? Some dispute about a car loan destroyed my world. I did not know the killers. Fourteen and a half years after the case dragged on in the lower court and the high court, I came to know of my fate. After the judgement, which said I was guilty of homicide ..... I called my mother from the court. “Ma, I am going to jail. I have lost the case. Take care and don’t worry about me.’

Thus began my jail sentence of twenty years. I have already done eight years. Who will answer for this injustice done to me? Why was the FIR I filed given no attention? Till today I have not seen my husband’s post mortem report. I have not been told about what evidence is there to

convict me. I never used to discuss the case with my family – my mother, brother. I did not want to put them through more agony.”

There are gaps in Rumi's story. She is unwilling to tell me what work she had been doing for fourteen years before she came to prison. When I press her, she remains obdurate. She says she discovered after her husband's death that he had made some insurance policies and named her as nominee. She claims that it was she who had helped her three brothers-in-laws and a sister-in-law, but that didn't stop them from taking away her ornaments and valuables.” My in-laws claimed I was not married to my husband and could not inherit his property, whereas we had a court marriage as well as a social reception. So in July 2006 the long court battle brought me to the point when I would lose freedom for two decades. My in-laws even took away my educational certificates. I lost the will to fight. The odds were too great. But I have not given up hope yet. I have appealed to the Supreme Court. I may win if the gods believe in me.

Rumi has spent eight long years in captivity. An educated, ambitious woman, she shares her space with thieves, prostitutes and drug dealers. She says there is no one in jail who has the same wave length, who can talk about events in the greater world outside. She describes to me her daily routine.

I am up by 4 am and make my bed neatly. After a bath I pray at the temple we have on the grounds. I had spent my money to have it built. I am a believer of Lord Vishnu. As you know, Vishnu is the essence of all beings, the master of the past, present and future, the creator and destroyer of all existence. He rules the universe and I feel safe when I pray to Him. At 6.30, along with the other women I have tea and chapatti. Then I sit down in the loom. I learnt weaving only after coming here. I have made fabric for clothes, gamochas, shawls. When I am at the loom, time seems to pass quickly, and there is the joy of creating something with one's hands. I am the only inmate who weaves. The others spend most of their time idly, gossiping, quarelling. They are mostly illiterate and do not use the library. The library is in the men's prison. I like to be by myself and want peace. I am careful not to get into arguments with anyone. At 11.30 in the morning we are given lunch. Usually it is rice, dal and vegetables. I do not wish to complain about the food. How can the government bear such a huge cost for our upkeep? I am not at all particular about what I eat. Then I go back to my loom. Sometimes I am given hospital duty and I have to adjust saline drips and perform other duties. Faith is important to me. The trinity of Vishnu Jesus and Allah rules my life. In the morning I also pay homage to the sun.

Rumi has clearly not whiled away her time brooding over the tragedy of her life. She has done a BMC (Bachelor Mass Communication) course

from Krishna Kanta Handique Open University. She has also completed a computer course from the Indira Gandhi National Open University. She is also a Para Legal working under the aegis of Assam State Legal Service.

During the year 2009, National Legal Service Authority (NALSA) brought out a scheme called the Para-Legal Volunteers scheme which aimed at imparting legal training to volunteers selected from different walks of life so as to ensure legal aid reaching all sections of people through the process of Para Legal Volunteers Scheme, ultimately removing the barriers in access to justice. The Para Legal Volunteers are expected to act as intermediaries bridging the gap between the common people and the Legal Services Institutions to remove impediment in access to justice. Ultimately, the process aims at Legal Services Institutions reaching out to the people at their doorsteps rather than people approaching them. Ever eager to challenge herself Rumi has gone through the PLV course which arms her with knowledge on the basics of different laws applicable at the grassroots level, the workings of the judicial system and the functioning of various stakeholders like the police, officials from Social Welfare Department and other departments dealing with different beneficial schemes of Central and State Governments including the protection officers involved with Domestic Violence and Juvenile Justice Acts.

PLVs therefore are not only expected to impart awareness of the law and the legal system, but must be also trained to counsel and amicably settle disputes.

Rumi dreams of walking free after she gets a favourable response in the Supreme Court. She would like to begin her new life as a para legal volunteer. “In this line of work you need patience and compassion. You become responsible for the person who comes to you for help. There is a lot of happiness in being able to guide another person without expecting anything from it. At the same time, my education will not go in vain.”

Her words trail off and we sit in companionable silence. Her eyes are bloodshot, cheeks streaked with tears but she is calm. I remember the pale woman in the lavender shawl who had been so desperate to unburden herself to me. I have seen her today, her wet hair wrapped in a towel. She had smiled at me. But when the warden goes to fetch her for the interview, she returns alone. Korobi (not her real name) has refused to come, pleading a headache. I am very disappointed. .... m. Another woman had come half-way and gone back.

So after lunch, I tell Patangia “Today’s system of calling these women to the office hasn’t worked. I have to be in their midst, in the space where they are at ease.

“Alright then.” He said. “But all that these women will tell you is to get them out of here.”

“I am ready for that.” I said. “I will say I need to know their stories for that very purpose.”

He looks at me with what seems a grudging respect. Probably I now seem shrewder than he expected.

My luck returns. The female warden, Bimala Das, who had stood close by, monitoring us, comes over with a smile and sits down on the chair in front of me, arranging the crisp folds of her khaki sari. Bimala has been a warden for a quarter of a century and she looks like nothing can really surprise her. She has peered into the depths of depravity alright.

“What do you do with a woman prisoner when she first arrives here?” I ask, starting the conversation.

She faces me, her broad homely face framed by square spectacles, a mole on her chin. Oil glistens on her severe bun. “When the women come here they are in bad shape. They are crying, angry, afraid. We try to console them and ask them to accept it as their fate or bhagya. We have to file their papers, take their photographs and finger prints, take down their age and note identification marks. Though we have to control them and make sure they are not up to any mischief while they are under our care, we are women after all, and can’t help pitying them. I remember a convict Sonti Das, wife of Mohan Das. She was not happy with him. One day a woman came with an eight month old baby. Mohan said it was his sister-in-law from the village. Sonti thought no more of it

and tended to her guest, preparing meals and all that. One day, she came to house from the market and found her husband in bed with the woman. Mohan claimed he had married this woman and she was not his sister-in-law. Sonti was stunned. Which wife can digest that? And she was a young woman herself. The truth was unbelievable. Filled with a blinding rage Sonti grabbed the eight month old baby and throttled it to death. Hers was a terrible crime, but wasn't the provocation terrible too? So she was sentenced for twenty five years. Due to the lust of one man, a woman's life was ruined, and a mother lost her baby.

“Illicit love can lead to horrendous acts”, she said, her glance flitting briefly towards Rumi, who is listening in silence. “Renuka Kalita was a beautiful woman who had been married young. She had four children. One day her husband disappeared. There was no sign to him. When the villagers asked questions, she said he had probably gone to Guwahati without telling her. Then, at night, the dogs in the village began to growl and bark around their house. Then the foxes came too. Soon the villagers smelt a stench which was overpowering. They dug the floor of the hut and found the rotting body of Mohan. At that time the ULFA was very active. They came and beat up Renuka very badly. She was taken away by the police. At her trial, her daughter testified against her. It seems Renuka was in love with her cousin and wanted to start a new life with him. Renuka is a life convict. Her daughter, who had witnessed this horrific crime, did her post-graduation. But the stigma of being a



murderer's daughter ruined her chances of finding a groom. She remains a spinster.

“Ours is a hard job”, says Bimala with a sigh. “We have no holidays or off days. It is a physically demanding job. One has to be alert and quick in one's reflexes. There is little time to spend on family. In fact, earlier, widows were chosen as warders as they had no other responsibilities. But at the end of the day, there is a deep sense of having done our duty well. We learn a lot about human nature and every day is a challenge. Since it is tough job, we also take good care of our health. The Guwahati Central Jail has a staff of eight women for the women's prison. The Head wardens are Panchawati Basumatary and Poteswari Devi. The wardens are Bimala Das, Jayanti Deka, Arundhati Bordoloi, Bharati Kalita, Dipti Patowari, Brinda Nath and Bijoya Mudoi. They are a small tight knit community of women who rely on each other to carry out their duties and keep a watchful eye over the women inmates. I am eager to get their side of the story. But as afternoon slips into the gray of evening, it is time to call it a day January 9<sup>th</sup>. Prison literature is a sub-genre of literature that is not often discussed. But, a rich body of work exists which was created by incarcerated writers. They were often survivors of war or victims of bigotry. Solitude and a driving desire to remain same under adverse conditions produced a masterpiece. From Oscar Wilde's *Apologia* to Thoreau's thoughts on civil disobedience, these books were a kind of mental escape that transcended grim prison walls. Some

of the most famous books penned in prison cells were Don Quixote by Miguel Cervantes . The Travels of Marco Polo by Marco Polo, Civil Disobedience by Henry David Thoreau, Letter from Birmingham Jail by Martin Luther King, Selected stories by O Henry, Oscar Wildes De Profundis, Conservations with Myself by Nelson Mandela, Our Lady of the Flower by Jean Genet, The Enormous Room by e e cummings and In the belly of the beast by Jack Henry Abbot. They were thinkers, writers, adventurers, rebels, activists. The list does not contain a single woman writer. That could be open to multiple interpretations. Women prisoners came from the lowest classes of society and hence, were illiterate. They could scarcely read a line, let alone write a book. Women who wrote were too law-abiding to get into prison. Women who were jailed and could write did not do so because they were too traumatized by their predicament. With a cup of steaming coffee by my side, I began to tap the keys to search for women who wrote in grimy prison cells.

The search straightaway took me to the Middle East. A woman with a plump face, playful quizzical eyes and short white hair looked at me from the cover of her book. “Memories from the Women’s Prison. She is Nawal El Saadawi, one of the world’s foremost feminist authors. When she was Director of Health and Education in Cairo, Egypt, she was summarily dismissed from her post in 1972, for her political writings and taking part in anti-government demonstrations. In 1982 Anwar Sadat, the Egyptian President had her arrested for anti-state

activities and she remained in prison till his assassination. Memoirs from the Women's Prison is a brave account of women's resistance to state – sponsored violence on the one hand and an intimate portrayal of how a community is formed on the other. She describes how political prisoners joined forces to demand better conditions and remain sane in that claustrophobic environment. This a book that details political oppression, intellectual freedom and personal dignity.

The next book which leaps up on the screen is Wall Tappings: Women's Prison Writings 200 AD to the Present. It is a selection of women inmates writing straddling startlingly different epochs of history. The scenes range from a Roman prison cell in 203 AD, the labour camps of Siberia in the 1930s and a Philippines prison in the 1980s. There is a carefully rendered expression of the emotions women prisoners go through. It also explores how incarceration mirrors the wider incarceration of women in traditional society. It is an epic story of women who have been blamed, condemned and rejected by society. The natives come in diverse forms – memoir, letter, essays, fiction and poetry. The author of the remarkable compilation is Judith Scholar.

An American Journal Tenacious A Zine publishes women inmates writings in different genres and provides them with an outlet to their pent-up feelings. It is also a way to regain their sense of self.

Best selling American author Wally Lamb conducted writing workshops in an American prison for women. She describes how, in writings their stories, they set themselves free. It was also a way to deal with their unresolved issues of guilt, fear, shame, rage and hate. It is a form of catharsis' and the woman, by writing her story, moves towards healing and closure.

I hit pay dirt when I found a women and prison, a website installation and zine created entirely from the work and lives of America's incarcerated women. It deals with motherhood, poetry, state and private violence, sexuality, stigma and punishment activism and social justice both inside and outside, interviews and art.

In Zimbabwe, as elsewhere, women inmates had powerful stories that they were not educated to write. So Chiedza Musengezi got together a band of women writers to interview the female inmates. The result is Pambazuka.

“A Tragedy of Lives: Women in Prison in Zimbabwe. The themes of poverty, abuse, violence emerge, as does lack of reproductive rights, domestic issues, prostitution, drug trafficking and relationship problems.

There are some celebrated women writers who have been behind bars. One was Emma Goldman, celebrated feminist who attempted to murder a factory manager. Goldman (1869-1940) was celebrated anarchist and a staunch advocate of women and workers rights. Her speeches against

capitalism, on freedom of expression got her sentences for inciting to riot. She was arrested and deported from the US and later day feminist took her up as a role model.

Yevgenia\_Ginzburg (1904-77) was a Russian scholar and author who was imprisoned for eighteen years during the infamous Stalinist purge of 1934-39. Her account of prison, solitary confinement and exile reveal the brutal conditions of the gulag and the paranoia of those dark years. Her manuscript was smuggled out of USSR to be published and was published as her memoir *Journey Into The Whirlwind*.

Joan Henry (1914-2000) spent a year in prison for writing cheques fraudulently. She came from a family of two British Prime Ministers. She wrote a scathing indictment of prison conditions in her autobiographical “Who Live in Gaol”. She followed it up with “Yield to the Night”.

A radical feminist and a leading member of the Communist Party USA Angela Davis was a national figure and civil rights activist in the 1960s. Her luck turned in 1971, when she was issued an arrest warrant for purchasing the firearms that 17-year old Jonathan Jackson used to hold up a courtroom and kill four men. Davis went into hiding for months before spending a year in jail. She was later exonerated. Her writings continue to influence feminists.

In 1992, college graduate Piper Kerman smuggled a suitcase of money to a West African drug lord in Belgium. She then moved to drug laundering. Years after this, nemesis caught up with her and she spent 13 months in prison. She published her dark and funny memoir “Orange is the new Black” which became an instant bestseller, the basis of the Netflix series of the same name, and shot Piper Herson into international stardom.

Ward and Hasselbaum (1965), Gia Lombardo (1966) and Heffernan (1972) conducted intensive studies on American prisons in the 1930s. Their studies had similar results. The world of women's prisons was found to be quite different to male prison culture. Prison culture among women was tied to gender role expectations of sexuality and family and prison identities were at least partially based on outside identities and experiences.

## **Chapter IV**

### **Pathway to crime**

Day three of my prison visit. There is a kind of *déjà vu* as we speed along the city. Alongside one of the streets is a Sunday market ,with hawkers spreading out their wares on the pavement. There are giant tubers, blood red tomatoes, giant cabbages, gleaming purple ...aubergines, dew fresh greens, crunchy carrots, slender beans and peas in pods. People wander around picking up what they want, haggling over the prices. They have the option to do what they want. . Prison is a life without options. Prison reduces you to merely existing, not living life. That is why the hours hang so heavy.

As I enter the premises and sign my name on the register, the guards call out in cheery greeting and one of them escorts me to the jailers office. He is not there but a silver-haired venerable old gentleman with a thickset body, wearing glasses is entering figures on a register. He introduces himself as Gautam Lahon (not his real name) and says he has been jailed on a two year term for bigamy. “I had married a girl who turned out to be abnormal. From the very first days of marriage she behaved strangely. When she began to get aggressive ,her brothers forced some medicine down her throat which they got from a faith healer. She became unmanageable and returned to her parent’s home. Some years passed in this manner. I married a second time and became a father of two boys. My first wife’s family accused me of bigamy. I had made the mistake of not divorcing my first wife. Why can’t they let me live my life? Don’t I have the right to have a family of my own? What

will they gain by making me suffer like this? I live among thieves and murderers. I have no one who understands me. This has brought shame and humiliation to my family.”

At this point we are joined by the youthful Sri Bapon Chakravarty, who is the Assistant jailer. He hails from Goalpara and is pleased to know my ancestral home is at Tilapara, Goalpara town. So, I ask, is imprisonment for women different? “Yes, it certainly is.” he says. “Women are in jail within a jail. Their movements are severely restricted. Because there are fewer women offenders, the space allotted to them is very restricted. Unlike men, women make no attempt to flee. So guarding them does not involve so much tension. The main issue that haunts women inmates is their children. They miss their children dreadfully and worry about who is looking after them, how they are being looked after. If their children had been going to school, they fear that will stop if the school gets to know of their jail stint. All the mothers under our custody are very depressed and also suffer from anxiety. Some of them have their children with them till they attain the age of six years. Then these children are sent off to juvenile homes. That is also a very painful phase.

“No, its not true that women inmates pass their time idly. They are interested in learning something new and earning money. The minimum wage is 55 rupees for unskilled workers and 75 rupees for skilled workers. Women have far less visitors than men. Only their immediate family members are allowed. Unlike what the public thinks, the



prisoners get the opportunity to air their grievances. We have regular visits by the Chief Judicial Magistrate, Session's Judge, Legal Aid Cell and an NGO named Manob Sarothi."

Jailer Patangia arrives and we exchange pleasantries. A lady warden escorts me to the women's jail. Sunshine is spilling into the sandy yard and both inmates and wardens are warming themselves some smile in welcome. In a few minutes Rumi hurries out, dressed in a printed sari and a bright pink shawl. She is my competent collaborator and she orders some young girls to bring me a chair. Blankets are laid over the sandy floor and women and girls sit down in front of me. First I have something for them. I hand them each a toffee and a sachet of shampoo. There is an excited buzz. Then they wait for me to speak.

"All I want from you is your story", I say once more. "I want to know how you got here, and how you are doing. I will not lecture you about what you did wrong. If you tell me your story, you will feel better. And your story will be in the pages of my book . You must trust me and think of me as one of your own. This is my way of helping you, being your friend."

Many of them begin to nod. "I am Jamiran Begum" said a frail woman with reddened teeth. "I am twenty two. I was going in a bus when a woman lost her chain. The public began to beat me. They handed me over to the police. The lady police did not find anything on my body.

But I have been put inside for three months. My husband met some lawyers in court. But they want money and we have none. I do not know what it is I have to do to prove my innocence. I have had a hard life but at least I was free. My children are three and five. They cry for me everyday and my heart breaks. How cursed I am that I was in the bus when that chain got lost! People always think the poor are thieves. We have no respect.”

I took down notes and look towards a plump young girl in a shirt and shawl. “I am Mitu Devi. I am supposed to appear for my degree third year exams.” She turns to a woman standing next to her. “This is my mother. My father is in the men’s jail. The whole family is here, except for my younger sister, who is living with my aunt.

“My father has been accused of some money scam. We know nothing about it. I have always studied very seriously. But now that I am here, I have missed the chance to fill up my forms for the third semester exams. We were dragged here in whatever we were wearing... we came empty handed. In this winter season it is so hard to manage without enough clothes. There is so much I have wanted to do in life. Now I can see only a dark future for myself. Why is our whole family being punished?”

Ishwari is a Tamilian who exudes a warm, maternal charm. Plump and smiling shyly, she tells her story. “I am from Bandel, in Hooghly district. I have always wanted to visit Ma Kamakhya and one day I got

the chance. I had a *darshan* of the goddess. It was a Sunday and the temple courtyard was full of pilgrims. People were carrying plates of *Prasad*, marigolds, incense sticks. I was doing the same. There were bells ringing. Just then, I saw a gold chain on the ground. I pointed it out to the woman next to me. Instead of thanking me, she started shouting at me. The crowd surrounded me and in a minute someone was slapping me, punching me, pulling my hair, my clothes. Then they took me to the police station and I was tortured there too. Now I am in jail, waiting for bail. My sister-in-law came once from Bandel to see me. I came to see the goddess and reached the gates of hell. I think my time was bad. I blame my fate for what happened. I am waiting to reunite with my family. I have a son, daughter, grandchildren. I want to be among them and forget all this has ever happened. I want to say I have met good women here. They all are like mothers, sisters and daughters. There is a lot of trust between us.”

Sunita Giri is from Varanasi, one of India’s holiest cities and also known as the oldest living city on earth. Sunita is very fair, of slight build, with an ascetic ,lined face. She is one of the few women wearing vermillion in the parting of her hair. She must have been a beauty in her mouth. Sunita’s husband has worked for many years smuggling ganja and she was inevitably sucked into the trade as a courier. “I got caught in the train.” She says ..... “The police came and began to check our belongings. Believe me, I had only half kilograms of ganja with me.

They threatened me, asked me about others and brought me to this jail. I know of so many who are smuggling ganja worth crores. I am just an unlucky woman caught in the net. I want to go home, Didi. My husband is in the jail too. I am tired of going to court and coming back here again. There is no one to visit me. I often wonder, why did I do such a foolish thing and get into so much trouble? All I did was obey my husband. Smuggling ganja was our rozi-roti. We are poor people Didi. We have no choice.’’

“It is a crime to be poor!” burst out Momina Begum in a shrill voice. “They look at our old torn clothes and think we are thieves. I was working as a maid for two families. Life was hard , but at least I could put body and soul together. Then one day, one of the families’ phone went missing. I worked for them in the morning, the phone was lost in the evening but still they turned me over to the police . Why would I do such a thing? Wasn’t I working hard to keep myself alive? What was the need to steal? No, they would not listen and turned me to the police. My husband abandoned me long ago for another woman and has taken my son with him. My daughter is with my old father. My husband has not come even once to visit me. I miss my children, my home. I curse my fate that has brought me here. There is no one to help me, no one at all.”

The women sit in the sun, close to each other, and listen to the stories. They bear each others’ pain by listening. They are in this together. There was a time they did not know each other. But now they are a close-knit

community of women held against their will, weeping, thinking aloud, comforting and most of all – hoping.

One by one, the women get up and disperse. The blanket is lifted, the sand shaken out and folded. I follow the women to their barracks. I climb to the first floor and see heaps of sandals. The barracks are large hall where inmates sleep on thin pellets on the floor. Personal belongs like mugs, utensils, clothes are put beside each bed. It is surprisingly clean and airy, with windows letting in lots of light. In one barrack three pretty girls are watching television. Shah Rukh Khan is holding out his arms to his lady love. I could have been at a girl's hostel.

The oldest inmate of Guwahati jail is Safiya Khatoon, convicted on a murder charge. Safiya is a tall, grim looking woman with a leathery brown face and sad, melancholy eyes. Deep lines run along the sides of her mouth. She is dressed in spotless white *makhela chador* and has evidently oiled her hair. Safiya wants to tell me her story in private, so we are in the hall, by the loom where a red length of fabric lies half-done. Seated on a bench by my chair, Safiya says she is sixty five and that she is from the Pandu area of the city. “Didi,” she spreads out her five fingers “Our whole family is in jail. My husband Basharat Ali, who is seventy, my sons Rafiq 35, Safique 22 and Chand Mohammad who is only nineteen. My husband worked in the Inland Water Transport Department . He would go in the ships, checking the water level. When he retired he got seven lakh rupees. We took loans and brought three

Sumo cars for our sons, who are all drivers. But Allah could not save us. We were beginning to think we had a good life ahead. I had got Rafique married and had grandchildren. But three Bihari families were jealous of our success. They could not bear to see us happy. There was bad blood between us. One day, one of the Bihari men was wounded. I don't know how. But they said my first born Rafiq did it. Then they alleged that I had also attacked him with an axe while my sons had pinned him down, and that I struck him with a rod. We had no chance. Our entire family is in prison. We have no one to work on our behalf in the case. The Bihari man, a rickshawpuller, died after ten days. Had he lived, it would have been different. I still do not know if my son Rafiq killed him.

She began to cry, her face crumpled up , with tears coursing down her cheeks. Her shoulders shook as she covered her eyes at the end of her chador. I stopped writing and held her by the arm.

“My husband and I are old. Will we live to see our freedom? Two of my sons are yet to marry. How will we find brides for them? My daughter-in-law lives in the outside with four small children. She works and earns Rs 2500 and manages with that. Our appeals for leave are always turned down. We are said to be a risk to the outside world. We have no rights. I have a term of twenty years. Only five years have gone by. The bank has reclaimed the cars. After we were brought here, the Biharis broke into our house and took away everything we owned. I had painted our home, bought new utensils. All that is gone now – my jannat is lost. Sometimes

I feel I am midstream in a river and a big stone is weighing me down.” She breathes deeply and touches her heart. She purses her lips, fighting her tears.

We sit silently. I cannot think of any words of comfort. She then gets up and walks away without a word. I feel deeply mortified about opening her wounds. A little later she walks in, and to my amazement, asks me if I will have tea with her. I don’t know if its against the rules but I instantly say yes. It is heartwarming to see the grateful smile she gives me. The next instant a tumbler of hot, sweet milky tea is in front of me. We sip in amiable ...silence..... She smiles and blesses my family. As I drain the last sip of tea, she wants to know if I will come again next Sunday.

“I will.” I say gently. “If you promise not to cry.”

She laughs and gathers up the two glasses.

“By Allah’s grace, I won’t.” She promises.

Pompi Boro is a nineteen year old who should have been in college, among her friends, attending classes, flirting with boys, dreaming of a future. Instead she is confined within these walls as if she is a menace to society. What went wrong?

“The condition at home is not good.” Pompi begins candidly, looking directly at me. “I have Ma, two sisters and an older brother. Father

passed away. I joined a group of girls working in a wine company at Khanapara, Guwahati. We had to stick labels on bottles and pack cartons. The money was not much, but at least we could afford food on the table. Then, one day, the Company shut down for some reason and we were left with nothing. Four of us girls were starving. We didn't know what to do. If our landlord came to know we were jobless, we would be turned out to the streets. A cousin of mine said that a company he knew was looking for educated girls. We got out our bio-data and went to meet my cousin at his house . I was so hungry that I begged my cousin to let me cook some rice. He got us some mutton and I cooked.it . It was not going to be easy to get the jobs because the youth of that locality were demanding that local girls be hired. Then, when we were in the house, someone hammered on the front door. Some boys came in and accused my cousin of running a sex racket. A crowd collected in the house. A TV channel came with their cameras. Then police took us to the thana. We were photographed, finger printed and then brought here. Our cellphones have been kept by the police. My cousin is in jail too. Nobody at home knows I am here. I have only one set of clothes, no soap or oil. I have no money to pay any lawyer. I don't know how to send my family news about this. Didi. They did medical check up and found no sign of my having sex with anybody. And yet nobody believes me. What will I do? Who will get me out of here? I wanted so little in life. Even that is beyond my reach today.’’



Day four of my prison visit is bright and clear. Winter seems to be retreating like a gentle wave. There is a change in the prison too. Two young girls, held for unlawful solicitation, are dancing in the verandah. One plays the female beloved, the other her male lover. They link arms and sway, smiling at each other, mouthing words of love and longing. For those moments, as the others gather around and clap to the beat, the days and nights of sadness and uncertainty seem to recede.

I have listened to more and more stories and in most of the cases the women are their own worst enemies. For they do not know their rights, they do not communicate with their lawyers and can do nothing concrete to extricate themselves from this situation. There is a weary fatalism about them as they exist in a limbo.

According to the International Journal of Advanced Research in Management and Social Sciences, Dr Mukesh Garg and Nareshlata Singla have stated that women in Indian prisons do not have even the most basic human rights inspite of a number of directions from the Supreme Court, High Courts and recommendations of different committees. Since the percentage of women prisoners is far less than that of men, their rights are more often overlooked.

The Constitution of India does not provide specific guarantee to the women prisoners. But women are assured of the right to equality. Article 14 provides equal protection of laws to women and Article 15 prohibits

discrimination on grounds of sex. The Government of India passed the Protection of Human Rights Act 1993 and constituted the National Human Rights Commission for promotion and protection of human rights. India has also ratified various international conventions to secure equal rights to women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in 1993.

Unknown to the women prisoners, who are poor, illiterate and have no one to speak up for them, they actually have many rights according to the law. They cannot be barred from their basic human rights and freedoms enshrined in the Constitution. According to Article 39A of the Constitution, women prisoners are eligible to seek free legal aid. Women prisoners have the right to a speedy trial. This is of vital importance as a woman is most often a mother and needs to be repatriated with her children.

Another area that does not draw much attention is the psychological distress suffered by women prisoners. Mental health care is almost never provided to female prisoners, though they show all symptoms of anxiety, depression and other psychosomatic illnesses.

Women suffer more because they lead protected lives and their removal from that environment comes as a shock. The experience of being separated from their children is also traumatic. Prolonged exposure to

depressed or disturbed inmates has a negative impact on an inmate's mental health. There is lack of regular counseling system and so there is less opportunity for ventilation of pent-up feelings. Many women inmates come from deprived backgrounds, and may have experienced physical and sexual abuse, alcohol and drug dependence and poor health.

“Our work in prisons leads us to believe that at least 50% of the women locked inside for more than six months show signs of the most common mental disorders of the accepted international list of disorders” says Rani Dhavan Shankardass, General Secretary of PRAJA (Penal Reform and Justice Association), India.

Prison is the last place of woman, a mother, a homemaker should be. And yet, thousands of women, due to their poverty, ignorance and lack of lack family support, languish in barred cells, looking into a bleak future.

It is pertinent to mention here that Article 21 of the Indian Constitution, which guarantees every citizens the right to life, has been interpreted by the Supreme Court to include the provision of free criminal legal aid to every indigent person. The Legal Aid System in India, though rich in many ways, is still a nightmare to many who seek justice through it. The inaccessibility of lawyers to the poor, the near absence of the pro-bono (free legal aid) culture the complexity of the system, the inordinate

delays, the lack of adequate legal training, corruption and the failure to implement the law, are some of the problems that stand in the way of speedy delivery of justice.

In an effort to help women prisoners, the National Commission for Protection of Child Rights has recommended that women in jail who are pregnant, ill or have children dependant on them should be considered for early release on personal bonds. There are 12,970 women in Indian prisons and among them 1,484 are accompanied by children. These children are forced to live with their mothers in the abnormal atmosphere of a prison and this has an adverse impact on them physically, emotionally and socially.

Hameeda Khatoon says she is not afraid to give her name, for she is innocent, and Allah knows that “My father’s home is at Kachumara. I think I am thirty. I was married off when I was twelve. My husband worked in the fields. We were poor, food was scarce, the rains often flooded our fields. But we were happy. I have two boys Kabul Ali and Habul Ali. Then my in-laws began to covet the land we owned. There would be frequent fights. My husband’s father and brothers wanted to chase us from our home and our farm. Then one and a half months ago, they beat my husband to death. As he lay in our courtyard they called the police and I was dragged away to the police station. I was made to appear in a court at Boko. And now I am here in jail. I do not know where my sons are. They are five and one and a half. What if they are

killed by those murderers.? I must save them. I know no one. Nobody comes to meet me. Didi, if you can find Rashida for me, I will be saved. Rashida is an advocate in the High Court.”

She is crying how, her tears streaming down her hollow cheeks. She looks like a wild, cornered animal. I do not know when the wheels of justice will move for her.

Kalpana Medhi is in prison because of her son. But she does not blame him for her predicament. According to her, her twenty-six year old is a gullible fool who should have known better. He was tricked into eloping with a girl. The girl’s family filed a kidnapping case against him and she too , as his mother, was implicated. “That girl will not enter my home.” She says implacably.

Hameeda is just twenty three but her sharp, dark face is filled with the weariness of experience. “My home is in Goroimari, Chaygaon. My parents never sent me to school, though I wanted very much to go. My mother said it was better to know how to sew and cook. Then I got married at thirteen. My first baby died when it was fourteen days. I had not had time to even give him a name. I had another baby but then, my husband died in an accident. My family said I could not raise my child without a man. So when a man came asking for my hand, I said Kabool without finding out the truth. The man was a dacoit. He had killed many people. Within one year of marriage he was beating me, starving me and

my child. Twice I told him to give me talaq. He thrashed me like an animal. Twice I fled home. He just dragged me back. He then killed a man in front of me. That day I knew I had to kill him. He had become the devil. Didi ,don't ask me how I killed him but I did, and to this day I feel no remorse. I am fighting my case. I hope I get out while I am still young. I want to begin a new life. Ammi visits me. She always asks. "Why did you not just leave him? Why did you have to kill?" She will not understand. Nobody will know what I have gone through. Now he cannot kill anybody. That gives me some peace. I did a good thing."

Jamiran Khatoon is nineteen and her life is on hold because of a friendship. Her best friend eloped with a boy and Jamiran is being accused of trafficking and luring her into the flesh trade. Jamiran has been in jail for the last one month and is desperate to be let out. She feels her friend can clear her name but that remains only a hope. She has no money, she is wearing clothes lent to her by the other inmates, who will many me now? She asks bitterly. I cannot go back to my village. They think I am a prostitute and that I sell girls. Whom should I ask for help? No one knows where I am."

Tacked on the wall of my sons' bedroom is a giant poster of Che Guevera. Above his brooding, bearded face are the words "Always be capable of feeling deeply any injustice committed against anyone anywhere in the world.'" They are his words and as I sit writing about the beleaguered woman behind bars, I begin to wonder. Has justice been

served? Have they had a fair trial? Aren't some of them victims rather than culprits? Is locking them up the answer? How will it change things? Is there no humane alternative?

Two days later I meet lawyer Shahnaz Rahman in her book lined study. Shahnaz and I have been friends for several years and she gladly agrees to answer questions, in fact, a lot of them. Through my interactions with the female prison inmates, what struck me again and again was the women's ignorance of their rights and their inability to defend themselves in court. Leaning back on her chair she begins to talk.

“Every person must be aware of some basic rights relating to arrest to ensure his/ her well-being while in custody. Unless they are lucky to have a committed lawyer, the women prisoners you talk of do not have much chance of that. There are several rights granted to a person being arrested by various statutes in India. The most basic of this is incorporated in Article 21 of the Indian constitution. It lays down that no person can be deprived of his/ her right to liberty, except in accordance with procedure established by law. The arrestee has the right to be informed about the full particulars or grounds for arrest. I have myself come across arrestees who have only a vague idea of why they have been hauled off to custody. There are cases when the wife is implicated when the husband makes good his escape. The arrestee has the right to consult the legal practitioner of his/ her choice and to be defended by him.

“But what if the arrestee cannot afford to hire a lawyer?”

“We have provision for free legal aid, though not many lawyers are motivated enough to provide assistance in these cases. So long as we do not have a pro bono system of offering legal service for free, there are bound to be difficulties, even miscarriage of justice.

“Next, the accused must be produced before the nearest magistrate within twenty-four hours of arrest. The arrestee has the right to inform a friend or relative or any other person, who is known to him, her and is likely to take interest in his/ her welfare, about his/her arrest and the place where he/ she is detained. What is also most important to note is that a woman cannot be arrested before sunrise or after sunset except with the prior permission of a magistrate. Again, a woman can be taken into custody in the presence of a woman police officer as far as practicable and the arrest must be effected with proper dignity.

“But even then we have heard of cases when a woman offender is beaten, humiliated, groped upon at the time of arrest.” I say.

“The law has taken note of that” continued Shahnaz. “Special provisions have been laid down in the Code of Criminal Procedure and guidelines have been formulated by the Supreme Court to put a check on incidence of police atrocities on women.

For example, if a woman needs to be searched, then it should be done by another female with strict regard to her decency and modesty. An



arrested woman should be kept in a lock-up exclusively for women - which is separate from that of men. If such an arrangement is not there, they must be kept in a different room. If a woman is pregnant at the time of arrest, physical restraints must be avoided and the foetus must not be endangered. Lastly, if a woman has been arrested for a non-bailable offence punishable by death penalty, the court is empowered to grant her bail.

“Let us discuss the next issue. When undertrials are put in jail custody for an indefinite period, Article 21 of the Constitution is violated. As you have seen in your survey, women often do not get legal help because their husbands are unwilling or unable to get legal help. In India, about 2.5 lakh undertrials are languishing in jails. Undertrials outnumber convicted inmates. The National Human Rights Commission, in its 2002 survey has stated that 74 per cent of the prisoners in India are undertrials.’’

A courtyard in the Guwahati Central Jail. A group of women are sitting in the sunlit yard chatting amiably, braiding each others' hair, trimming nails, exchanging confidences. They have not seen the outside world for days, months, sometimes years, but for the moment it doesn't seem to matter. They have built up this community among themselves and do not feel alone and abandoned.

There are several new faces and I notice them at once. It is obvious that my work has been already discussed, because the new women come to me, in ones and twos, ready to tell me their story. And in their midst Serifa comes to me with a sweet, milky and steaming tumbler of tea.

Pratibha Sinha is wearing a bright yellow sari with a red shawl. She looks stout and well fed. She is 36 years old and was originally from Boko. “I was the eldest and when a proposal came from Hardoi in UP, my parents were more than happy. I was treated well by my husband’s family. But I could not bear him children and that made me very sad. Recently, I came to Boko and asked my Chachi if she would give her daughter in marriage to my elder brother-in-law. I thought if they had children, my life would be not so empty. We arranged a simple marriage in the temple. But some people accused me trying to sell this girl. They beat me, my husband and brother-in-law. We have all been thrown into jail. I am so ashamed to have been shown on TV. Now I am here and have no money. I don’t know how I can get out. Why would I want to sell my own cousin? I am not that kind of woman.” She wipes her tears with one end of her red woolen shawl. “All I ever wanted was a child, if not my own, at least my cousin’s.”

She begs me to help her go back home and touches my feet. I feel deeply sorry there is nothing I can do. I want to believe her story.

Bhonti Begum is nineteen but looks younger. Clad in a purple sweater and white skirt she looks scruffy and her frizzy hair is uncombed. She immediately mentions her seven year old daughter who is being looked after by her mother. “My man abandoned me.” She says sadly, in a thin, raspy voice. How did she get into trouble?. “Some friends told me – lets go to Delhi. I was quite excited. It was a big city, with many shops. Surely I could get a job, and a chance of a better life. So Rani, Begum a boy Sahab and I got on a train. One of them gave me a cake and I fell asleep immediately. When I woke up, I realized they had tried to drug me. So when the train slowed down near a station, I jumped down. There was a big hungama. The railway police came. The girls and the boy said I was taking them to Delhi to sell them. Nobody believed me. I was dragged to a police lock-up. They took me to court and the judge sent me here. It has been 10 days. My mother says she has no money to bribe anyone. What am I to do now? Believe me, sister, I just wanted to go to Delhi and get a job.”

Mina, not her real name, is a scrawny, dark woman with a gaunt face and hunched shoulders. Her turtleneck sweater looks grimy and her black trousers hang loose on her. A few weeks ago a transvestite going by the name of Suman or Sunny died under mysterious circumstances. She was found engulfed in flames, writhing on a city street late one night. By the times the flames were doused, it was too late. She died later in a hospital.

It was at Mina's dingy single room tenement that Sunny was alleged to have doused herself with kerosene and set herself ablaze. "Sunny was complaining about her boyfriend. She wanted to stay the night with me. She was sniffing dendrite and having drugs. I felt sorry for her. When she set herself on fire the first time, I blew out the flames. Then, when I had my back to her, she set herself on fire again. The police came. The TV people came. I was taken to the police station. I had to leave my three month old baby with my cousins in Jagiroad. Every night I have terrible dreams that something has happened to my baby. "Weeping, she holds up one small breast. "The milk swells up here and I have to squeeze it out. I know my baby is hungry and crying. Is it a sin to let someone stay in your house? Why would I want to harm Suman? What would I get out of it? Would I do anything to lose my baby? Didi, help me. I have to bring my baby back. I am innocent.

Montu Chowdhury is 21 and has gold streaks in her hair. She went to meet her lover at his house in Kamakhya Gate and was caught by the local people, thinking her to be a prostitute. "I am not afraid", she tells me defiantly. "I love my man and I will get out one day. I have done nothing wrong. How can love be wrong?

Mina Tamuly is 45, abandoned by her husband, the mother of two teenaged daughters. At about 8.30 one night she went to the local grocer to buy rice and oil. Unknown to her, the grocer had a reputation for seducing women in his shop at night. As she was buying the goods, the

grocer saw some boys coming along the street. He at once switched off the lights, downed the shutter, told her to keep quiet, and went home. Mina was trapped inside the stuffy shop and was terrified .What would happen now? The boys came and hung out in front of the shop, talking and laughing. After an hour Mina called out to them to set her free. There was a big commotion. The boys called the police. When Mina came out of the shop, dazed and disoriented, TV cameras beamed her every move. She and the grocer were taken to the police lock-up. She was taken for medical examination. The grocer insisted that she was a woman of bad character.

“My girls are in shock” she said sadly. “My older one fainted when she heard what had happened. They are good girls. My younger one dances the Bihu beautifully. Now we are ruined. Who will marry my daughters. Who will believe I am innocent? Because of that evening we will never get our old life back. We were poor, but at least we had respect.”

A new group of women had joined the jail. They were members of the Krishak Sangram Mukti Sangram , an activist group working for farmers rights and land issues . They are better dressed, look more well-fed. They are the new breed of Indian women activists who are getting increasingly vocal about the evils of big dams, land issues, price rise, the greed of large corporations, workers rights, discriminatory government policies etc. They sit in silent defiance and I choose not go speak to them, for they are outside the ambit of my book.

For about three weeks now, I have stopped my prison visits. I have interviewed all the women. In my absence undertrials have come and gone. Jailer Patangia tells me on the phone that the arrest of Krishak Mukti Sangram Samiti leader Akhil Gogoi, after the grisly self-immolation of one of his fellow protestors in front of the Dispur Secretariat had left him with no time. So could I please visit the jail after Bihu. I agreed, knowing that I had research to do and new contacts to establish. A week ago, on March 21, crime reporter of The Assam Tribune Sanjoy Roy had stated. "Around 5000 women in Assam were arrested in Assam in the past three years, posing a new challenge by women, but the trend here is certainly alarming ". A senior police official told The Assam Tribune on condition of anonymity. Most crimes were now not done at the heat of the moment. Planned offences have become common among female criminals, regretted the official. Statistics show that most murders are committed by women between the ages of 18-45 years and the victims in most cases were known to the accused. Involvement of women in such serious crimes as kidnapping or planned abduction has led to the arrest of nearly 80 of them in the past eighty years. Women's involvement has increased in cases such as rioting and thefts. Since 2011, more than 1,500 women were booked for thefts and 500 for rioting and thefts. Since 2011, more than 1,500 women were booked for thefts and around 500 for rioting. While some attribute the trend as the fallout of growing intolerance in society, others

say that as crime against women has increased, retaliation in some point of time was expected. The police officer said that crimes of passion too have increased but could not cite any specific statistics to support the claim to the law enforcing agencies in the Northeastern Indian states. Among them were some 140 women accused of murder, even cold-blooded ones. Assam may not be a place with the highest occurrence of crimes. We all talk about crime against women, which no doubt is a serious issue. But one must not overlook the growing incidences of commission of crimes by women,” he observed. Until mid 2013 nearly 3000 women languished in Assam prisons for various offences.

There is a model Prison Manual for the superintendence and management of prisons in India. It has been prepared by the Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, 2003. The twenty eight chapters includes only one on women prisoners. As the lay reader may not evince much interest in all the guidelines issued in it, they need to be understood in the context of how they apply to the treatment of a female offender. Let us assume that Shanti, 32, is a woman inmate of an Indian prison. It is the duty of the State Government to establish separate prisons for women offenders. But as this has not been done, she must be incarcerated in a strictly secluded female enclosure within a general prison. As an undertrial inmate, Shanti is to be kept away from convicted offenders. If Shanti has no previous crime record, she will be kept away from habitual

offenders, as also prostitutes and brothel keepers. As Shanti is an adult women, she is not to be allowed interaction with adolescent girls.

As soon as she enters prison, detailed information on her will be noted in a register. This includes information concerning her identity, the reasons for her imprisonment and the authority ordering imprisonment ,with full details of each order. The day and hour of her admission and subsequent release is also noted.

Throughout her jail term Shanti will be under strict surveillance at all times. She will not be removed from the female enclosure except for release, transfer, or attendance of court, or under the order of the superintendent for other legitimate purposes. If she is allowed outside the enclosure, she is to be constantly accompanied by a matron or assistant matron, chief warden or female warden. In the same way, Shanti is photographed finger printed and searched only in the presence of women wardens.

Except for her mangulsutra, bangles and toe rings, Shanti is divested of all her belongings by the jail authorities. As a newly admitted inmate ,she is allowed facilities for seeing or communication with her relatives, friends, legal advisers with a view to preparing an appeal or revision petition or for processing bail. She should undergo educational instruction at least an hour every day, take part in cultural activities, yoga and meditation. Shanti is resourceful and she sincerely takes to



tailoring in the jail premises. She is paid a remuneration for her work and it goes into the savings fund to be handed to her at the time of release. She has the right to meet lady legal aid members of the district legal aid committee to help her with legal problems. If Shanti is the sole breadwinner, or has no one to take care of her minor children, then she can be considered for early release.

But things are not as simple as it seems. According to a Press Trust of India report dated September 7, 2014, less than 2 per cent of the jails in the country are reserved for women, housing 18 per cent of the total female prisoners, according to latest date of National Crime Records Bureau (NCRB). Only 20 out of the 1,394 jails in the country are exclusively reserved for women and 3,200 out of the overall 16,951 female prisoners of the country are serving their terms in such prisons.

The data also reveals that women staff across jails in India is less than 25 per cent of the total female inmates population. The strength of women jail staff as on December 31, 2012 stood at 2,935, of which 189 worked at the official level while 2,543 women are in the jail cadre staff.

Alarming, only one correctional staff (psychologists, counselors and social workers) for 245 women inmates is available, the ratio for medical staff in Indian prisons stood at 1 for every 105 inmates. Besides, 646 women are involved in clerical work in the all women jails

Among the states, Tamil Nadu and Kerala have maximum women prisons, three each, housing 312 and 127 inmates. Andhra Pradesh, Rajasthan and West Bengal have two women jails each Bihar, Maharashtra, Orissa, Punjab, Tripura, Uttar Pradesh and Delhi have one woman jail each. The lone female prison in New Delhi has the highest number of 440 inmates. District jails have 6,842 women inmates and 5,092 women are in the Central jails across the country. Tamil Nadu houses 482 female prisoners, followed by Rajasthan and Andhra Pradesh. Uttar Pradesh has the highest number of women inmates – 3,163 in all. Maharashtra and Bengal follow, while 4,875 females lodged in jails have been convicted, the number of undertrials stood at 11,000.

The year is drawing to a close and I look back on it with quiet satisfaction. Three books have seen the light of day during this period. Writing seems to take up most of my working hours. But there is also a sense of unease and disquiet on remembering that I have let down many women – nameless, faceless women behind bars, serving their sentence with rage or quiet resignation. Around the world, women are the fastest growing prison population. Knowing these women, hearing their stories, gaining insight into their lives before, during and after jail would help us understand the circumstances under which women commit crimes, how they cope with incarceration, and the way they are repatriated with their families. And yet, at the fag end of the year, I realize that my mission seemed aborted even before it had started. There were several reasons

for this. I had interviewed about thirty women and jail personnel, both man and women for two months. But due to my work as a journalist at The Assam Tribune, I could visit the jail only on Sunday. Some of the women inmates left with half-told stories. Then the IG of prisons changed. I was told that I would have to take fresh permission to visit the jails of Assam.

Then I began to doubt the project itself. Was I taking on more than I could chew? Even if I were granted fresh permission by the new IG of Prisons, would I be able to travel to jails in Tezpur and Silchar as I had planned ?. Even if I were to take leave, would I have enough time to establish a rapport and listen to the life stories of women I would meet for the first and the last time? But how could I know without trying?

That was why, at the fag end of the year, I rummaged in my study table drawers and dredged up my copious notes on case studies. I re-read my manuscript which trailed off into blank space in the middle of a sentence. I made an inventory of the books that were on my reading list.

Re-reading Kiran Bedi's best selling autobiography "I dare" does wonders to motivate me afresh. According to her, jail is a microcosm of the India that lives outside it. And outside, the condition of a majority of women is pathetic. They have virtually no rights and are treated as barely tolerable property to be passed from father, to husband, to son. At any of these stages she has only to prove herself to be interfering or

burdensome and her life becomes a veritable hell. Those unfortunate women who find their way to prison are, by and large, uneducated, submissive and apathetic to their role in life. In prison they do not have the foggiest notion of the technicalities of legal or prison rights, rules of remission parole or premature release. Lawyers either fleece them or make them wait for years before seeing the inside of a court. Above all these there are largely unacknowledged instances of physical and mental torture by jail staff.

At my study table this evening, my papers spread out before me, I sip cups of strong green tea Sweetened with honey as I read my notes. Studies in India have revealed that women are generally held guilty in one or more of these ten offences. They are – dowry harassment and dowry death, murder, prostitution, Excise Act offences (selling of illicit liquor), NDPS (Narcotic Drugs and Psychotropic Substances 1985), violation, terrorism and disruptive activities, cheating, theft, abduction, kidnapping and abetting suicide. In my visits to the Guwahati jail early this year I had met inmates charged with one or even several of these crimes. In my presence, almost none had admitted to their guilt. Instead, they spoke of children and spouses left on the outside, the work in their households left untended, their longing for the return of their former way of life. If the state has to punish the guilty, does the punishment mean dislocation of lives and curtailment of liberty. What end would this form of punishment achieve? Wasn't the warehousing of offenders a way to

avoid a significant social problem? Instead of caging them into apathy, idleness and resentment, could they not have been put into community service as part of their sentence?

Women after women who opened up to me proved only one thing – that they had been depersonalized , their identities taken away from them. They are punished according to the laws of the state. But what is almost always unacknowledged is the interface between the rules of penal justice and the actual lives of the punished. Most people would contend that my sympathy and concern for prison inmates was nothing more than a bleeding heart syndrome. They would indignantly point out that these women were getting exactly what they deserved – weren't they thieves, smugglers, murderers, prostitutes and kidnappers? To this, I would have only one reply – they didn't deserve to be poor, unlettered and abused by alcoholic husbands. They didn't deserve to be left in the streets to fend for themselves. Deconstructing their lives, even with my limited means, would be one way of knowing the stark reality of our less fortunate Indian sisters.

All the women I had met and interviewed at the Guwahati Central Jail were poor, unlettered and totally incapable of demanding their rights as prisoners. The concept of prisoners rights is itself a new one. A prisoner has always been believed to have forfeited all his personal rights along with his liberty. With the passage of time a few rights were acknowledged for the prisoner and it was held that the community had

some moral and social responsibilities for them. Montesquieu Voltaire, Thomas Payne, Elizabeth Fry and the United Nations played a key role in this metamorphosis . The UNO has the following principles or conventions for protection of human right of prisoners – Universal Declaration of Human Rights (1948) Standard Minimum Rules for Treatment of Prisoners 1955 etc. India being a signatory of all UN instruments has to accept the rights of prisoners.

Prisoners in India have the following rights – right to life ,to be lodged appropriately (with cot, potable water and 90 sq. ft area to move around, proper classification – male and female, civil and criminal, habitual and first time offender, a healthy environment, timely medical service, sanitation and hygiene, safety and security, clean and sufficient food, contact with family and lawyer, bail, parole and temporary release, speedy trial, free legal service, protection against forced sexual activity, against arbitrary use of handcuffs and fetters, torture, cruel and degrading punishment, opportunity to air grievances and effective remedy against excesses of prison staff ,compensation for violation of human rights, purchase of magazines and papers at own cost, reformative programme, permission to carry out trade ,wages for work, give interview, get own food, clothes and bedding from home and right to information about prison rules.

Some provisions have been specially made for women. These include segregation from male prisons, separate enclosures, light labour during

menses, provision of sterilized linen or sanitary pads, right to keep long hair (to be cut only as per medical advice), female officers and staff for women enclosures, body search only by women staff, dietary and medical facilities for pregnant and nursing inmates, temporary release of inmate at childbirth, postponement of capital punishment of pregnant women or commutation to life imprisonment, priority in cases of women with children, exemption from handcuffing fetters and whipping, right to wear some ornaments of religious significance, right to keep children upto the age of 6 years and facilities for those children.

The problems of the prison system can be summed up as- obsolete rules, too many and scattered rules, lack of simple, uniformed rule, organization obsolescence, lack of infrastructure and resources, overcrowding.

Only a greater understanding of why there are manifest and perceived differences between men and women in custody will allow us to create viable policy to deal with the offending behaviours, custody, care and release of women.

By and large women prisoners in India constitute a grey population of faceless, anonymous offenders and undertrials whose fate is met with indifference by the outside world. But now and then comes along a prisoner whose story captivates people and unleashes a wave of outrage. Such a one is Soni Sori – a tribal journalist, activist, teacher, mother of

three. She dared to speak out against the interests of the Chattisgarh State and mining companies. She was thrown into prison in October 2011 on trumped up charges of being a Maoist and subjected to physical, sexual and emotional torture. She bravely withstood all this and woke the conscience of the outside world. Her tormentor Ankit Garg, SP of Dantewada was awarded the President Police Medal for Gallantry even after reports of his brutal tactics were made known publicly. The courageous Soni Sori went on hunger strike in jail and protested against the human rights violations and the treatment by the Chattisgarh police. She wrote letters to the court about prison conditions. Soni Sori has become a symbol of all women prisoners.

I am back at the office of IG Prisons, Khanapara Guwahati to apply for permission to interview women inmates of Assam's jails. As I wait for Sanjiv Gogoi, IG, Prisons, I converse with the registrar Deka and keeper of records Abdul Jalil. According to him, there are fifteen day reports about prisoners in Assam jails. On 15<sup>th</sup> November 2014 there were 105 convicts, 229 undertrials and 30 children living with their mothers. On 30<sup>th</sup> November, 2014, the figure stood at convicts 105, Undertrials 213 and children 21.

There are 31 jails in Assam. There was an open jail in Barpeta called the Nari Sadan but it has now been shut down.



According to a July 14, 2013 report the Assam government is planning to set up two all-women jails in Upper and Lower Assam under phase II of the modernization of prisons programme of the Centre. The primary objective is to provide a safer and more secure environment to women prisoners, as all staff, including the jailor and superintendent would be women. The security guards however, would still be men from Assam police and they would be confined to their quarters outside the area housing the cells. Opening two jails would benefit family members wishing to visit inmates. Jorhat and Barpeta have been selected for setting up the two prisons. Once it is finalized, there will be search for plots and setting up of plan estimates. It is not clear if only women convicts would be lodged in these prisons. It is expressed that lodging an undertrial would present logistic difficulties if the court was located in some other district. There are thirty two big and small jails in the State – six central, 21 district and the rest sub-jails. Inspector General of Jails Sri P P Baruah expressed the opinion that another jail needed to be constructed in Barak Valley and it could be located in Silchar

There is a shocking dearth of medical care in Assam's prisons. The Guwahati Central Jail has one doctor looking after 950 inmates. The Jorhat jail has not a single resident or permanent director attached. This amounts to a gross violation of human rights.

In the year 1987 the Govt of India appointed the Justice Krishna Iyer Committee to undertake a study on the situation of the woman prisoners in India. It has recommended induction of more women in the police force in view of their special role in tackling women and child offenders.

During the 13<sup>th</sup> Lok Sabha, a committee on empowerment of women was set up (2001-02) under the Ministry of Home Affairs and Ministry of Human Resource Development (Dept of Women Child Development). This report was presented to the parliament. I quote ..... “Although women in detention constitute only around 3 per cent of the total prisoners in various jails in the country, their condition is pathetic in terms of the prison’s environment, the treatment meted out to them in the jail and the social ostracism they suffer. Women prisoners suffer from greater disabilities than men. The psychological stress caused by separation from children, the unhelpful attitude of close relations, uncertainty about the future are all factors which make their life miserable in jail. The antiquated manuals and insensitive approach of the jail authorities add to their woes. During its study tour the committee visited various jails where women prisoners are lodged. We found the conditions inside the jail ..... Over 80 per cent of the women prisoners found there are undertrials who have been there for years together.

The report cites slow-moving judiciary, apathy on the part of the state and insensitivity of the jail authorities as contributing factors leading to this sorry state of affairs.

The question of ensuring custodial justice to women has been gone into by a number of committees starting from the Indian Jail Committee in 1919-20 which had ..... Recommended separate institutions for women prisoners in each province. The All India Jail Manual Committees of 1957-59 suggested a specialized approach towards case, treatment and rehabilitation of women offenders. The Committee gave emphasis to vocational training for women. The All India Committee on Jail Reforms (1980-83) also examined the subject in detail. It revealed that women in Indian jails suffered unhealthy living conditions, exploitation, unnecessary prolonged severance from their families and lack of gainful and purposeful employment. The Expert Committee on Women Prisoners constituted by the Government in 1986-87 under the chairmanship of Mr Justice V R Krishna Iyer made a number of useful recommendation for women prisoners and suggested a National Policy for Custodial Justice for Women.

Some of its observations are significant. The treatment of women in prisons is not uniform throughout the country. This is because matters relating to prisons, reformatories, are a State subject under the Constitution and prison administration is governed by the State

Government under the provisions of the Indian Prisons Act 1894 and Jail Manual framed by various State Governments.

The Supreme Court has outlined seven guidelines to come to the aid of women in custody – exclusive police lock-ups for female suspects, interrogation of women prisoners in the presence of female police officer, arrestee being informed of the grounds of arrest immediately, provision for legal aid, surprise visits to police lock-ups, communication to the nearest relatives or friends of the arrested women, immediate enquiry by the magistrate about any torture meted out to the woman arrestee and her right to medical examination. All these have become part of the law itself. The IPC needs to be reviewed to work out sentencing strategies appropriate to women. The Committee findings were disturbing.

Most of the jails do not have exclusive women's prisons but only separate enclosures for women. The majority of women detainees are undertrials. They languish in jails for offences for which sentences would have been far less if they had been convicted. Special courts, Lok Adalats were not being held in the jails for expeditious disposal of cases for undertrials accused of petty offences. Conditions related to food, lodging, clothing, recreation were far below standard. Many jails did not have a lady medical officer. There were no Counsellors for the women inmates. Bail procedures needed to be simplified for women inmates. There is an urgent need for free legal aid. Women prisoners face serious

problems maintaining contact with their kin. Counselling support and rehabilitation facilities for women after release was negligible. In some jails convicts and undertrials are housed together. Women with infectious diseases are not isolated. There are only 16 women prisons against a total number of 1133 persons in the country.

It is an indomitable truth that female criminality has long been overshadowed by male criminality in matters related to incidence, magnitude, seriousness, research and recognition. As a result we know little of the female offender – her motivations, diversity, complexities and incarcerations ..... Sexist methodologies label prostitution and shoplifting as feminine crimes. But women are also committing violent as well as white-collar crimes.

The first gender dialogue in criminology began in the late 1960s and the early 1970s. From a critique of male centric criminology it has progressed to debate about how the gender system impacts women and how crime can be created and shaped by the gendered experiences of women.

According to a New York Times article women's biological needs, family responsibilities and unique paths to prison combine to create incarceration experiences that are vastly different from men. The prison infrastructure has amenities, treatment options, job training programmes

and cultures of control which are designed for male inmates. When you incarcerate a woman, you incarcerate a whole family.

Forbes magazine published in 2013 a map charting the largest female populations in the world. The countries housing the most number of women prisoners are – United States (201,200), China (84,600), Russia (59,002), Thailand (29,175), Brazil (35,596), Vietnam (12,591), Mexico (10,072), India (15,406), Vietnam (12,591) and Ukraine (9,697). This has been supplied by the International Data of Prison Studies. The United States housed nearly one-third of the globe's incarcerated women in 2013. One explanation is that the war on drugs has landed more women in prison than ever before. This has had devastating impacts on their children, both born inside prison or those taken on foster care.

According to a study reported in September 2014 by the International Centre for Prison Studies, as of August 2014, across the world 625,000 women and children are being held in penal institutions ., with the female prison population growing in all the five continents.

## **Chapter V**

### **A life of shame**

Thirty one years ago, on a rainy May morning when the Krishnachuras were ablaze with red blossoms in Guwahati, a young woman, defying her parents, drove away one hundred and seventy five kilometres to an ancient city on the north bank of the Brahmaputra. With her was her college sweetheart and all they carried was a legal document that pronounced them man and wife. They had secretly got married three months ago, but she had yet to summon up courage to tell her possessive and authoritarian father. She had timidly confessed before him a week earlier and he had flown into a terrible rage, forbidding her to ever mention the man's name. The mother was ordered to never let her out of sight. For that young woman, her parents home had become a prison that would hold her captive, voiceless, her fate decided by others. So on that May morning, pale but resolute, she took that step, that desperate bid for freedom, to be with the man she loved.

I was that woman and thirty one years later I am taking this same route from Guwahati to Tezpur. My father and I had long made peace. Barely a month ago he slipped away to that invisible vale beyond this world. This journey was to help my mother cope with her grief. This journey was to meet the twenty inmates of Tezpur's Central Jail. The son who had been born a year after that long-ago flight was now the Additional Superintendent of Police in Tezpur, a young IPS officer. Such is the way the wheel of destiny moves.

Legend has it that Bana, the king of demons (asuras) ruled over Sonitpura (the old name of Tezpur). His devotion to Lord Shiva won him the boon which gave him a thousand arms carrying every kind of weapons to destroy his enemies. Banasura is believed to have ruled

over central Assam with its capital in Sonitpura (later day Tezpur). He had a beautiful daughter named Usha. One day she fell in love with a handsome youth in her dream. He happened to be none other than Aniruddha, the grandson of Krishna. When Banasura got wind of ensuing romance, he declared war in which his opponent was Lord Krishna himself. Banasura was defeated and Aniruddha married Usha. Krishna took the couple with him to Dwarka. A disconsolate Bana retreated to the Himalayas to worship Lord Shiva.

A picturesque city of gently sloping hillocks, tranquil ponds and spreading trees, Tezpur is dotted with historical ruins dating back to the 4th century AD. Modern Tezpur was founded by the British colonial administration in 1835 as the headquarter of Darrang district. During World War II, the city gave shelter to hundreds of refugees fleeing from Burma, especially the corps of the Anglo-Burmese and Anglo-Indian nurses. In 1959, when the Dalai Lama escaped Tibet, hundreds of Tezpur citizens lined up to welcome him. Another dramatic event occurred in the 1962 Chinese aggression when the Chinese army advanced right up to Tawang in the neighbouring town of Arunachal Pradesh. As Jawaharlal made a tearful speech of farewell to Assam, Tezpur town was evacuated. The jails and lunatic asylums were opened up to let everyone escape. My own aunts and cousins abandoned their Tezpur home and sail on a flimsy boat across the Brahmaputra to Nagaon on the south bank. An aunt gave birth to a son on the boat. The women supposedly sang the songs of Jyoti Prasad Agarwala, one of the greatest cultural icons of Assam, to keep their morale high. The denizens of Tezpur returned only when the Chinese retreated without entering the town.



The Tezpur Central Jail with its thick red walls, vast rooms and sprawling grounds is a heritage building that was built in eleven years before the Sepoy Mutiny, in 1846. It is set amidst 26 bighas of enclosed land and has a housing capacity of about 757 inmates. Attached to it is a hospital with a TB and isolation ward.

Pradip Kr. Brahma ,the Superintendent welcomes me in along with Jailor Basanta Kumar Gogoi. I see a smart young lady who work as the Assistant Jailor. I am escorted to the women's enclosure deep within the jail. Unlike the ones in Guwahati and Silchar, the women's area here is much larger, enclosing open spaces with flower beds and hedges. The inmate have been told beforehand of my visit.

As I am led to a small room which serves as the jail doctor's chamber, the inmates abandon their chores and crowd around me, silent, waiting, expectant. They range in age from seventeen to seventy. Some sit on the front verandah, other peer in through the window. As one by one they tell me their stories, the others listen, patiently waiting their turn. I find it strangely moving..... this common, tacit understanding between them, as each threads her story to a larger narrative of loss, longing and the search for redemption.

Meherunnisa is the wife of late Zulfikar Ali and she is from a village near Mangaldai in Darrang district. She sits with three others on a narrow bed, her posture erect, without a tint of remorse on her face as she describes how she garroted her dissolute husband Zulfikar with the string of a petticoat. An abusive alcoholic, Zulfikar used to regularly

thrash her on the slightest pretext and once even set fire to their belongings and smashed crockery and whatever little pieces of furniture they owned. Meherunnisa wept and endured the daily beatings. The only joy of her life was daughter Jasmina Begum, now nineteen. Things moved towards the grim tragedy when watching Jasmina grow, Zulfikar began to lust after his own daughter and would try to fondle her. Meherunnisa promptly made arrangements for her daughter to stay at the Madrassa, away from her father's lustful gaze. But when the girl came home on her visits, Zulfikar would work himself to a frenzy, tearing off his clothes and trying to embrace his terrified adolescent daughter. When the girl ran away to the Madrassa, Zulfikar thrashed his wife in frustration and passed out dead drunk. Meherunnisa silently endured the slaps, kicks and the filthiest abuse that pierced her to the core of her being. On the night of August 12, 2010 Meherunnisa came to know that Zulfikar had grown so shameful, so careless about the honour of the family that he would go to the Madrassa trying to get her out and seduce her. That night, after another ugly fight, when Zulfikar lay dead drunk on the straw pallet of their hovel, Meherunnisa garroted him with her petticoat string. He clutched his throat, his eyes rolling, his mouth open, slowly turning blue. She held him down with every ounce of her strength and when his limbs stopped twitching Meherunnisa knew she had become a widow. She sat beside her husband the whole night. All around her were the utensils he had broken, the mosquito net he had burnt. She did not look at the corpse and only wished to blot out all memories of this evil man. In the morning she told her in-laws what had happened. She went to the police station. So here she was, a woman without regrets. By now her daughter was married off. Her son-in-law and daughter came

to visit her now and then. Meherunnisa waits to be set free after saving her life sentence. She is determined not to be a burden to her daughter. She would earn her own living. "I like being here." She tells me, her voice softening. "I meet so many women, from so many places we all have so much grief, but we share it. My daughter is safe and happy. By killing him, I have only done my duty as a mother."

Kalpana Devi is a good looking pleasant faced woman who is clad neatly in a white sadar mekhala. She has two sons who are in their twenties and a seventeen year old daughter. She is serving a life sentence for murdering her husband's business partner. It seems her husband had suspected her of having an affair with his partner in the firewood business, Bidyut Das. She says her husband tricked her into killing the man, as refusing to do so would mean she loved him. She launches into a long, convoluted account of the murder, exonerating herself from all blame and cursing her husband, who is also in the same jail, of implicating her in the murder. Tears of self-pity flow copiously and she wipes them with the free end of her chador. Which I scribble, the others listen without comment.

Razia Khatoon is the wife of late Amin Ali of Chatai Supori Tezpur. She is serving a life sentence for murdering and causing bodily harm. Lean and melancholy, she is clad in a crumpled russet colour sari. She begins to talk. "I have two sons Reyezzudin Ali, Yazuddin, and daughters Mojida Khatun and Majida. My husband was a daily wage earner and the fever took him away when my youngest daughter was only six months old. I began to work in people's houses, washing utensils and somehow we managed. When my older daughter was twelve, that scoundrel

Muslimmudin lured her away. It was as if a mountain had fallen on me. I rushed to complain to the village headman. After two months Muslimmuddin brought my daughter to his parents house in our village. His mother refused to accept my daughter and demanded from me a sum of ten thousand rupees. The old witch did not allow my daughter to sleep with her husband. Then Muslimmuddin turned against us. He came to our courtyard and attacked my son. One thing led to another. How can a mother stand and see her son being attacked? Muslimmudin died that day. And now my son and I are in jail. Our lives are over. Our lawyer was not even present when the judge gave out the sentence. All my life I have had to suffer and make sacrifices. Allah seems to curse us and deny us any happiness. I did what anybody would do.”

Sahara Begum and her husband are both in jail for attacking her Bihari neighbours in a remote village regarding a property matter. From the jail records it is to be noted that Muslims and Adivasi women have a higher conviction arrest rates in Assam. Poor, illiterate, unable to hire lawyers, they are forced to accept incarceration with a measure of resignation about their bail.

Archana Das, a plump elderly lady is living out her jail term because she is a D. voter. D. voter, also sometimes referred to as Dubious Voter or Doubtful voter is a category of voters in Assam who are disenfranchised by the government on account of their alleged lack of proper citizenship credentials. The D-voters are determined by special tribunals under the Foreigner Act, and the person dubbed as D voter is not given the election photo identity card. In 2011, the Guwahati High Court ordered the D voters to be transferred to the Foreigners

Tribunals set up under Foreigners Tribunal Order 1964 and be kept in detention camps. The Bengali Hindus who migrated from East Pakistan and Bangladesh before and after 1971 are mostly affected by this categorization . According to Sudip Sarma, the Publicity Secretary of the Assam unit of the Nikhil Bharat Bengali Udbasti Samanway Samiti, there are 6 lakh Bengali Hindu D voters in the State. The victimisation of genuine Indian citizens is seen in some quarters as human rights violation, and there have been cases of suicide due to this procedure.

Anjana Saha is one such D-voter whose husband is a cobbler. She swears she is from West Bengal and her school certificates support this fact. It is an irony that only she is being held in the jail as a D-voter, while her husband and children are free. She wrings her hands and wails "My daughter is to get married in a month. Why don't they understand I have to be at home? What will happen now? So many have promised to free me if I bribe them .Whom shall I believe? .....My time with the inmates is over . Bidding them farewell I walk away with a notebook of stories I hope to share with the world.

Shortly before Rongali Bihu, the annual spring festival so dear to the Assamese heart, I drive to Khanapara, on the outskirts of Guwahati to meet the IG of Prisons. I approach him to grant me permission to

interview the women inmates of Silchar Central Jail, one of the six central jails of Assam, the others being at Guwahati (which I have already covered), Jorhat, Nagaon, Dibrugarh and Tezpur. Prasanta Kumar Buragohain is cordial and prompt in producing the formal consent letter. Conversing about my work with the inmates of Guwahati Central Jail, he candidly admits that the new jail facility is not large enough to house the thousand convicts, nor is there space to confine those booked under the National Security Act.

That night, following my meeting with Buragohain, I watch a programme on Lok Sabha TV where there is a discussion about a Supreme Court directive to set free those jail inmates who have served half their terms. This is viewed by a panelist, a human rights lawyer, not as an altruistic approach to benefit the inmates, but a way of emptying the overcrowded jails which are understaffed, lack resources and pose an administrative nightmare. A prominent Supreme Court judge opines that 60 percent of arrests made are unnecessary. A refrain that echoes through the discussion is that the criminal justice system in India was penalizing the poor who could not hire lawyers and fight their cases. The lawyers who represented them in court as *amicus currae* were not interested in their clients and their problems. This was the same conclusion that I had arrived at after meeting the thirty women inmates of the Guwahati Jail.

A week later, I take the forty minute flight to Silchar, capital of Cachar district in Southern Assam. For most of us ,ensconced in the state's capital city and even elsewhere, Silchar, Cachar and the Barak valley of South Assam is the back of beyond, not even a blip on our radar. It is a poor, backward, remote area beset by communication problems. The road journey from Guwahati to Silchar is a back breaking seven hour ride through tortuous roads. The BG railway is a very recent addition and yet to be operational.

But things are changing. Silchar is a town that seems to be in the grip of an economic boom. There is a huge mall with a movie hall, branded stores, a food court. There is conspicuous spending by a rising middle class. The roads are choked with cars, entrepreneurs are setting up all kinds of businesses. The back of beyond seems to be thriving in a way I had never perceived due to my outdated misconceptions. Silchar has opened up and how.

Barely an hour after landing at Kumbhirgram airport and being welcomed by my older son Shankar Brata Raimedhi, IPS, Additional Superintendent of Police, we are speeding towards the Central Jail. I am surprised when we stop before a great, red bricked building whose entrance opens right into the road which has a lot of vehicular traffic passing through it. This is a serious security concern for the Jailer H Deka, who tells me that the Assam Human Rights Commission has also taken cognizance of this. The old building, a colonial legacy of great

historical value is not adequate to house its four hundred and thirty five inmates. In fact, a previous jailer had been physically assaulted by jail inmates because they found him too high handed and tough on them.

Silchar Jail has a Jail Superintendent, a Jailer, four Assistant Jailers and a female Assistant Jailer. Two head wardens are assisted by fifteen male wardens and two female wardens.

Speaking on the challenges of running this large jail, Jail Superintendent Deka says “ Every step we take in a day is a challenge. There is the ever present danger of prisoners planning a breakout, indulging in squabbles and fisticuffs among themselves. The ratio between jail staff and inmates is very unequal. However, we carry no weapons when we are with them. The reformatory aspect of prison life is what we value. We talk to them like they are our brothers, we make them see reason. About all, we treat them with dignity and respect. Even though we are ever alert about the risks we face, we have won their trust. Many of the convicts help us in our day to day work. In that way they enjoy a sense of responsibility and purpose. Remember, only four wardens control a prison population of 430. Here are hardcore convicts sentenced to RI for life, murderers, dacoits, smugglers. Convicts are transferred here from Karimganj because the jail there is too small. Extremists from Haflong are lodged here. It is also a deportation camp for Bangladeshi nationals who have entered India illegally and these are brought here from Goalpara, Kokrajhar and Cachar.



Not surprisingly, resources are stretched to the limit. There is only one doctor on duty. If any inmate needs to be rushed to hospital, there is a cumbersome, time consuming process whereby the Jail Superintendent has to inform the SP, who then directs the Reserve to send escorts as guards. It is very hard to know if inmates are feigning illness and sometimes, as soon as they are admitted to hospital, they flee.

Interestingly, none of our women convicts have ever tried to escape. Maybe they are more uncertain about the world outside and often do not know how to get back home.

As the Jail Superintendent takes me on a tour, I walk along brick paths flanked by flower beds. The single story barracks are well-lighted, clean and hygienic. The men are either playing carom, watching television or having leisurely baths in the open air, spreading out their wet clothes over bushes. A priest in a temple offers me *khichdi* in a plantain leaf. A little distance away is the Masjid, with a large cement yard for Eid prayers, it seems that here there is peaceful co-existence of people of different faiths, unlike in the world outside the high ochre red walls.

Pretty young Monisha Rajbongshi, stylishly dressed in a well-tailored *salwar kameez*, her lustrous hair open, lips touched with lipstick, is not someone I expect to find in a prison. She is in fact the Assistant Jailer and has passed the Assam Jail Service exam to get this job. Monisha joined in August 2014, thus making her quite a greenhorn, but she exudes confidence and authority. She has a very hands-on approach

towards the nine female inmates in her care and her calm, non-judgmental outlook make it easier for them to confide in her their many problems and worries.

“We do not treat prisoners harshly at all.” She says. “The Chief Judicial Magistrate visits us twice a month. He has a one to one interaction with all inmates and would know if anything was amiss. In fact, a senior jail staff member in another Central jail was transferred within 24 hours after a complaint was made by an inmate. There is also a free legal aid cell clinic in the premises where two advocates and two literate male convicts handle cases and paperwork.”

Monisha is the sixth of seven daughters. It was a family tragedy that gravitated Monisha to this calling. A baby boy was born to her mother, the only male offspring out of seven daughters. But he died suddenly in infancy and their father was so distraught that he went into acute depression and even gave up his job in the railways. Little Monishas’ heart wept for her father and the dead baby brother. She resolved that one day she would do a tough man’s job and give back to her father the son he had lost. So driven was she to bring back the lost smile on her father’s face that she went through all the physical training without a whimper. As she sits across me in the Jail Superintendent’s office she points out to the red grilled jail gate and said it filled her with the excitement of entering a new world, learning new things. It hardened her resolve to be of help to all the unhappy souls held captive within the

high ochre red walls. She tells me it is not hers to decide if they were bad, wicked people without hope of redemption. Instead, she tries do all she can to help them tide over their misfortunes, never abuse them verbally, and not make them feel they were sinners.

The women's wing of Silchar Central Jail is in one sequestered corner of the main complex. A narrow gravel road skirts the fourteen foot prison wall, turns left and we are face to face with a heavy locked door. With Monisha by my side, I wait for the guard to open it. Through a gap in the gate I see two bright eyed boys peer through, their faces alive with curiosity. The guard takes a long time coming and I ask Monisha to tell me what the daily routine is.

“The inmates get up in the morning and say their prayers. They are given tea and a roti. At ten they are served a meal of rice, vegetables and *dal*. After that they are free to watch TV, do embroidery, knit. Some of them are good with their hands. But women do not earn wages for work done. At about 2 they bathe, wash clothes. At three they are served another meal. Once a week we give them eggs, meat or fish. By six they are locked up in their dormitory. As you know, prisoners are not locked up in cells, according to new guidelines.”

The gate finally creaks open. I climb down some steps and enter a building which houses a large room for six convicts, the two boys, and a smaller room (always locked) that houses three insane women. The six

women in the larger room are seated on mats on the floor. Their belongings – a few utensils, plastic boxes, bottles, mosquito nets, blankets are stacked up against the wall. They look at me with resigned faces, wondering what it is I want from them. I greet them , introduce myself, speak of coming to them as their friend. I say I have come this far so that they may tell me what had happened to them and how they were coping with their problems. I say how I had already met many women like them and they had become my friends. I do not promise them anything but say they might feel a little better if they unburden their hearts.

I can sense them relaxing a bit. They wait for me to select the first one to speak. I point to a plump nut brown woman with a pleasant face, *sakha* and *bala* on her wrists, swathed in a crumpled brick red sari, her teeth red with *paan* stains. She is the archetypal Bengali *ginni* who could have wandered in from a Tara Bangla soap .

But Lotashi Das, wife of Birendra Das, hailing from Simanta Kanisail police station in Karimganj district, is no stranger to murder and mayhem. Admitted to jail on May 19, 2005, the Hon'ble Sessions Judge, Karimganj has sentenced her to Rigorous Imprisonment for life, with a fine of Rs 8000 i/d RI for 1 year for murder along with other accomplices. One of those accomplices is her husband who is incarcerated in the men's section of this same jail. While he had been a carpenter, she had been busy looking after a household of two sons and

two daughters. A neighbor was found murdered in the fields one day. Some days previously Lotashi and her husband had had a furious altercation with the victim over a road that ran through their fields. So when the man's corpse was discovered, the villagers immediately pounced on the Das couple as the culprits and they were handed over to the police. They never had a chance to defend themselves. The family suddenly split. With the parents in jail, the four children are leading a precarious existence. What haunts Lotashi is that her daughters may never get married because of this black stain on their family's honour. "Here, I cannot feel the joy of being a mother," her eyes well up. "There is a fire always burning within me. All I want is for all of us to be together one day. We have not killed anyone. Believe me *didi*."

When I put questions relating to the day of the murder, she purses her lips and wipes her eyes with the end of her chador. "God is my witness." She says finally. Nothing more will escape her lips.

"Let her be" says female warden Swapna Deb who has been at the job for 27 years, having earlier worked also at Hailakandi and Karimganj.

"Lotashi has high blood pressure. And can you hear all that cursing, loud singing and banging of those three mad women? That makes her fall ill. And the rest of us too have to put up with it every minute of the day. Now and then they manage to rush out of their room. The three of them have broken furniture, a new water filter and a radio. An inmate was also injured."

I can hear a high-pitched ,tuneless singing emanating from the next room, now and then interspersed by loud, boastful words like “I am India’s best singer. Listen, listen everybody to my songs. Shut up and listen.”

Seema Sutradhar, this deranged singing diva is in her thirties and is the daughter of Bimol Sutradhar. She is a college graduate and had even studied law. She is from Naga Cherra, under police station Katlichera, in Hailakandi district. The Honourable Sessions Judge, Hailakandi has sentenced her to RI for life, fine of Rs 2000 and i/d RI for 6 months. Her horrific crime stuns me into silence. She hacked to death her three year old nephew, the son of her older brother, with a *dao*.

“If she was insane then, surely she is not responsible for this act?”

“No.” explains Monisha . “Its not like that. She was normal then. She lost her sanity soon afterwards. Even now she keeps saying that her brother and sister-in-law treated her very badly and she took the child’s life in a fit of revenge. She says even the little boy used to hit her. She was in the Lokapriya Gopinath Bordoloi State Mental Hospital at Tezpur. Then she came here in 2003. She has been with us for 12 years. She yells, curses, sings all day. We have to keep an eye on her all the time.”

I walk to the side of the building and look at Seema through the window from a distance. She is plump, with a broad face and curly close-

cropped hair. She looks very strong as her hands grip the bars of the only window in her cell. She is excited and keeps hopping up and down, her eyes dilated, teeth bared in a manic grin. “I am India’s number one singer!” she chants shrilly. “Did you hear me? That boy used to hit me. I swear it is true. See my palm...” she stretches out her hand through the bars, her voice pleading. “Can you see that mark? He bit me there... I must sing now, listen, listen to me...

Seema is a criminal lunatic. When her term is over, she will have no home to go to, and must be institutionalized for the rest of her days. Her diabolic act is too painful to even discuss, but one cannot help but pity her nightmarish predicament. The Silchar Central Jail is said to have an area of 31 bighas but sadly, the women inmates are headed in an obscure corner, in a prison within a prison. And worst of all, Seema and the two others create a ruckus throughout the day, triggering unbearable stress for the women and the two little boys in the next room.

When I had first walked into the women’s jail, two of the inmates, on being told that I worked for an English newspaper, the inmates proudly pointed to one of them, saying she was an *ustad* in English. Sonia Ngolung, wife of late Nimai Cheedong is a Manipuri from Ukhrul district, Manipur. In custody since October last year, she is an undertrial prisoner charged under the Narcotics Drugs and Psychotropic Substances (NDPS) Act. A slim, pale women with a long, mournful face, she is very quiet and carries herself with a certain dignity that sets

her apart from the others. Sonia is 52, the mother of two educated adult sons. After her husband passed away due to a heart ailment five years ago, Sonia began to tutor thirty neighbourhood children at her own home, making just enough to get by and educate her boys. She had studied up to class twelve. She also knitted sweaters and mufflers, grew vegetables in her kitchen garden. A devout Baptist, she believed in the power of prayer and had faith that they would see happier times.

One day she decides to go to Jiribam to buy vegetables. It is a fateful decision, one that would change her life forever, bring her to prison, separate her from her children and stain her good name in her community.

On a bright sunny day, Sonia buys a fifty-five rupee ticket and boards a Tata Sumo on her way to Jiribam. It is market day and farmers heap their produce on burlap sacking, loudly proclaiming their wares. Sonia wanders around happily, bargaining hard for luscious red tomatoes, tender green beans, turnips, potatoes and chillies. She stops to have a glass of piping hot tea at a makeshift stall, seated on a bench when two women, whom she knows only slightly, come in an auto and stop near her. They greet her cheerfully and ask if she would go to Silchar with them. Sonia shakes her head. She has work to do, her children would worry if she was late, and the evening meal would have to be cooked. But the women insist. She would enjoy the ride. It would be a nice change for her. She gets in reluctantly. The auto speeds along. As they



are bumping along the pot-holed road, suddenly the two other women ask the auto driver to slow down and they clamber out , vanishing behind some shops. That is not all. The auto driver pulls his cap low over his forehead and sprints away., abandoning his vehicle. Sonia feels a cold prickle of fear. She senses that she is in some great danger, but cannot fathom what it is. A hoarse cry escapes her lips. Her limbs feel numb, unable to move.

In a trice uniformed policeman surround the auto, whose engine is still running. Jammed against Sonia's knees is a cane basket filled to the brim with cabbages and greens. As curious onlookers jostle around, the policemen pull out the basket and empties it on the road. Out tumbles several kilograms of *ganja*, wrapped in brown paper packets and tied with string.

“In the name of Christ, I knew nothing about it. I just went to Jiribam to buy vegetables. I am a teacher, a mother with a family, a Baptist. Why would I get mixed up in all this? But nobody believed me. I spent two days in police custody. I phoned no one, because such a scandal, I knew, would ruin our family. Then the Gaon Burah the village headman came to see me. Since October last year, I have been in jail as an undertrial trial prisoner. My mother is old, she cannot visit me. My sister comes sometimes but she finds it difficult to understand Hindi, Bengali or other languages. Besides, the trip is beyond her means. I so miss my home, my family. I miss having our Manipuri dishes like *chidol* and *irumba*.....

When I feel sad I read the Bible. It gives me much solace. Life in prison is not as bad as I thought. I get to watch the news on television and know what is going on in the outside world. I have never met my lawyer. I don't understand how I will get bail. My son is preparing for his civil service exam. It breaks my heart that I cannot be by his side. My body aches often – I had once broken my hip and leg in an accident ... but the pain in my heart is harder to bear. I feel now I cannot trust people anymore, after what those two women did to me. I dream of going home and being able to get back to my gospel singing, to work in my little garden and watch the plants grow. I am just a normal mother, angry with my daughter for watching Korean serials all the time. I keep knitting things here, in my corner of the room, keeping to myself. I saw Jesus in my dream last night. Perhaps it is a sign that life will become better, this darkness will disappear.”

Sonia gets up from the plastic stool and sits down in her corner, her work worn hands folded over her faded green skirt.

Among the six women inmates (three others, who are insane, are locked up in the next room) perhaps the most depressed is sixty year old Kunja Rani Gour, wife of late Ramnarayan Gour, of Bishanpur Forest police station, Dholai in Cachar district. Tall and frail, her cheeks are pale and grey hair escapes in tendrils from her head covered with the *pallu* of her sari. She gives off the sense of someone who has gone beyond the point of no return. She is the only inmate who is unwilling to tell her

story, and also the one who does not claim to be innocent. The Hon'ble Addl. Sessions Judge, Cachar, Silchar has sentenced her to RI for five years, with a fine of Rs 2000, id/ RI for 2 months. She is convicted of causing death by negligence. The victim – her husband Ramnarayan, the father of her eight children. Slowly, egged on by the other inmates, she begins to speak. Her husband had been a bad man. He had been mixed up with extremists and was even into smuggling. She had always been afraid of him and dared not ask questions about what he did. And there were the children to feed and clothe. Then he hit upon the idea of using his sons – Papon 25, Tapan 17 and Swapon 16 for his work in theft, smuggling and dacoity. For the first time ever, Kunja Rani spoke out in anger. Her sons were good boys. They would earn an honest living and not get mixed up in all the dirty business he was up to. After weeks of loud quarrels and threats, Ramnarayan did the unimaginable – he shot dead his three sons with a country revolver. They died instantly. A devastated Kunja Rani smashed her husband's head repeatedly with a wooden pole used to tie cattle. The fiend who had beaten her in his drunken rages, who had taken away her sons from her, lay battered at her feet. Then she walked to the nearest police station to admit to her crime.

Kunja Rani has been in jail for the last four years. She has come to know that greedy relatives have taken over their land and house. Of her four daughters, two are missing, perhaps trafficked by touts and forced into

prostitution. She has no complaints about life in jail. But the unbearable loss of her sons, and then her two daughters, keeps her awake all night. There is nothing much to do in jail. The warden has taught her to sign her name.

Kunja Rani wipes her eyes with the end of her sari and falls silent. She will be eligible for release next year. Will she be able to create a new home, find her missing daughters, get a job somewhere, in spite of her criminal record? With a heavy heart I put away my notebook, understanding the darkness that shrouds her even in the middle of this sunny spring day.

Thirty year old Archana Biswas, slim and dark, is wearing a wine red sari. She has smeared vermilion in the parting of her hair, wears a stone studded *bindi* and there are several glass bangles on her wrists. She is very shy and it needs a lot of prompting from the others to make her open up. She is an illegal migrant from Bangladesh, caught sneaking in aboard a creaky river boat on the Barak along with others. Her two sons Govinda 6, and Gopal 3 are with her. They run around in energetic bursts of glee till a warden takes them to learn their lessons in another part of the jail. They look healthy and in good spirits Archana says her home is in Jahiganj, Sylhet where her husband Doyamoy plies a rickshaw. She claims to have come to meet her uncle and his family in Karimganj when she was a little girl. This time she had come with her sons and a brother-in-law. Silchar jail is a deportation centre and she and

the others are booked for entering the country without passports. She says she paid 2 lakh *taka* (in Bangladesh currency) to a tout who abandoned them midway. She seems strangely unruffled by the enormity of what has happened. Perhaps she is just grateful that she and her children are being fed and looked after. In the meantime, she attends court now and then but has no idea when she will go back to her country.

Large scale illegal migration from East Pakistan/ Bangladesh over several decades has been altering the demographic pattern of Assam. It poses a grave threat to the identity of the Assamese people and to India's national security. Successive governments of the Centre and the State have not adequately met this challenge. After six years of agitation in Assam over this issue of illegal migration, the Assam Accord was signed in 1985 between the agitators and the Government of India. Among other issues, the Assam Accord stipulated fencing of the border with Bangladesh, to prevent the influx of illegal migrants. However, intensive patrolling also requires to be done. The fencing work was started only in 1992, seven years after the accord. Though fencing is nearly complete in Dhubri, more than half of the area remains incomplete. The riverine border is being patrolled with speed boats and country boats, but they are far from adequate.

With the non-cooperative stance taken by Bangladesh, it will not be possible for India to deport millions of illegal migrants to Bangladesh.

From 1993 to 1998, the BSF tried to hand over 39,746 illegal migrants to Bangladesh Rifles. The later accepted only 9,353 and refused to accept 30,393. The acceptance figures by Bangladesh declined from 5799 in 1993 to only 55 in 1998. Lt Gen S.K. Sinha, former Governor of Assam, describes the huge influx of illegal Bangladeshi migrants into India as a Malthusian nightmare.

Recently, in a March 31, 2015 report in the Economic Times, the Supreme Court slammed the Assam Government for dragging its feet and rejected its vague and highly unsatisfactory affidavit on the steps taken regarding the influx of illegal Bangladeshi nationals. This was stated by a bench comprising Justice Ranjan Gogoi and RF Nariman. It also directed the Assam Government to apprise it about the steps taken to comply with its direction to meet the deadlines of January 2016 for updating the National Register of Citizens (NRC). Despite assurances 500 police units and task force to detect illegal migrants have not been activated. The court asked for details of border fencing, border patrolling and night patrolling. The Centre would specifically spell out a scheme for deportation of illegal migrants.

The court had earlier asked the Centre to detect and deport all illegal migrants who have come to Assam after March 25, 1971. It however said that the foreigners who came to India between January 1966 to March 24, 1971 be awarded citizenship after law.

While Assam has three detention centres, Delhi has one. The BJP Government is planning to open detention centres in every state.

Just as Archana's story throws into sharp relief the stark reality of the illegal migrant issue Sonia Ngolung's plight exposes the underbelly of Manipur society and its thriving drug trade. *Eastern Panorama*, a Shillong based news magazine has reported exhaustively on this issue. Smugglers use Manipur as the main route for international drug smuggling. The state falls within the Golden Triangle comprising of Myanmar, Vietnam Laos and Thailand. The state covers a common international border with Myanmar, the world's second largest opium producing country. Recently, even police and paramilitary forces have been found to be involved in this lucrative trade. It is common knowledge that the 396 km long border with Myanmar is as good as unpoliced. Drug traffickers gather in Moreh where there is legalized border trade and return to Imphal with huge consignments of heroin. Thousands of Manipuri youths have become drug addicts and have ruined their lives. Perhaps I will never know if Sonia is innocent or had offered to transport that consignment of drugs for some easy money. The smuggling of drugs so common in her state so as to reduce the moral compunctions related to this activity. Even so, gentle ,downcast Sonia can be seen more as a victim – of poverty, adversity than a hardened offender.

Returning to my son's home that afternoon, I keep thinking of Gopal and Gobinda, Archana's sons who are indefinitely living with her in jail. Prison is no place for children. They are surrounded by murderers and other offenders. Barely a few feet away from where they hop and ship, three dangerous lunatics pace their locked cell. The other women get into arguments over trifles. The attrition rate is high. Gopal and Gobinda have no idea in which city they are, or that they are in a different country. I see a packet of powder milk arrive for them from the jail store. I see them reading their lessons in a classroom within the premises. But I also see their childhood being robbed.

It is surprising that jail manuals that govern the running of prisons do not contain any special provisions for children of women prisoners who constitute a particularly vulnerable category. Women are incarcerated in prison mainly as undertrials or convicts. The children stay with their mothers in this tough and bleak environment because they have no one in the outside world to take care of them. Some children are born in jail, others accompany their mothers when they are imprisoned. After a public interest litigation in regard to undertrial prisoners, the Supreme Court carried out an exhaustive study and gave directions in regard to children of women prisoners in a judgement dated April 13, 2006. The court noted several provisions of the Constitution of India as well as Laws enacted for the welfare of children.



Citing several fundamental rights and the Directive Principles, the court took note that Article 39F directs the State to ensure that children are given opportunities and facilities to develop in a healthy manner and in condition of freedom and dignity.

The judgement refers to the existence of no less than 12 laws ranging from the Guardian and Wards Act and Child Marriage Restraint Act to the Juvenile Justice Act and Immoral Traffic Prevention Act which make provisions to benefit children. Mention was also made of the National Policy for children.

The National Institute of Criminology and Forensic Sciences carried out a study of the children of women prisoners in India. Some of the salient features are mentioned here.

1. Most children are living under difficult conditions and are deprived of proper food, healthcare, accommodation, education and recreation.
2. There are no programmes for the proper bio-psycho-social development of children in prisons. Their welfare was mostly left to their mothers, due to lack of trained staff to look after them.
3. In many jails women with children were not given extra food. In some jail, a glass of milk was provided daily. Sometimes only children above the age of five were given separate meals.
4. No privileges were accorded to pregnant women.

5. Children were not accorded any specialized medical facilities.
6. Most mothers feared that living in jails would have a negative impact on their children in terms of mental emotional and physical development.
7. A hostile environment, lack of proper food and shelter, separation from the other family members, especially the father had an adverse impact on the children.
8. Mothers cited food, medical facilities, accommodation, education, recreation and the separation of children from habitual offenders as six areas that required urgent attention.

The Tata Institute of Social Science also put forward a report laid five grounds for careful consideration.

According to the report prison environment are not conducive to the normal growth and development of children. Many children born in prison have never experienced normal family life upto the age of four-five years. The socialization pattern gets disrupted due to their stay in prison. The only image of a male authority figure is of the police and prison officials. They are unaware of the concept of a home. The outside world is a bewildering place for them when they come out. Being shunted from one prison to another with their mothers is a harrowing experience. Prison experiences make them either aggressive or withdrawn.

According to the National Crime Records Bureau statistics of 2006, there were 339 women convicts with their 374 children and 1,031 women undertrials with their 1,197 children reported to be in prisons in India. Kiran Bedi's remarkable reforms in Tihar Jail now shows a well-equipped crèche, study facilities etc for children there. But one wonders what the conditions are in jails across India.

In Silchar jail, I came across one woman who was a criminal and insane to boot. She was looked up with two other insane women who are Bangladeshis. The three women break out into fights, have little concern for personal hygiene, create a ruckus that is unbearable and pose a threat to themselves and other inmates. What happens when they become extremely violent.? "We give them medicines." Who prescribes the medicines.? The staff are evasive. The doctor is not a psychiatrist, I point out. We bring psychiatrists from outside, they answer, looking away. I am far from convinced. Troubled by the harrowing stories I have heard I take leave of the women knowing I would never see them again. But there was comfort in knowing I would be taking their stories to the wide world beyond the prison walls.

# Chapter VI

## Most wanted

As a women, I chaff against many constraints. I cannot for instance embark on a wild and dangerous adventure like Rajeev Bhattacharyya. A friend and fellow journalist, Rajeev, who, in 2011, along with colleague Pradip Gogoi reached a village in Nagaland near the Indo-Myanmar border, and they crossed the border with three locals. A group of ULFA rebels guided them through the hilly terrain and days later, after crossing Naga dominated area of Myanmar and finally reached the ULFA camp in Huhwang villey. This was one of the least explored regions of the world, and one of the last explored frontiers. 43 days of trekking through hostile ..... And came face to face with Paresh Baruah, who also facilitated his meeting with their Chairman of the NSCN(K) S Khaplang.

The account of the journey has been published in his remarkable book Rendezvous with Rebels: Journey to Meet India's Most Wanted Men.

Having trekked 800 km Bhattacharyya says that no less than 30 rebel groups operate in this strategic region, and yet it is ..... on the Centre's priority list. Besides Paresh Baruah and S. S. Khaplang of the

ULFA and the NSCN(K), he also met IK Sangbijit, President of the National Democratic Front of Bodoland.

Reading his gripping book, one is struck by the fact that the terrain inhabited by rebel groups is fundamentally inimical to women. Rajeev agrees that though there has been a significant body of work on why individuals and groups become anti-establishment or take up arms against their own government, most writers ignore the contribution of women rebels and she remains an invisible entity, sometimes romanticised by most often marginalized, or even trivialised. Many authors merely dismiss them as camp followers and combat wives, neglecting to examine individual narratives of how women from a sheltered home, slipped away to a life of danger and often, certain death.

“There is a ..... Says Rajeev” that women have throughout the history of military and other conflicts carried out the usually non-combative types of tasks like laundry, tailoring, nursing, cooking, the allocation of provisions and in many cases simply being the wives of combatants. But one must not deny the reality that women have participated in armed insurgencies through a range of roles, including ideology, strategy, combat and support, as fighters, supporters and leaders. I would go so far as to say that have played key roles within the decision making frameworks of armed groups as the case of Ulrike Meinhoff of the Baader-Meinhoff gang in Germany or Leila Khaled of the Popular Front of the Liberation of Palestine. Since the 1970s,

women have played pro-active roles in insurgent groups in India, whether in Kashmir, the Central Region, or the North-East. Though women were not inducted into the ULFA in the early years, later many of them trekked across the border to Kachin in Myanmar for training.

In the early years however, they remained active in propaganda and mobilizing support for the cause. The ULFA leaders saw the active role played by in Kachin Independence Army in Myanmar and perhaps that caused them to view women cadres as assets rather than liabilities. So therefore, women cadets were also involved as part of their training, on political indoctrination, building physical and mental fitness. They took part in political classes, exercised, drills, practicing with dummy rifles and exposure to a life in the jungle.

Rajeev explains “The trigger that drove men to join ULFA in droves were the same for women – deep angst and grievance about the existing socio-political condition in Assam, a desire to effect radical change in society, and sometimes falling in line due to peer pressure. In the fag end of 1990, another program to enlist women into the struggle began in earnest through the Mahila Kalyan Parishad, founded only a month ahead of the Indian Army’s Operation Bajrang, the MKP was set up as ULFA’s overground arm to organize protest and mobilize support against the army operation. Operation Bajrang unleashed a reign of terror on villages in and around Dibrugarh and Tinsukia. People were tortured shot and women brutally raped. Assam was declared as

Disturbed Area and the Indian Army had a field day. Soon, after only eight months, the Mahila Parishad faced a crackdown and the members were systematically taken down. Leaders like Pranati Deka and Bobby Bhuyan were jailed while some withdrew from their work, others dispersed to the jungles for combat duty. Women joined ULFA's camps in Bhutan during the early 1990s. Some were recruited as cadres. Others were wives of fighters.

In the plains women were active in relaying messages, running propaganda and even arranging logistics.

From 1995-98, ULFA gained a position of strength. Its manpower was around 3000, of which 500 were women. Some women rose to become battalion sergeant majors and trainers. Now the ULFA devised an elite group Enigma whose aim was to unleash terror in urban areas, which was where political power was concentrated. 30 women were carefully hand-picked. They were a secret group, with their own camp, training and logistics. Only their Commander knew their actual identities. Two of these women, in their early twenties blew up the oil depot of the Indian Oil Corporation at Thekeraguri, near Nagaon, probably firing a rocket propelled grenade at one of the oil tanks. But the Enigma group was torn by internal troubles. Intelligence officers had infiltrated into their ranks and some women fell prey to secret killings.

He concludes “All the women who were once associated with the ULFA and have now surrendered are slowly returning to a normal life in Assam. While many are married in rearing children, some have cases against them, requiring them to appear in court frequently. Most of those women have no regrets about having been in the ULFA but feel their potential was not realized to the fullest. They allege discrimination in allotting tasks and promotions. Younger males got preference in promotions without any consideration of merit and experience. The wives of ULFA leaders were also entitled to privileges that could not be enjoyed by ordinary female cadres.

Author and academicians Dr Noni Gopal Mahanta has written extensively about insurgency in the region in his book “Confronting the State (sage). In his view the armed combatants hail from a society which has deeply entrenched patriarch values. There have been cases of women even being liquidated for defying these norms. Women rebels are seen as the cultural and tradition bearers as well as the upholders of morality. Their conduct is therefore judged by these high standards.

This is chronic, as women cadres have similar reasons as the males in joining an outfit. Macro issues affecting their community such as exploitation by dominant group, Centre’s step-motherly attitude, exploitation of natural resources, non-recognition of their culture and language could act as the driving force for both men and women to join the outfit.



Dr Mahanta cautions against the perception that female cadres are good and male cadres are bad, female cadres as progressive and male cadres as regressive. He says this binary construct is misleading and women cadres could be as ruthless and immoral as their male counterparts.

He concludes I believe we just can't see the woman rebel in isolation. In comparison, the women of the society as a whole has to bear the burden of an armed conflict prove that the male members of a society.

It is then that I feel Dwipamoni's story needs to be told too. Can her actions be condoned as part of a political struggle? Can violence be viewed differently, depending on circumstances. There are no easy answers. I had been told by police officials that I would not be allowed to interview women cadres of different militant outfits lodged in jail.

That was disappointing but I still harbor a hope that I may be able to talk to some such women who are now free after a stint in jail. In fact, one of Assam's most celebrated author Sahitya Akademi Award winning Rita Chowdhury described in disturbing detail her incarceration in jail as an activist of the 1980s anti-foreign nationals movement in Assam.

Over to Dwipamani Kalita, known by several aliases - Sima Biswas, Sima Sonowal and Sristi Sharma, Moina. She has the distinction of being the first hit woman of the banned United Liberation Front of Assam (ULFA). She is behind all the mortar attacks executed during 2002-2003 in Assam. Having joined ULFA in 1998, she was trained in mortar shelling, and was adapt at RPGS. Together with Dilip Roy and Pronoy Roy, she formed part of an elite group.

However, it is not that this young girl just upped and left her home to spread terror among civilians. The circumstances of her life had an important part to play in her taking that fateful step. Born in Jabjabkuchi village under Ghagrapar police station in Nalbari district of Assam, she lost her father Karuna Kalita while she was a toddler. Her father was killed by villagers in front of her very eyes. Separated from her own mother, she was raised under harsh circumstances by a stepmother. When her elder brother too died in an accident, Dwipamoni's world of shadows and pain darkened. Desperate to get

away from her vicious stepmother, Dwipamoni got in touch with two ULFA cadres and melted away into the unknown. A brilliant student who had got letter marks in Mathematics and Advance Mathematics in her school finals, hers is a case of cruel deprivation of opportunity.

Dwipamoni was exclusively trained in Misnupur, Bangladesh in the Enigma B camp for four months. It was there that she met ULFA Commander in Chief Paresh Baruah for the first time. She was then taken blindfolded to an official firing range by the ULFA's foreign associates. She now became a member of the Enigma Group that carried out terrorist attacks in the State.

Soon after her training, Dwipamoni arrived in Guwahati and was told to lead a normal life, so as to not arouse any suspicion. She even bought land and constructed a house in the city. She travelled by public transport and did not carry a cell phone. She made no calls to her superiors. With complete anonymity and secrecy, she moved around the city, often carrying two inch long mortars in public buses. She

carried out mortar attacks on October 27, 2002, December 22, 2002, December 25, 2002 at the Dispur residential campus, CRPF Transit Camp and at Ambari Guwahati. While no one was injured at the Dispur attack, the attempt to blow up the CRPF Transit Camp failed. She fired six mortars at Ambari and 21 persons were injured out of which three died.

But Dwipamoni's stint with the ULFA was brief. On April 20, 2003, she surrendered before DGP Harekrishna Deka and IGP (Special Branch) Khagen Sharma. She was just twenty. She laid down an AK-56 and three rocket propelled grenades before the officials. Three months of phone conversations with IGP Khagen Sharma convinced her that she was a mere pawn in the game ULFA was playing and at the surrender ceremony, even denied knowing the ideology of the group for which she had risked her life. The police put Dwipamoni under a special rehabilitation scheme to enable her to return to normal life. She went on to open two restaurants in the city specializing on local cuisine.

Former rebel a restaurateur?

That rings a bell. Years ago news had travelled on the grapevine that a surrendered ultra was now sitting at the counter of her new eatery in the heart of Guwahati city. It was this same Dwipamoni who had sat across me at a table and answered my queries. She had spoken at length of the harsh stint in the jungle camp, the rigours of long marches over rocky terrain but had not breathed a word about the mortar attacks in the city. Her version of life as a terrorist duly appeared in The Assam Tribune in my column but I had always felt she was concealing much more than she was letting out. Her dark, watchful eyes had been a little unnerving, though she did observe the niceties of treating me to a free coffee. Her two restaurants sank without a trace. I wonder where she is now, or if she would like to be traced.

Armed conflict and its adverse impact has been a stark reality in the North East for half a century now. What is noteworthy and a cause of concern is that it is principally men who have been the negotiators, even though women have worked actively in almost all the insurgent outfits. On the other hand, women in civil society have worked hard to

protect and sustain their families in a society torn apart by violence , but they remain unacknowledged in any dialogue for peace. In the many rounds of negotiations between Naga leaders and the Indian Government, the Mizo National Front and the United Liberation Front of Assam there only a few women representatives. An exception is the Jnanpith award winning writer Dr Indira Goswami, better known as Mamoni Raisom Goswami\_ who made serious efforts to bring the ULFA to the negotiating table and place their demands before the Government of India. People's Consultative Group and the GOI held several rounds of talks but ultimately, they proved futile. Women's groups in Nagaland (notably the Naga Mother's Association) Manipur, Assam and Tripura have been making concerted efforts to bring back peace.

Now it is 2015. The ULFA has split into two – ULFA (Independence) and the Pro-Talks faction. The Pro-talks faction has had nearly nine rounds of talks with the Centre. With Anup Chetia now in India, the other leaders comprising chairman Aurobindo Rajkhowa, Foreign Secretary Sasadhar Chowdhury, Publicity Secretary Chitraban Hazarika, Raju Barua hope for a final settlement of their demands. The only lady in the executive body of ULFA is cultural secretary Pranati Deka. After weeks of stubborn and consistent efforts, I am able to persuade her, through the offices of Runima Chetia, her acolyte, to meet me for a one on one.

Here, a backgrounder is in order. On August 5, 2011, seven pro-talk United Liberation Front of Assam leaders led by Arabinda Rajkhowa, the chairman placed a Charter of Demands before the Union Home Minister P. Chidambaram in New Delhi. This was the prelude to the peace talks between the Centre and ULFA later that month. The list of demands included several vital issues –

- 1 First was a fresh look at the issue of Assam's sovereignty.
2. Amendment of the Indian Constitution to protect the rights and identity of the indigenous people of Assam.
3. Find an honourable solution to the three decade armed conflict led by the ULFA.
4. Address the issue of illegal immigration of Bangladeshi nationals into Assam.
5. Verify the status of 50 ULFA cadres missing since 2005.

Critics of ULFA question their right to speak on behalf of the people of Assam. It is said that the outfit enjoys mass support only in districts like Sivasagar and Tinsukia. The killing of unarmed civilians through bombing of public places and the massacre of poor labourers coming from Bihar have alienated the general populace. Added to these are the reports of top leaders amassing fortunes in Bangladesh and living a life of luxury. Therefore the ULFA leadership faces the challenge of what are the three R's – representativeness, rationality and responsibility – indispensable for a group or outfit that seeks to speak for a whole community. Widespread killings, extortions, especially the unexplained murder of social activist Sanjoy Ghosh have eroded the mass support once enjoyed by ULFA.

Curious to understand the stand of the lone woman in the ULFA executive body – its cultural secretary Pranati Deka, a former lecturer of Assamese, I sent feelers through police officers, women ULFA cadres, lawyers. After several months there was a breakthrough. I was able to

obtain her cell number. But everytime I called, she refused to answer. Then in December, she conveyed her willingness to meet me in the residence of her protégé Runima Chetia Chowdhury.

Pranita Deka, clad in a light yellow *mekhala chador* and a light green shawl, is bespectacled and motherly in appearance. Her eyes are watchful and her razor sharp intelligence is evident in her detailed answers to all my questions.

"I was born in 1962. My parents are Chandrakanta Deka and Sabita Deka and they were residents of Baganpara in Baksa *zila* of the then undivided Kamrup district. We grew up surrounded by golden fields, green forests and a community that lived in harmony, with ties that ran deep. My father was a school teacher and bought many books for us. I did my schooling upto higher secondary level there.

I wanted to know what culture, which implied creation and facilitation of artistic work played in an armed revolutionary group like ULFA.

"ULFA was born with the aim of ushering in change in the society. Preserving the indigenous culture of our land was been a priority. From the earliest days we indoctrinated the youth and made them aware of the legacy they have inherited. We sought to bring in the youth to the path of revolution through cultural activities in every nook and corner of Assam. To give you a small example, we revived the genre of patriotic songs of stalwarts like Ambikagiri Raichowdhury.

What has been your own contribution to ULFA?

"I have only carried out the duties allotted to me. I am always aware of the constitution which outlines our roles and duties. What I have achieved in these years is far others to say."



It has been alleged that women cadres of the ULFA have not been given their say in important matters. Most women cadres have simply been hewers of wood and drawers of water. In 'Operation All Clear' conducted in 2003 by the Royal Bhutanese Army and the Indian Army to flush out the ULFA cadres from their hide-outs in the Bhutan hills, the male cadres used their women and children as human shields to protect themselves. What would you say that?

"That is not true," she says, a flicker of anger crossing her face. "Women in ULFA have always been honoured and treated with consideration. On joining ULFA, we women were freed from the fetters of the traditional patriarchal society. We lost all sense of being the weaker sex as we wore the same uniform, followed the same training manual and completed out the same chores and assignments. We were all soldiers, not just men and women. Our training was gruelling and none of us women backed out with any excuses. We had women working in highly responsible positions. In general headquarter the Battalion Sergeant was Meghali Kharghoria alias Mamoni Dihingia. When a women rebel is pregnant and a mother, the nature of her work changes and the boys have always been chivalrous, volunteering to complete more arduous tasks. When a new camp is set up in the jungles, the first task is to build the granary. And right after that the women's quarters are built. Our men had so much integrity that all woman rebels were safe with them. I would go so far as to say that the position of women in the organization was better than in civil society."

Pranati Deka was all set to live a quiet, innocuous life as a lecturer in Assamese at Jagara College. All that changed when she met activists like Rajen Sharma and firebrand ULFA leader Pradip Gogoi in 1987. The

following year she was actively working for the organization, putting her career aside and her very life in jeopardy. She explained.

“There was a general, all-pervading sense of disillusionment among the people. The six-year-old movement for the deportation of illegal foreigners from Assam had drawn to a close. The new AGP government went back on its promises and got mired in scandals and corruption. Eight hundred and fifty five martyrs lost their lives for nothing. Slowly, it dawned on us that if we had to bring any meaningful change in Assam, we would have to take up arms. In 1989 Raju Bora and Sasadhar Chowdhury came back to Assam after training abroad. We were ready and in 1990 I went underground, giving up my job, my comfortable way of life to do what I passionately believed in. That very year, on November 28, ULFA was banned. We were constantly moving from place to place, mobilizing support, planning strategies, being sheltered by sympathizers. You cannot imagine the kind of support we got from the people in those years. In 1992, I was made the Central Cultural Secretary. Working in tandem with other cultural secretaries in each *zilla*, we struggled to preserve and propagate our indigenous music, oral traditions, folk songs etc. Many well-known cultural figures worked with us but I wish to protect their identity.

I would like to speak about my marriage to fellow ULFA rebel Chitrabon Hazarika. He is a shy, reclusive man who ordered us rather curtly to complete our assignments. We were then at a camp in the Bhutan hills. Our Commander-in-Chief called me one day and said that my marriage was being arranged. I was tongue-tied with surprise. I came back to my quarters and thought about it. Who was I going to get married to? I had forgotten to ask! I went back again and Sir said it was Chitrabon. I did not know what to make of it. I knew little about him. We were soldiers

fighting for a cause. But our leader's command was binding upon us. The leadership always encouraged cadres to marry and have a normal conjugal life. But there was a formal procedure and rules and to be observed. Both the families were informed of the matter. Then the couple were counseled by senior leaders about the problems they would face as man and wife – long separation, imprisonment, torture, death, the difficulties of raising children in hostile environment...

In the beginning I viewed my proposed marriage with serious misgivings. I wanted to work, to struggle for a new sunrise. I did not want to be tied down to domesticity. I remember crying bitterly about it. But I went along with it, as Chitrabon was a good man, even if somewhat distant. It was a rule that weddings were to be very simple. The bride was given a set of *paat mekhala chador* and a gold ring by the groom. My set of clothes and ring were later used by another bride. After a simple ceremony the camp would enjoy a meal, with meat if we could procure it, and there would be some cultural function to add colour to our new life as a married couple.

This was in April 1996. Things became difficult for the camps soon afterwards. Due to some Indo-Bhutan border skirmishes there was severe scarcity of resources. We could just about manage a meal of boiled rice a day. Often the rice was rotten and we had to boil it and keep throwing away the starch to make it edible. We would gather tubers and wild herbs. By this time, I was pregnant, underweight and suffering from nausea and dizziness. More worryingly, my blood group was the rare 'AB-negative'. Should I have complications during delivery, the camp medical facilities would not suffice to save my life and that of my child. In my eight month of pregnancy, I made a trip to Delhi. I was so anemic that I urgently needed two bottles of blood. But to add to my

worries, the Delhi donor's blood turned out to be HIV positive. Along with a young man and woman of our outfit, we went to Mumbai. There, in Jaslok Hospital, our son Jyotibon came into this world. By that time, we were aware that we were under police surveillance. I knew that the authorities were just waiting for me to give birth before arresting me. The young man and woman continued to help me deal with this looming crisis, refusing to make good their escape and evade the dragnet of the law. I shall be ever indebted to them and for obvious reasons, I cannot reveal to you their names."

Piecing together media reports, this is the development that emerges. Deka was placed under arrest on August 23, 1996 at Santa Cruz airport as she was about to board a flight to Delhi with her newborn son and two accomplices. A visiting card belonging to a senior executive of a top tea company was seized from one of the accomplices. The official had not only accompanied Deka to Mumbai for her delivery, but had also paid the bills. The company claimed that the official had no idea who Deka was and that bearing her expenses was part of the company's special medical facility for residents of Assam. The Assam Police interrogated top officers of the company and arrested the general manager of the company for "knowingly conniving with those who are waging a war against the State. After an Interpol alert issued for the official who accompanied Deka, he finally surrendered to the police in Kolkata.

With her fifteen-day-old baby in her arms, Pranati Deka was brought to Assam by a team of Assam Police from a lock-up near Santa Cruz Airport. For two weeks she was interned in Jalukbari Police Station, on the outskirts of Guwahati. She had no extra clothes and had to clean her infant son and swaddle him with the clothes she was wearing.

Forced to lay him down on the floor, she was aghast to see his delicate skull flattened by the hard floor. The future looked bleak, uncertain. She had no contact with her fellow leaders, including her husband Chitrabon Hazarika. At the time Jyotibon began wheezing for breath due to an acute attack of bronchitis, her caesarian stitches got infected. Her abdomen turned red, inflamed and pus leaked constantly, running down her thighs to the floor. Medical care was thankfully provided to both mother and son by the authorities. She was produced in court and then shifted to the Guwahati Central Jail .It was here that cut off from her people, considered an enemy of the State, she struggled to raise her child alone. In those two years of marriage, she had been with her husband for only three months. When she had left the camp in Bhutan, he had been elsewhere.

During the interrogation by Assam Police and Central Intelligence officers, she was alleged to have supplied vital information about the banned organization. Being one of the top most leaders of the outfit, no doubt pressure was exerted on her to do so.

Till date Pranati Deka has five cases registered against her – under Passports Act, under Section 120 \_\_\_\_\_ 121 (A) \_\_\_\_\_ of the IPC (Indian Penal Code) and two cases under TADA (Terrorist and Disruptive Activities Act).

A year passed by. Jyotibon was able to crawl about and escape from his mother's lap, gurgling with laughter. In 1998 Deka was granted bail.

"Far from being demoralized by that crisis in my life, I grew more resolute," explains Deka.

Perhaps what can explain my strength under the circumstances is that our outfit has very high standards in the recruiting of its women cadres. This is especially true in the case of its military wing. The organization has a woman wing named 'Nari Bahini' (women soldiers). At General Head Quarters, we have had Kaberi Rajkonwar, Meghali Saikia, Kalpana Neog, Moni Barua, Sadhana Batcha, Rongdongiya Rabha, Malati Rabha, Sangita Saod etc. Several of their husbands belonged to ULFA. Rangbongiya Rabha had the highest position for women in the army wing. The women mainly looked after communications, administration, medical aid, and transportation and building networks for the release of arrested leaders. ULFA sympathizers in villages, towns and cities helped the women rebels to deliver mail. In the beginning instructions were communicated through the women. At our Bhutan GHQ women did all the office work. Our Volcano combat unit was often helped by women cadres to get past security checks of police and paramilitary forces. When our leaders were arrested, women cadres organized gheraos and demonstrations by mobilizing the public. The women also used their skills to obtain information like security force movements etc.

My research had led me to an intriguing snippet of information. In June 2002 families of 210 ULFA militants including Pranati Deka submitted a petition to the Assam Human Rights Commission and accused the ULFA Commander-in-Chief of forcing their wards into illegal activities. The ULFA interpreted it as a forcible way of collecting signature and maligning its leaders as a violator of individual human rights. Seen in the larger context, this protest does seem to question the legitimacy of the outfit from the inside.

Today Pranati Deka sits across me, sipping tea at a friend's house on a December evening. Jailed leader Anup Chetia is back from Bangladesh, and there are hopes for further talks with the Centre. Like any ordinary mother she worries for her son, if he is prepared for his studies. Long ago, in the jungles, she had had no hopes at all of seeing such a day. She explains, "We were prepared for anything. It was a case of living from moment to moment. When the Indian Army attacked us at Lakhi Pathar, and the mortar shells exploded, it was terrifying, but we did as we were trained to do. It was a time when our General Council was going on. While the core group remained, the others disposed in all directions.

Today Pranati is hopeful that the peace talks will bear fruit and end more than three decades of conflict. "It would be unrealistic to expect too much. The solutions to Assam's problems do not lie in our hands. We hope the generation after us will play their part in protecting the identity of the greater Assamese community.

Pranati Deka was again arrested in 2003 in Phulbari in Garo Hills District of Meghalaya while trying to escape to Bangladesh. She is very embarrassed by reports which said she was disguised as a Bangladeshi labourer in a bid to hoodwink the authorities.

"How can wearing a *sari* make me a Bangladeshi?" her eyes flashed angrily. "This is the kind of media coverage that tries to embroider on the truth." "Anyway, from 2003 to 2010 I was in jail. My sister took care of my son and I got to see him only twice a year, at six monthly intervals. I gave up my post of Cultural Secretary as otherwise our outfit would be pressurized by the government. My time in jail was spent writing about my experiences. I did a lot of sewing which calmed me

and gave me focus. Our small family was scattered in three different places. My son had to make do without me for a crucial period of his life. He is a higher secondary student and even though we live together now, he is a bit formal towards me. My sister, thank God, gave him a mother's love. I do not think I am a very good mother. I am rigid about enforcing discipline and insist on him following rules. His father asks me to relax and be a bit indulgent. After all, he has had a hard childhood in many ways. My husband and I were not there for him quite some time.

"So who is the real Pranati Deka?" I ask guilelessly.

"I am a common woman. I am simple, frank and easy to get along with others. And I must tell you that women can definitely be good revolutionaries – they have the discipline, the idealism, integrity that a struggle demands.

Looking back, what would she say were the strengths and weaknesses of ULFA?

Our greatest strength was our determination. We took on the might of the government and its army to fight our cause. Then we had the goodwill of the Assamese people. Our resolve helped us face great hazards and sustain the struggle for all these years. But looking back, I am sad to realize that we could not train new recruits. When the senior cadre were killed or arrested, there was no one to take their place. There ensued a gap in the chain of command. The exile of key leaders also led to communication gaps.

Chitrabon Hazarika is the Finance Secretary of ULFA. I want to know how he is as a husband.



"He is a good and reasonable man. He never forces any decision on me. We have a good relationship."

Pranati, along with senior leaders of ULFA like Aurobindo Rajkhowa and Bhimkanta Buragohain offered a public apology and begged for forgiveness for triggering an explosion at an Independence Day parade ground in 2004 that killed 14 people, most of them school children. On August 15, 2004, a powerful bomb went off minutes before the Independence Day parade in Dhemaji, a town in Lakhimpur district. The outfit denied its involvement though the police were certain it was that then Commander-in-chief Paresh Baruah stated in an emailed statement.

"We have now realized that our statement of disowning the blast (in 2004) was not true and hence we seek an apology from the people of Assam. The Dhemaji explosion is a dark chapter in our freedom struggle and till today we are deeply anguished. He also claimed that the leadership had been misinformed about the blast previously.

Pranati admits it was a very emotional moment meeting the families of those killed. In a trembling voice she described how the people, in spite of their grief, held back their anger and treated him politely. It was a day that would remain with her all her life.

What then were her happiest memories?

"Strange as it may sound, today I am full of nostalgia for those days in the jungles. We had a dream and little else. We ate meals of rice with salt and *dhekiya* herbs roasted on bamboo hollows. We trudged for miles in the freezing cold, petting rain and the harsh summer sun. Death was just round the corner but we were together, resolute against

the odds. As I worked in their midst, my belly swollen with my unborn child, somebody would fetch a couple of eggs for me or milk. And I have pounded rice very day for fifty people, never asking for life to be a bit easy because of my condition, as that I was one of the leaders. In the midst of peril we looked out for each other and when life could change in an instant, every moment was precious beyond heads.

Yes, it is sad that today's Assam condemns and nullifies us, that we are judged as bad people. But can change be brought about by people sitting with their hands folded? It is only people who dare to do things who make mistakes. And I absolutely refute that we have lived in any kind of luxury. For me, it was hard to manage even a thousand rupees during emergencies.

Would she describe herself as a feminist?

"Not really. We women still face problems at all levels. We have not been able to effect changes in society. No doubt there has been some progress but I think economic empowerment is most important for any woman to have her voice.

It has been alleged that women cadres of ULFA have been demobilized but not rehabilitated. They are ignored in the peace-building process, they are out a precarious living, and have problems being accepted by society. Many of them are ostracized and cannot find life-partners. What is your comment?

These allegations cannot be dismissed as entirely baseless. Efforts are being made to re-integrate them into civil society. We have eight Assam Nava Nirman Kendras at Kakopathar, Moran, Sivasagar, Darrang,

Nalbari, Bongaigaon, Goalpara and Morigaon. Former cadres are being trained in pisciculture, agriculture and weaving.

These days Pranti is busy with organizational work and running her household, as well as being mother to her adolescent son. She asserts that people still support the outfit but are afraid to do so openly. She remembers with gratitude how eminent litterateur Jnanpith Award winner Mamoni Raisom Goswami met her in jail and expressed the desire to pen a book on her experiences. But sadly, Goswami fell ill shortly afterwards and passed away.

Crossing the Brahmaputra in a frail boat with her ailing son, walking for days towards civilization to seek a cure his fever, then being arrested just before the crucial moments of escape – Pranati has lived through many heart-stopping times. Now she looks forward to the peace talks amidst memories of a tumultuous past. There is still a long trek ahead to the sunrise.

## **Chapter VII**

### **Anything for the cause**

For several months now, I have been sending feelers to women cadres of the United Liberation Front of Assam, who, for nearly forty years has unleashed a reign of terror in Assam. Innocent civilians have been caught in the crossfire of this militant group and the para-military forces.

Women make up barely 10-12 per cent of this group and are either wives of the rebel leaders or in the military or political wing. Many years ago I had interviewed Dipamoni, a fearless cadre who infiltrated into Guwahati without being traced. But, I was keen to meet the women leaders of the ULFA - Kaberi Kachari Rajkonwar, chief of the women's wing and wife of founder chairman Arabinda Rajkhowa, Pranati Deka, cultural secretary of the outfit and wife of finance secretary Chitrabon Hazarika, and Runima Chetia, wife of foreign secretary Sasadhar Chowdhury.

As we drive through the maze of Guwahati streets searching for Kaberi Kachari's house, many bystanders know her address. It isn't at all a hush hush cloak and dagger affair. The woman who greets us on the landing of her first floor home is clad in a red striped Rabha *mekhela* with a cream coloured *chaddar*. She looks much younger than she does on television. Plump and cheerful, with robust good health, she bustles around, making tea.

“Would you like to work at the dining table?” she offers. “That is where I do most of my work.”

I laugh and agree. “We women have to make do with any space we get.”

As we settle down facing each other, I poise my pen over my notebook and ask her – “Who is the real Kaberi Kachari? A militant, wife of one of the most wanted men in India, or a poet?”

She does not hesitate for a moment. “I am a poet, first and foremost. People still talk of the poetry I wrote in my university days sixteen years ago. Though I was a fugitive, roaming from place to place, an exile from my country, my poetry helped me to remember who I was. Poets are idealists, they dream of creating a new world, a just social order. I would like to reiterate here that I became a rebel of my own volition, nobody

brainwashed me into ULFA. As a girl keenly aware of socio-political realities, I chose that path fully aware of the dangers I would face and the sacrifices I would have to make. I aligned myself with the Mahila Kalyan Parishad that was set up all over the state by the ULFA and underwent the political initiation training. I, along with others, led demonstrations against the Black Laws used by the State to arrest, torture and even kill people, including those who do not even belong to the outfit. Even sympathizers are not spared. As I readied to get actively involved, people like Parag Das and Khetra Phukan briefed us about political and economic issues. So, while the President of the Mahila Kalyan Parishad was Pranati Deka, whom you will meet later, the secretary was Rinkumani Bhuyan. I was the assistant secretary. We were a mobile office that carried on our work while constantly on the move for fear of being apprehended. If one day I was at the Gauhati University campus, you will find me in Barama, Dham Dhama and other places on other days. Secrecy was to be assured at all cost. Then Pranati Deka was arrested and jailed. Rinkumani Bhuyan married Paresh Barua, our commander-in-chief. The duty of carrying on the work fell on my shoulders. I have no desire for exercising power and you will not find my name in ULFA's official documents that I am the chief of the women's wing. All the press releases went in my name because it was just something I had to do. I want to remain a worker, a foot soldier of the revolution and that is the real me."

"Can women become successful revolutionaries?"

"Women can stage successful revolutions. Sadly, just as in the civil society, women are kept out of decision-making in rebel outfits. Our women proved invaluable during some of the most brutal army operations – Operation All Clear, Operation Rhino and Operation Bajrang. How did they prove themselves? The ULFA men were

surrounded on all sides. With great skill, courage and stamina, we women ensured that supplies of food, medicines and weapons reached the camps. It was a task that demanded great stamina, presence of mind, courage and organizational skills. But the men do not acknowledge this. That is the bitter fact. We had women like Moni Hazarika who had been in No-Man's land, between India and Myanmar. She had trained under Kachin Independence Army, which was fighting the Burmese Government troops. Moni was based in the jungles of Lakhpathar, as well as in the 2<sup>nd</sup> Battalion in Bhutan. She had given weapons training to hundreds of ULFA cadres. Now she is married and lives quietly as a housewife, tending to the needs of her husband and children. Some remarkable women in our ranks are Bibha Kachari, Krishna Hazarika, Swapna Phukan, Reboti Rajkumari who proved to be equally adept at combat as well as organizational work.

Here I would like to clarify that the wives of ULFA leaders did not automatically lead a life of privilege. When we were in our camp in the jungles of Nagaland, the NSCN cadres were amazed to see that I, the wife of a leader, was drawing water and carrying firewood. I have never expected special favours. When I was single and an ULFA cadre, I never hesitated to go anywhere at short notice, whatever the risks involved. Once I got married, that freedom was gone. I could no longer do something that would jeopardize my husband as well as the other leaders. In this way, we women have our limitations. It is as if we are boxed in. But after some years we again break free and seek out our true selves.

The ULFA leaders have always encouraged marriage among the cadres. Was that a tactical move?

“We leaders wanted the cadre to have a normal life in spite of the adverse circumstance. We had organized several mass weddings, wherein rural

girls were wedded to our cadres. In an unprecedented move, we also had a training camp for these new wives – we laid out their rules, duties, the virtue of working for the common good and sharing everything in communal living.

The people of Assam supported ULFA to a great extent. We have heard of villagers leaving their backdoors open and a meal laid out in the kitchen for the cadres. You have stayed with different families when you were a fugitive and ULFA .... What was the experience like?

“The simple, hospitable people gave us shelter at great personal risk. We, on our part, tried to be as discreet as possible. People still call me and say, “Baideo, the tree you planted gives juicy lemons. Baideo, your *tagar* is blooming now. When I stayed with them, few knew I was the chairman’s wife. Everywhere we went, the people were with us. I think ULFA was successful in making people conscious of their identity. People had the hope that we could create a golden Assam, where all would live peacefully. But I have to admit that somewhere along the way the cracks appeared, and we could not remain intact.

What about your marriage to Arabinda Rajkhowa? Was it a meeting of true minds?

She laughs amusedly and says – “I had been trying to get into ULFA since 1988. I was a girl with thick glasses and my friends often joked that I would never be selected to be a rebel cadre. Many a times ULFA men came to stay in our home and I was intrigued by them. I used to take part in mass demonstrations and a paper named *Sandhya Batori* carried a picture of me with my fist raised. That picture came to notice of the general secretary of ULFA Anup Chetia. I then took part in a debate contest where out of ten contestants, only I argued in favour of an independent Assam. My mentor Nibaran Bora asked me to meet him. I

was told that I was being considered to be a bride of ULFA chairman Arabinda Rajkhowa. I was stunned. I had only seen him fleetingly, a mysterious, bearded man. I asked for some time. At that time my family was getting me set up with a doctor. But I had a misunderstanding with him. Three months passed by. Then *Dainik Asam*, a leading Assamese paper published the news that I was married to Arabinda Rajkhowa. Furious, I met the Editor Prafulla Chandra Barua. He explained to me that perhaps the bride had an assumed name which resembled mine. That had never occurred to me. I then appeared for my Masters in Assamese. Then, as if it was part of destiny, part of my own decision, I got married to Arabinda and moved to a jungle camp to start my new life.

So you left civilization and disappeared into the jungle. What did you miss the most?

“Doors,” she said, shaking her head, bemused.

“I don’t understand.”

“Our room in the camp did not have a door, just a plastic curtain. Many a time, I would hint that a door would be nice but Arabinda just didn’t seem to understand. One of the camp boys understood and argued on my behalf. At that time, we were rearing rabbits in our room and the babies would wander out all over the place. So, to keep them safe, a door was fitted and I breathed a sigh of relief.

Living in the jungles was a harsh, arduous experience. The terrain demanded stamina as we trudged for endless kilometers, hacking away the undergrowth, carrying heavy bags. At any moment we could have the army fire at us, be attacked by animals, or fall at our death into some gorge. Many a times, there was acute scarcity of food. Men, women, children – we lived on ground maize or one meal of rice a day.



Later, when we settled in camps we grew vegetables. We had our own pharmacist and nurse, all cadre members.

From being a band of idealistic men and women setting out to create a new Assam, to a terror outfit bathing the land in blood – what would you say about this trajectory of ULFA. ?

I would only say that later the enlisting of cadres was an indiscriminate exercise. Men without scruples were given arms. A cadre must be aware of political ideology before he holds a gun. The selection of new recruits did not conform to the old, strict norms.

How did you adjust to camp life?

We were the only married couple in the camp. Just fifteen days later, he went off to Arunachal Pradesh. I had no idea when, or if, I would ever see him again. I became pregnant and in those nine months I met him only once. My pregnancy was not easy. I was anemic and underweight. When the time came for my delivery, I was in agony at the very idea of travelling on foot over hills and jungles to reach the nearest hospital. The boys said they would take me by helicopter, by which they meant I was to be tied to a chair which they would then hoist on their shoulders and carry me. I refused to be carried that way and chose to walk instead. That was an experience I will never forget. My whole body ached, I was gasping for air, the baby moved in my stomach, somewhere along the way I felt senseless. I had been walking for only four hours. A Konyak Naga sheltered us in a small house in the middle of a tea estate. Our daughter Khamseng was born in that cottage. Holding her in my arms – I was suddenly afraid, afraid of endangering her life by returning to camp. Soon it would be winter and how could I protect her from the biting cold? But only a month later, strapping her on my back, I returned to camp. Two of our boys Ajoy and Ranjit make the long tour to deliver

polio drops for Khamseng. I will be always indebted to them. They have passed away.

Arabinda was now in Bhutan. With my infant daughter I had to make my way there. At Raha I stayed at my friend's house. She was my batchmate at the University and she wept when she saw the condition I was in. For fifteen days she lovingly tended to me and my baby. I came to Sonapur to be with my parents but could not stay as the army was pursuing a case next door and I would be discovered. Finally, from Barama, we made it to Bhutan. In 1997, much before the 2003 Operation All Clear, we left for Bangladesh.

In that new country Arabindo, Kaveri and the other leaders of ULFA made every effort to blend in, to be inconspicuous, to arouse no suspicion. Arabinda became Mizanur Rahman Chowdhury, a garment exporter who frequently travelled abroad. Kaveri became Ruby. In their sitting room a *Koran* occupied pride of place. But, unknown to the new friends and neighbours, they could not read a line of it. They observed *roja*, invited people for *Iftar*. Through their children the couple carried on the charade of being a middle class Muslim family. In an unexpected development little Khamseng, who was used to frequenting the homes of her friends, complained to her mother that their home lacked pretty things like chandeliers, velvet sofas and carpets. So, Kaveri would visit those homes, observe them, and tried to do the same for her sitting room. Having led harsh, Spartan lives in camps, such things did not come easy to her. During the twelve years that the family lived in Bangladesh, every moment carried the risk of their cover being blown, of being arrested, jailed, handed over to India. While the ULFA men went abroad on work for their organization, the women were trapped in a claustrophobic bubble of pretence, an interminable period of waiting. They were living a big lie. Kaveri, aka Ruby, had never imagined that

carrying out a revolution brought with it so much tedium. So when she was not cooking and supervising the children's homework, Kaveri would avidly follow Bangladesh politics, keenly aware how a change of guard could dramatically alter their lives. She also closely studied the ULFA constitution and every aspect of its policies. At every moment was a sense that there had to be a higher purpose and that was their struggle for a liberated Assam, a free motherland. Memories of home haunted her through those years, of rolling tea gardens and rivers full of silver fish, golden fields of paddy and the stillness of *sal* forests, the feel of a *muga chadar* against her body and the sweetness of the Assamese tongue. Would they ever be able to return to that lost land and realize the dream that was dear to them? Or would they pass interminable days trapped in a web of lies?

Did those years in the jungle camps, or at their hide out in Bangladesh, make her a religious reason? She pauses briefly before replying. "On one hand I won't go that far out and say I am an atheist. But I am rational and don't have any superstitions. I observe all the rituals of worship and it gives me a sense of continuity and tradition. Religion can be a binding force.

On 15<sup>th</sup> August 2004, a bomb blast in Dhemaji in Upper Assam engineered by ULFA killed 18 people, many of them school children and their mothers. According to police the bomb was planted near the gate of the Dhemaji College and was triggered by a remote control device. It was exploded when the students and teachers of various schools were passing through the gates.

On August 16, one day after the blast, in a statement Arabinda Rajkhowa, as Chairman of the outfit stated that the Indian Occupation Force and its agents used the schoolchildren as shield to defy the boycott call of the outfit. On December 13, 2009 Paresh Barua the C-in-C of

ULFA sought public apology and forgiveness for the blast. He stated in an e-mail that the ULFA leadership had to deny its involvement. In 2009, before his arrest, Rajkhowa owned up to the blast and apologized. Kaveri Kacheri, Arabinda Rajkhowa, ULFA adviser Bhimanta Buragohain and cultural secretary Pranati Dekka met family members of the victims. Kaveri remains haunted by those encounters and says “My husband owned up responsibility for those blasts and due to some reasons I cannot disclose them even today. But why on earth would we harm the very people who had supported us, sheltered and fed us during those years of our struggle? Every home in Dhemaji had once been open to us. I refuse to accept that our men could take those innocent lives. It is a part of the conspiracy to malign us. In fact, prior to 15<sup>th</sup> August, our boys had warned people not to go to the parade grounds. For more than a week the police, the army had gone through those grounds. Everything had been sanitized. So how was it possible for our boys to dig a trench and plant the bomb in it without being noticed?”

It is not in Kaveri Kachari's nature to please people. In her memoirs she has criticized the organization's policies and pointed out its weaknesses. She feels such plainspeak is necessary and claims that as one who has devoted her life for the cause, she has the right to express her thoughts. She points out that in a 2003 revision of the ULFA constitution, the lower cadres could not get in touch directly with the top leadership, and this had adverse consequences in the outfit's ability to function efficiently and weakened the morale of the cadres.

Except for Paresh Barua, the other leaders like Arabinda Rajkhowa, Sasadhar Choudhury, Anup Chetia and Raju Barua are in India to have talks with the Centre. Kaveri says “We will not have a free and independent Assam but let our children not have to undergo years of suffering. No one can give us back our lost years.”

What about the allegations that the ULFA leaders were enjoying a cushy life in Bangladesh even as their cadres were being hunted down on the jungles of India?

“A local television channel went to Dhaka to interview us. They saw for themselves the narrow lane leading to our home and the many rickshaws that went past. They saw for themselves the modest gate of our daughter’s school . What else can I say?

These days Kaveri Kacheri is busy editing her literary magazine *Pratishruti*. She is a voracious reader and fights shy of calling herself a feminist. She is conscious of her rights and believes in shaping her own identity.

Sometimes in her dreams she sees her small sitting room in the distant country that was her home for twelve years. She sees her husband being arrested by plains-clothed policemen. She hears the call of the Muezzin and feels again the fever of quiet desperation. In her book is a photograph of herself as a slender university girl standing shyly by a solemn youth – Gora Basumatary, an ULFA cadre who died for the cause. A deep, heavy sadness overwhelms her whenever she finds time to think. But still there is that tenuous hope for a new day, a new beginning.

Runima Chetia Chowdhury is the quintessential Indian wife and mother, devoted to her family and keenly attentive to the needs of her husband and teenaged daughter. She is tall, very fair, pleasant-faced and naturally friendly. By the time I had been acquainted with her for just about an hour, she has draped an exquisite eri stole around my shoulders and treated me to tea and home-made snacks. She talks freely her interest in fine arts. about the portraits she has made of prominent figures in a country which was her home. This smiling,

pleasant-faced lady is the wife of Sasadhar Choudhury, Foreign Secretary, United Liberation Front of Assam, a most wanted terrorist who has waged war against the Indian State.

Sometime in 2009, Shaikh Hasina's Awami League government in Bangladesh facilitated the handing over of key ULFA leaders present in that country to India. The rebel outfit's foreign secretary Sasadhar Chowdhury was released on bail after he expressed his willingness to participate in the peace negotiations with the government of India.

Chowdhury's role as the foreign secretary led him to establish links with other militant groups and secure the patronage of foreign governments. Having joined ULFA in 1985, he trained under the Kachin Independence Army for two and a half years in Kachin land, Myanmar. He was also a member of the first batch of ULFA militants trained by Pakistan's ISI.

He underwent commando training in Dama Adam Khel in Pakistan. Chowdhury is the only ULFA member trained in Intelligence by ISI. He had also been in Afghanistan. For more than two decades Sasadhar Chowdhury has shuttled between Myanmar, Bhutan, Pakistan and Bangladesh. The police allegedly killed his brother to get to him. He has gone on record saying that he has completely snapped ties with his parents, in order to save them from being interrogated, tortured or even killed by the authorities. He says that men like him are hard core guerillas and if he were told his daughter has died, he would have behaved differently from a normal man.

Twelve years after joining ULFA, Chowdhury married fellow rebel Runima Chetia in 1997. He says the marriage did not impact his work because she too belonged to the organization. Runima well understood

the risks of his calling. Every time he travelled abroad with false documents, she was aware he could be apprehended and jailed for years altogether. She knew that each new day could also be their last day together.

The couple's daughter Shishir knows that her parents belong to a dreaded terrorist outfit. She is aware her father's hands are stained with the blood of many people. She has seen and heard things one can barely imagine. She is careful not to reveal her emotions regarding this but tells me she is the child of a guerilla. She says she wants to write about Che Guevara. It is perhaps her way of idealizing her father and coming to terms with his violent past.

The family has spent years in uncertainty, danger, isolation and exile. Chowdhury says he cherishes peace above everything else.

And peace reigns on this January morning. In their new home at Narengi, on the outskirts of Guwahati overlooking a pond and the green hills beyond, the Chowdhurys are just another family caught up in the festivity of Magh Bihu, the harvest festival. In her upstairs bedroom Shishir lies sprawled over her sunshine drenched bed, dreaming up a new origami creation. This is the first permanent home she has seen her whole life. Out in the backyard her father Sasadhar Chowdhury lights a bonfire. Years ago brutal soldiers had broken his back and often that old pain comes flooding back and so he is careful not to lean forward too suddenly. Silver-haired, tall and even-tempered, he looks like a man you would like to have as your neighbour. In another part of the garden his wife Runima plucks tomatoes from the vine, pulls out tubers and picks herbs for the day's lunch. She is the quintessential giver, the earth mother, ready to nurture and comfort. And yet, in

1989, this pleasant-faced gentle woman joined the United Liberation Front of Assam. As a school girl Runima had taken active part in the Assam movement against infiltration by illegal migrants. Though it was the leaders of that movement who formed a government and signed the historic Assam Accord when Rajiv Gandhi was the Prime Minister, there was a widespread disillusionment that the ends envisaged by the masses had not been met. The neglect by the Centre, The exploitation of Assam's resources, all these could be met only by a different strategy ....that of armed resistance for the cause of a sovereign Assam. Decades before, Runima's paternal grandmother had been a freedom fighter, offering passive resistance for the country's freedom. Her father Buddheswar Chetia played an active role in the Assam Movement but it was not long before he aligned himself with the ULFA. So it was but natural for his college going daughter, his youngest child Runima to start attending meetings and devoting herself to the task of mobilising support. Sometime in 1989 Buddheswar Chetia drew his youngest daughter aside and said "Ai, they are going to ban ULFA. Life will become very difficult if you stay with us. It is time to go to the camps. God bless you, my child."

Sure enough, the army came looking for her. She slipped into the granary and hid there. As the men in uniform searched the house, they found her ID card. It described her as an insurance agent. The men left. Buddheswar Chetia told his daughter. "It is time." Runima left with the clothes she was wearing. At the edge of the field, looking back, she saw her father standing still, wrapped in a shawl, bidding her farewell. That was the last time she would see him alive. A couple of years later men in uniform would torture him savagely. leaving him with injuries that eventually killed him.



From being the pampered youngest child in a large family, Runima was now the lone fugitive travelling on foot, by bicycle to distant villages. Every night she slept in a different home, there was no certainty of getting meals on time, she had to rely solely on the kindness of strangers. By and by the ULFA leadership recognized her abilities and she was made the cultural secretary of its Jorhat unit. Now she had come in touch with key leaders like Pranati Phukan. She was travelling to camps in Bhutan and Nagaland, in constant dread of getting caught, tortured and killed. But even under these adverse conditions life went on. Bowing to the advice of the leadership, she dutifully married fellow rebel Sasadhar Chowdhury. She learnt not to question his frequent absences and fashioned a frail normalcy for herself. She is proud that ULFA did away with caste, creed prejudices in the marriages of its cadres. By the mid-nineties the couple sneaked off across the border to Bangladesh. Now they had new names – Rafiqul Islam and Sabina Yasmin Rafiq. They had to speak Bangla, read the Koran, observe Roza pray five times a day, cook pulao and haleem for new friends at their Chittagong home. In this new land, surrounded by strangers, Runima, alias Sabina coped with the trauma of losing her first born in a miscarriage. Even her husband was not there to console her --- he was in some other country.

But the tide turned and she became mother to a beautiful baby girl they named Sishir Anan.

Sabina, besides bringing up her daughter, realized she had to bring in some money for their expenses. She worked in a design house and picked up the skills of fabric painting and tailoring. Soon she was taking orders and also painting oil portraits of icons like Sufiya Kamal, Jahanara Iman, Nazrul Islam and Rabindranath Tagore. The couple

struck up friendships with families who had no idea who they really were. "Integrating into that society was a challenge Sashadhar and I had to take up in order to survive. One false step, and we would be exposed. All of us, including Arabinda Rajkhowa, Kaveri Kachari, Raju Barua, kept up this facade for years and always lived under the shadow of fear and uncertainty. Looking back, when I joined the ULFA in 1989, I had no idea the struggle would go on for so long. We have paid a terrible price --- Sasha lost his brother, and I. my father. Ranjan Daimary's (NDFB) family was wiped out.

As Runima warms her hands on the bonfire lit by her husband in the sprawling backyard of her new home, she stares into the flames and says quietly.

"How can I forget those years when I flitted from one place to another. Sometimes on cycle, mostly on foot, I would will myself onward. I would carrying boxes of propaganda materials, but I would cover them with betel nuts. By now the army and para-military forces were rounding up and torturing villagers for sheltering us. I remember the night when no one gave us shelter. My comrade and I went to the riverbank and lay down on the sand, shivering and starved. I remember covering myself with dead leaves and sleep in a dry roadside nullah. There was a tea planters..... bungalow in Kakojan which was supposed to be haunted. as twelve suicides had taken place there. So we took shelter there, certain that we would be mistaken as ghosts and left alone.

No wonder then, that Runima and her small family never take life for granted. In this new home with wide windows that let in so much light,

their life is being fashioned anew, one step at a time, everyday holding the promise of peace.

## **Chapter VIII**

### **Burning resentment**

Rukshana Kauser is a young Pahari woman from Upper Kalsi in Rajouri district of Jammu and Kashmir. A class 10 drop-out, she lived quietly with her parents Nour Hussain and Rashida Begum, as well as younger brother Aijaz. Suddenly one day militants abducted Rukshana and her aunt. She was rescued and medical tests revealed she had been raped. A traumatized Rukshana and her family were shifted to high security government housing. When militants barged again into this so-called safe house, her parents hid Rukshana under a cot. Demanding that she be handed over to them, the militants began to hit the terrified family. This was the tipping point for Rukhsana. She emerged from her hiding place and armed with an axe, hit the Laskhar-e-Toiba commander on his head. She then snatched the commander's AK 47 rifle, and threw her brother another one. Then she shot and killed the commander. As the militants fled, Rukshana led her family to the nearest police station and surrendered the arms. By next morning her incredible feat of courage was national news. Awards poured in, as did offers of a job in the police force. On January 25, 2010 Rukshana and her brother were

awarded the Kirti Chakra, the second highest gallantry award in peacetime for this act of bravery.

Rukshana's is a rare case. In conflict ridden Jammu and Kashmir, militants and their war against India garner the support of both men and women. While the men cross the border to Pakistan to undergo training in combat, their women are active in psycho-social confrontation. The unrest that began in the early 90's brought about uncertainty, confusion, fear of the future, forcing women to accept the decisions of their men folk. Women have worked actively as couriers, in the operations of front organizations, propaganda and money transfers. There are four clear areas in which women in Jammu and Kashmir have involved themselves.

First, they have been effective and tireless motivators. Very often they did not at all question the concept of jihad or holy war. Due to lack of exposure and education, women could not envisage a different way of life and were quick to accept the militant's ideology.

Secondly, women took an active part in protest marches, rallies and demonstrations. The government and armed forces were accused of human rights abuses. There is no doubt some truth about these allegations but this issue is raised primarily to secure the release of arrested militants.

An important milestone in the Kashmir resistance movement has been the emergence of the women's group Dukhtaran-e-Millat (Daughter of Faith) in 1981. Its Chief Asiya Maullabi openly expressed admiration of Osama bin Laden for taking on the world's superpower. In the early 1990s DeM began enforcing the Islamic Dress Code. Then, in 1995, a woman identifying herself as a DeM member, opened a package in the

BBC's office in Srinagar, killing a journalist and herself. Members of the Muslim Khawateen Marhaz acted as guards and sounded alerts prior to raids by security forces. They routinely visit militants in jail and secure legal redress.

Perhaps the woman who most embodies the militant leanings of Kashmiri woman is Asiya Andrabi, founder and leader of what is South Asia's all-woman separatist group – the Dukhtaran-e-Millet. Wearing a burqa and carrying her children with her, she looks like any domesticated Kashmiri woman confined to her cocoon. But even without battle fatigues, grenades and Kalashnikovs, Asiya is a headache for the Indian government and security forces. No wonder she was jailed in 1993 under the Terrorist and Disruptive Activities Act (TADA) and now lives under surveillance in Srinagar. She spews hate against Kashmiri Pandits and wants every Indian to leave Kashmir. Though never directly involved in combat operations, she works actively to enable overt and covert acts of rebellion. Asiya considers her traditional role as caregiver, provider of shelter and food, quite in sync with her militant beliefs. Her organization has thrown paint and acid on women who did not follow the Islamic dress code. More than the religious ideology, it was perhaps logistic reasons that made DeM enforce this rule. The burqa has assumed such anonymity that no woman supporting the militants are known by face or name. The Hizbul Mujahideen, the Hezbollah and al-Jehad claim they have no women members, as they are the weaker sex and cannot fight. Militants rely on the women to run their homes and families in their absence.

The attitude of women to militants has undergone a change in recent years. Gone is the euphoria of the first flush of the rebellion, when men

with guns and were defied. There is a weariness about the azadi which has not come.

Author Swati Parashar, in her book *Women and Militants Wars*. The Politics of Injury, protests that militant women are misrepresented as manipulated suicide bombers lacking politics. She uses her narrative to show how idealism, emotional commitment and national choice work together in the lives of militant women. Women have varied stories and trajectories which have led them to militancy and these have to be brought into light because feminine roles in conflict situations are not well explored. Kashmiri women's sacrifices in this area have been consciously erased, and lack of sufficient narratives will leave the real picture incomplete. What must be acknowledged is that the incarceration and deaths of countless Kashmiri men have galvanized their mothers, sisters and daughters into action.

Political discontent has been endemic to this Indian controlled sector of Kashmir since the Partition in 1947, when Hari Singh, the Hindu Maharaja of the Muslim majority state joined India after a raid by tribals from Pakistan. The Maharaja signed an agreement of accession with India in October 1947 by which Kashmir had a high measure of autonomy, with India controlling only defence, foreign affairs and telecommunications. But India was soon imprisoning popularly elected leaders and putting puppet leaders in their place, so that it could have greater jurisdiction. The situation was complicated by three Indo-Pak wars over control of Kashmir. The rigged elections of 1987 led to mass outrage and as the storm gathered, half of million Indian troops were stationed in the state. Soon Islamic militants from Pakistan were calling the shots. The cost of this conflict has been terrible – 70,000 people have been killed since 1990. Another 10,000 disappeared after their

arrest. The draconian Armed Forces Special Powers Act has empowered the Army to act with impunity, hauling off men on the faintest whiff of suspicion.

It is impossible to understand the involvement of Kashmiri women without a brief chronicling of the historical events that catapulted them to the vortex of the tragedy. Militancy began in J&K in the late 1980s, particularly in the Kashmir Valley which was home to Kashmiri speaking Sunni Muslims. The cries for *Azadi* or freedom from the Indian Union gathered force in 1989-90 and spilled over to hilly areas of the State such as Poonch and Rajouri. There were multiple causes that lay at the heart of this conflict. They ranged from dilution of the special powers accorded to the State to its weakness as a democracy. In the Assembly Elections of 1987 the victory of incumbent National Conference – Indian National Congress Alliance was the final straw. There was a hue and cry that the elections had been rigged. But it went deeper than that. There was a fundamental disillusionment with electoral politics. There was growing disenchantment and hostility against the Indian Union. Soon there was a mass upsurge and armed struggle led by the Jammu and Kashmir Liberation Front (JKLF). The majority of civilian Muslims supported the armed rebels with resources and logistical help. Within a couple of years the political and administrative systems were in total disarray. The Centre rushed in thousands of troops to contain the situation and this led to savage repression and human rights abuse. In the mid of 1990s, militancy reached its peak. Though there has been a gradual decline in violence, the Kashmiris are deeply alienated.

The involvement of women in the agitation began when they took part in demonstrations and attended rallies. They raised slogans against the 'occupation' of Jammu and Kashmir by India and condemned the brutal

excesses of the army, police and paramilitary forces. They clashed with the police and endured tear gas and cane blows with stoicism. National and international media widely covered these protests and the rebels realized that having the women on their side provided the right sort of publicity for their cause.

In 2005 an incident occurred that showed how deeply entrenched was the hostility towards India. Near the town of Avantipura was the local headquarters of the anti-insurgency wing of the Kashmir police and also an Indian Army camp. Both had borne the burnt of militant attacks for several years. The trend was increasingly pro-Jehadi and pro-Pakistani and political maneuvers were in gridlock.

Suddenly, at around 10:30 there was a deafening explosion and a thick column of smoke rising in the air. In a house in the area, a *fidyaaen* or female suicide bomber had accidentally blown herself up, leaving behind bits and pieces of her flesh. A little later, a spokesperson of Pakistan-based militant group *Jaish-e-Mohammad* called the BBC office in Srinagar and claimed responsibility. He disclosed that the dead woman was Yasmeena Akhtar, a member of Jaish's Banaat-e-Ayesha (Daughter of Ayesha, the wife of Prophet Mohammed) regiment. She was described as the group's first woman suicide bomber and that she had killed six Indian soldiers. However, Yasmeena was the only casualty.

Aged just twenty-two, Yashmeena hailed from Samboore village, the third of four daughters belonging to a family of farmers. Her father became a rebel for a short time but was later harassed both by the militants and the security forces. The girls dropped out of schools even as Yusuf was shot at by rebels. It took him months to recover. Seeking the protection of the Pakistan-based *Jaish-e-Mohammad*, he built a



hideout to house commander Abu-Hafiz and his bodyguard Adnan. Adnan and Yasmeena fell in love and even got married in 2004. But far from enjoying the honeymoon, the young bride was helping her husband to transport weapons and explosives. By now her father had vanished, throwing his lot with the militants. Yasmeena hotly argued with security men who routinely raided their house. Finally the hideout and the stock of arms and explosives were discovered. After a day of harsh interrogation Yasmeena melted away from home, never to return. Some months later, Adnan was arrested in Delhi. He began to collaborate with the authorities and his revelations helped in the arrest of several militants. According to Yasmeena's mother Mugha, "A martyr's death was the only honourable path for my daughter."

The process of conflict was, and militarization has forced women to change their priorities in life. Besides those walking in tandem with militants, countless others turned activists to appeal for return of the disappeared and other humanitarian demands. Most have been spontaneous reactions to protect fathers, husbands and sons. Reports revealed that women underwent active training in Bhimber and Kotli areas in Pakistan-controlled Kashmir. These camps are run by Pakistani Intelligence Agency ISI. However, religiously (a mixture of religion and patriarchy) has largely discouraged or prevented Kashmiri women from joining their men folk in subversive activities against the Indian state. The women groups that take birth in that moment of history did not have gender as the core issue. They were governed by a patriarchal order and an extremist ideology. Thus they failed to bring about any positive and lasting changes in Kashmir society. In this way these groups have failed to find their space in peace-building efforts.

The women of Kashmir have paid a terrible price for defying the State. The Indian State has systematically deployed sexual violence as a weapon of war to thwart the resistance of Kashmiri people. It has not been limited to the individual deeds of a few soldiers in isolated cases. The highest level of the militancy and political authority has given support to the use of a rape as a strategy. Sexual harassment has become the norm in search and cordon operations. This violation of women's bodies in the midst of long drawn conflict and civil unrest is a tragedy that needs to be chronicled .

India's bloody Maoist insurgency unfolded in the remote countryside of West Bengal in the early 1960s and continues till date. Described as India's greatest internal security challenge, Maoists are also termed Naxalites because it all began in Bengal's village of Naxalbari organized by a section of the then Communist Party of Marxist. though the Naxal movement was brutally rooted out by the government, Maoists have, over the years ,regrouped and are in control over vast tracts of land in central and eastern India, setting up a Red Corridor over which they hold sway. This area spans Jharkhand, West Bengal, Bihar, Orissa, Chattisgarh, Andhra Pradesh and even as far as to the west and south of Maharashtra and Karnataka. This implies that they hold sway over more than 200 out of the total of six hundred districts in India. The Maoist's military leader is Koteswar Rao, also known as Kishenji. Kishenji has openly stated that India will surrender to a Maoist revolution by 2025. The Maoists comprise of 20,000 armed fighters. The Maoists claim to be fighting for the right of the indigenous tribal people and the rural poor who have been neglected by the government. They have demanded settlement of issues like land ownership and equitable distribution of resources. Their dream is to

build a communist society by over-throwing India's semi-colonial, semi-feudal form of rule.

Women are a visible presence amongst Maoist cadres. The media regularly reports arrests, killings of women cadre at the hands of law-enforcers. Analysts say more women are joining the movement because of the desperate conditions prevailing in India's impoverished countryside. Locals are displaced from their lands due to big business projects, loss of farmland leads to utter penury and starvation. Added to this is the fear of atrocities at the hands of security forces and state-backed militialike the Salwa Judum.

Maoists regularly recruit women for combat and other duties at camps. Women play a more tactical role in the operations. They are placed in front to distract security forces. Women fighters have led some of the major rebel attacks in recent times. In 2010, the Maoists were attacked in the largest over anti-Maoist offensive. 50,000 federal paramilitary troops and thousands of policemen launched multi-pronged attacks in several states. Though they have been pushed back deep into the jungles, the Maoists continue their war against India.

At the heart of this conflict is the fact that the Naxali-impacted states are a treasure trove of natural resources such as coal, iron, bauxite, manganese, nickel and copper. Due to this, the government has a high stake in gaining control over this territory. Yet, conversely, the area is among the most undeveloped in the country. There is no running water and electricity. The Naxalites have built some irrigation systems to woo the villagers. But they have attacked power plants, school, phone and rail networks with impunity.

Maoists claim that women have come voluntarily to their fold and constitute 40 per cent of the total number of fighters. Women have been active in the Maoists movement almost from its inception five decades ago. They have been combatants, peace-builders, activists and politicians. Early leaders like Charu Mazumdar discouraged the inclusion of women cadres and concerns for their safety reflected a patriarchal bias which did not see women as equals.

Initially, women were brought into the Naxalite fold through brothers, husbands, friends and relatives. Few women were in local committees and most were assigned to mundane tasks. Experiences of the women reveal subjugation and even sexual abuse at the hands of Naxalites. Women join for reasons like oppression and sexual harassment by the upper class/caste communities or state forces, being married to a Naxalite family, abject poverty etc Extreme hardship in the jungles have caused physical and psychological problems, leading to disillusionment and even desertion.

Undeniably, where the Naxalites are concerned, there are two sides of the coin. On the one hand, author Arundhati Roy and Binayak Sen say Naxalites are up in arms against persecution and exploitation to build a classless society. Take the Forest Conservation Act of 1980. According to it no one was allowed to make use of the reserved forest land without prior permission. This left the Adivasis with nothing, for they depended on the forest for their very survival. Then the Naxals stepped in and fought to prevent the eviction of Adivasis .. Naxals have also intervened in and fortified payment of decent wages to labourers in rural India. But they have prevented people from exercising their democratic rights. They have killed, tortured, destroyed bridges, blown

up trains in acts of violence. They are even allegedly running a mining mafia.

It is important to understand that this violent group has gained social acceptability due to increasing enlistment of women into its fold. After Operation Greenhunt by the Indian security forces, the male cadres have been decimated by arrests, deaths in the hands of the security forces. Incredibly, forty to fifty per cent of the lower Maoists cadres consist of women. Life for this section of women is uncertain, gruelling and without direction. Even if they surrender, there is a stigma attached to them and it proves challenging to re-integrate into civilian life.

Right from the early years of the Naxalite movement, the women's roles in the conflict have remained largely unchronicled. Defying patriarchal norms, women left their homes to become guerillas, only to be trapped in the same old patriarchal norms that had circumscribed them. They were engaged in courier work, provide logistical support during robberies, steal arms and disrupt classes in educational institutions. Very few women were involved in the decision-making process and more often than not, were relegated to being hewers of wood and drawers of water. Female cadres were sexually abused both by their comrades and the security forces. In the 70s, the Naxalite struggle questioned the hierarchy of caste, the issue of land rights and of equal wages for men and women. But the women's rights to land and equal wages remained unaddressed.

Researchers like Pratibha Singh explains that what makes these women join the Naxalite force is a sense of political consciousness and collective identity. There is an increase in self-esteem and euphoria

about a glowing future. Maoist documents on their women recruits acknowledge that their women have penetrated the countryside and brought countless women to their fold. Among the guerillas, there is overt glorification of motherhood and covert denial of entitlements and equal citizenship. There is idealization of sacrifice, service and obedience. There have been cases when woman Naxals were forced not to have children after marriage so as to not compromise their cause.

A former Naxalite, Sunita has penned an explosive book titled *Ek Maovadi Ki Diary* in which she alleges rampant sexual exploitation at the hands of male comrades. The National Commission for Women has also expressed concern at atrocities on women rebels by the State Forces, especially in states like Chattisgarh.

Sadly, women are seldom given due importance at the phase of reintegration after surrender. They are stigmatised and marginalized in the peace negotiation process. In the long run women who have come overground realize that they had been enlisted for tactical reasons alone and they are left embittered by the fact that other status has remained the same as before.

This discourse requires mention of the fate of Soni Suri, a young tribal girl charged with being a Maoist sympathizer. She had been working as a school teacher in Dantawada district, Chattishgarh when the police issued a notice for her arrest. She struggled for two years till she got bail. Her case reveals the breakdown of law and justice mechanism in India's troubled heartland. Soni is fortunate, countless others have lost their lives in the war of attention.

As most women Naxalites are not literate, their narratives of the struggle do not exist on paper. Researchers and social workers have done a good job of collecting valuable material. Unlike the radical left-wing movements in Asia who have dealt with the question of women's participation and the related aspects of love, marriage and sexuality. For instance, the Huk rebellion of Phillipines openly broached the subject. However, they were mainly concerned with man's sexual needs and not the woman's role and status. The Maoists of Nepal also dealt with the issue but nothing was achieved to bring the woman out of the bondage of patriarchy. However in its contemporary phase, the Naxalite movement engages much more with the women question in its official ideology. Increased women's participation and the advent of women leaders have facilitated this. In Bastar a senior Maoist leader comrade Narmada has described how long it took the men to realize that a woman was meant to do much more than cook and serve. Another leader, comrade Nirmala worked tirelessly to convince the leaders that a woman ought to wear a shirt and trousers rather than a sari. In Andhra Pradesh women cadres and feminist groups pressurized the Communist Party of India (Marxist Leninist) Peoples War Group to discuss patriarchal issues of both the party and the movement. PWG become one of the first Maoist groups to delve into the gender question and produced a document *Our Approach to the Women's Question*. Intellectual Anuradha Ghandy was made a member of the Central Committee at the 9<sup>th</sup> Congress of the CPI (Maoist) in 2007. Her induction and writings have directed the way in which the parts has tackled the subject of gender, patriarchy and women's role in the revolution.

The most widely known and discussed personal narratives of Maoist guerillas have been those of K. Ajitha and Krishna Bandhapadhyay. Ajitha wanted to make a public declaration of her allegiance to the movement and also bring to light various issues related to the struggle. Her account is shorn of feminist aspirations. On the other hand, Bandhapadhyay sought to explore why middle class women like her joined the movement. Her book, in its English version, is titled Narrative. In her case, her revolt began from home when she faced discrimination as a female.

Bandhyapadhyay states that in a revolution, no contribution is too negligible. So, she sheltered revolutionaries, gave them tea, carried documents and letters from place to place and also acted as nurse. But very soon, she felt that she had only shifted from one patriarchal set-up to another. She rared to get into combat mode but time and again she was told to bide her time. Both women write about their role in radicalizing other village women, reading out writings of Mao and Charu Mazumdar and singing songs about China and Russia. Ajitha and Krishna Bandopadhya shed their middle class identity and became one with the masses. But the problem faced by women activists, especially the threat of arrest, torture and sexual abuse were not addressed with the seriousness they deserved. These two women found it extremely difficult to come to terms with the idea of inflicting violence, even though it was seen as pivotal for the movement to succeed.

No account of women's involvement as Naxalites is without a brief account of the mother daughter duo of Mandakini Narayanan and K Ajitha. Mandakini was known as Ma. Born in Gujrat, she married the Naxalite leader Kunnikal Narayanan. She became one of the leading Naxalites in Kerala in the late sixties and seventies. Daughter of Navin



Chandra Osa and Urvashi Osa, she started working for the undivided Communist Party even as a student in Mumbai. Later, along with her husband and daughter K. Ajitha, she was at the forefront of many agitations in Kerala. When the two police stations Pulpally and Thalasersy were attacked and it led to the death of two police officials, she was arrested and sent to jail. Mandakani was jailed for two-and-a-half- years during the Emergency and suffered unhuman torture.

Her daughter K. Ajitha was once branded a bloodthirsty vampire and was a feared Naxal rebel. Through the years she metamorphosed into a feminist and is today a leading social activist. Born in 1950, Ajitha was drawn to extreme left wing politics while still a college student. It was no surprise that Ajitha's strongest influences were her own revolutionary parents. They were teachers, mentors and friends to the intensely idealistic young girl.

Ajitha was among the few women who were active as Naxalites in the 1960s and 70s. She organized and executed the Thalaserri-Pulpally attacks that led to her arrest and imprisonment in 1968. The attacks on the police stations were triggered by a series of tortures on peasants and tribals of these areas by landlords with the active support of the local police. Ajitha and her comrades were arrested as they hid deep in the jungles of Wayanad. Now, Ajitha downplays her role and says that whatever actions were committed were for the sake of the poor and the dispossessed. She decries the portrayal of rebels as fanatics in cinema.

Ajitha spent years of captivity in Thiruvananthapuram and Kannur. In jail she was deeply moved by the plight of young prostitutes and shocked by the privations they endured.

Over the years Ajitha has evolved to an ardent feminist. This is quite evident in her memoirs. She reveals that she was deprived of many rights and opportunities within the Naxal fold because she was a woman. This had troubled her greatly. She accuses of all political parties of discriminating against women and refuses to align herself to any party.

In 1993, she started the NGO Paweshi which addresses gender issues. It also handles tribal and environmental issues. It has also agitated against an infamous sex racket in Kerala. Happily married and the mother of two children, Ajitha continues to immerse herself in issues close to her heart. Filmmaker K.A Abbas had once made *The Naxalite*, a film in which Smita Patil played the role of Ajitha. Ajitha was only 19 when she raided a police station and left her bloodied hand imprint in a wall. She vividly describes those heady days in her memoir *Osmakhuriputhal*. Truly, this remarkable woman is a legend in her lifetime.

The action now shifts from India's Red Corridor to a new theatre – the tear-drop island south of India-Sri Lanka. Here the Liberation Tigers of Tamil Eelam, known as LTTE or the Tamil Tigers was a dreaded terrorist outfit based on the north of the island. It was founded in May 1976 by Velupillai Prabhakaran to wage a secessionist nationalist insurgency against the majority Sinhalese in order to create an independent state in the north and east of Sri Lanka, to be inhabited by the Tamil people. This set off a civil war which lasted from from 1983 to 2009, when the Sri Lankan Military, during the presidency of Mahindra Rajapaksa, defeated the LTTE.

The LTTE was widely supported by the Tamil community due to its military victories, policies, call for national self-determination and creation of a Tamil Nationalist platform. But it is also alleged that it struck such terror that the question of dissent did not arise. The LTTE after all, was the only militant group to assassinate two world leaders – former Indian Prime Minister Rajeev Gandhi in 1991 and Sri Lankan President Ranasinghe Premadasa in 1993. The LTTE invented suicide belts and pioneered the use of its female cadets as suicide bombers.

Women and children were systematically inducted into the LTTE after the signing of the Indian Peacekeeping Force Accord in 1987. Due to the escalation of conflict and high casualties, women and children were inducted, often forcefully. At one time nearly one third of the LTTE were women, with duties on the battlefield, kitchen and medical camps. They, along with the men, were trained to handle weapons, battle and field craft, communications, explosives and intelligence gathering. In 1983 the Vituthalai Pulihal Mahalis Munani (Women's Front of the Liberation Tigers headed by Colonial Vitusha) was formed and women cadres underwent full scale combat training in 1985. Two years later LTTE chief Prabhakaran set up the first exclusive training camp for women in Jaffna. In 1989, this unit developed its own leadership structure. There was a high intake of women during these years as women forced the worst predicaments in a civil war that robbed them of home, family and social support. Nearly 4,000 women cadres of the LTTE have died in the bloody civil war. Nearly 100 women casualties belonged to the dreaded Black Tiger Suicide Squad.

The women militants underwent the same arduous training as the men. It was, after all Dhanu, a woman suicide bomber who assassinated former Prime Minister Rajiv Gandhi. After that they are relegated to the

tasks of fighting, intelligence gathering and working in political and administrative units. Author Adde Ann, who was in close proximity to the women fighters argue that a Tamil woman joined the LTTE as a sign that she was not content with the status society had accorded her. LTTE Chief Prabhakaran had himself laid stress on the liberation of the Tamil women. It has been alleged that women cadres were forced to suppress their sexuality and femininity. The act of sex as seen as unclean and one which could sap one's energy. Men and women were allowed to marry only when they reached 28 and 25 years respectively.

In an interview regarding women's involvement in guerilla combat, scholar activist Rita Manchanda has provided valuable insights. According to her. it is difficult to envisage how women can achieve rights and emancipation within a militarized, hierarchical structure set up to dominate. Yet, interestingly, in Nepal a third of the guerilla combatants are women and in Sri Lanka it is 40 per cent. She points out that due to a paucity in recruitment, it was opened up to women. A large number of Nepali men were away from home, working in countries like India, a lot of women were recruited by the Maoists groups. With the joining of women as combatants there was a social revolution in Nepal regarding caste, marriage and ethnicity. Women also became a part of the central committee though it did take a long time. In the LTTE also, some new changes have been noticed. They introduced anti-dowry legislation, came down harshly on domestic violence and punished rapists. However, real empowerment has not been ushered in and former LTTE guerillas found it almost impossible to re-integrate into civil society. Radhika Coomaraswamy.

Once said that LTTE women are merely cogs in the wheel, that they are only instruments to be used in war. However, this is not entirely true

and some degree of emancipation has been experienced by both the Nepal Maoists and the LTTE women.

Life as a female Tamil Tiger guerilla was revealed by one of the first female soldiers Miromi de Souza. In 1987, all of 17 years, she joined the Tamil Tigers and was soon in fierce combat, brandishing a rifle and carrying a cyanide capsule to swallow in case she was captured. Along with a group of teenaged guerilla soldiers she evaded automatic gunfire, grenades and mortar shells from the Sri Lankan Army, fighting to stay alive. As others fell around her, she crawled along the ground to safety. Miromi had been well-trained to cope with such situations. In the women's camp in Jaffna, every morning there was a two-hour exercise programme, followed by commando training. Then there was firing practice and lessons in explosives and camouflage. LTTE head Prabhakaran visited and scrutinized the training. He wanted to recruit them to the suicide group Black Tigers. But Miyomi was discouraged by the thought that now they were fighting not only the Sri Lankan Army, but also the Indian Peacekeeping Force. But other women guerillas warned her to be quiet.

In October 1987 she joined a group of 30 militants for an operation. After a year of fighting, Miyomi and her fellow fighters focused on saving themselves. The IPKF forced them out of Jaffna. They sought shelter in a jungle, about 45 of them, living on fruits and tubers while Indian troops widened the dragnet. Weakened by malaria and disillusioned by it all, she told her senior she was quitting. Her senior pointed out that she faced danger from LTTE as well as the Indian forces. Miyomi gave up her arms and went to the nearest village. Within a few months she was not only reunited with her family but also enrolled in a boarding school to complete her education. She is a

happily married mother in Australia but still turns pale when she hears a helicopter drone overhead.

The LTTE women guerilla wing has been very active in the political and military struggle. Though the LTTE had a seventeen years old struggle, the women's military structure was merely six years old. The conservative nature of Sri Lankan society made it difficult for the women to venture out. It was during the violence of 1983 that women emerged to play a proactive role as fighters. The LTTE's women wing was started and a recruitment drive began. In the beginning the women were mainly involved with political propaganda but a year later they were being made battle-worthy. These armed women cadres were also involved in politicization, mobilization of Tamil Eelam Women, campaigning against social discrimination and oppression. A radical women's journal "Sunthanthira Paraivagal" was launched to meet these objectives. The women cadres networked with the women's groups, trade unions, industrial training centres, health and welfare associations to drum up support and create solidarity. Then women guerillas fought the Sri Lankan soldiers for the first time in Vanni and Mannas district. They then attacked the Jaffna Telecom army camp and numerous other camps. They fought both the Sri Lankan and Indian forces and also carried out non-combatant duties like providing medical care and ensuring food supplies as well as transportation of arms and ammunition.

IPS officer Subashini comments 'Typically, groups such as the Liberation Tigers of Tamil Eelam, Japanese and German Left Wing extremists groups and Chechen and Palestinian National Liberation movements have used terrorist incidents as a form of political theatre – an effective mechanism for propaganda, particularly highlighted when women are

employed, as there is generally a high public outcry of horror against women terrorists. It helps to draw media and public attention to their cause, disrupt ongoing negotiations, obtain bargaining leverage with an adversary government by threatening similar action in the future if their demands are not met. Conventionally, female engagement in terrorism is seen as a perversion of their destiny as caregivers, peacemakers and mothers. Just as masculinity is associated with violence, femininity is associated with passively. Many women guerillas including those of the LTTE are doubly betrayed – they turn away from society and their conventional roles, and are kept away from the negotiating table or abandoned when peace returns. Within the LTTE women activists who spoke out on liberation, freedom and their interests as women were ruthlessly eliminated. Scholar Margaret Fabricius Brand notes that women who belong to terrorist groups are forced to negate economic, cultural and psychological needs. They are made to individually and collectively forego their own needs. One of the few separatists groups to use women as suicide bombers, its women were actually without liberation, equality or decision-making powers. Taking up arms only militarizes women, real empowerment comes when they gain equal rights in a democratic set-up.

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## **Chapter IX**

# On the side of law

My book hopes to deal with two groups of women who are placed at two spectrums of the law – the group that upholds the law through their work as police officers, lawyers, forensic specialists and the other group who break the law by committing crimes. One aspect that has emerged with great clarity and unanimity is that women who uphold the law come from privileged backgrounds and have availed of opportunities for academic and personal growth. The other group are poor, illiterate, marginalized, often abused by their parents, husbands, lovers, with a diminished sense of what was right or wrong. But the common threat that binds them is – just as there are few women in the legal profession and in the police force, women offenders too form a tiny percentage of the overall prison population in India.

For the last twenty four years, I have had as my neighbor Justice Meera Sharma, the first lady lawyer of the Gauhati High Court, as well as its first Lady Judge. Over the years my interaction with her has been very cursory. Every now and then I see her white official car being driven by a uniformed chauffeur, with the nameplate bearing her designation. She is reticent, a little aloof, though cordial enough. Her work is a marker of her intellect and power and that is in itself a bit intimidating. Then, as the idea for this book takes shape, I realize that I have to obtain Justice

Meera Sharma's invaluable experience as a woman working her way to the top of what is even today a heavily male-dominated profession.

Prof N K Madhava Menon, Former Director, National Law School of Bangalore and Kolkata provides interesting statistics relating to the judiciary in India. The Indian judiciary consists of the Supreme Court with 26 judges (proposed to be raised to 30), 21 High Courts with a sanctioned strength of 725 justices (proposed to be increased by another 100-150 judges) and 14,477 subordinate courts/ judges. The working strength at all the levels is short by 15 to 30 per cent. For a nation of 1 billion people, this is a serious problems.

Then there is the financial aspect. The Union Government allocation for Judiciary under the Five Year Development Plans is said to be less than 1 per cent of the total plan outlay. The court system is therefore heavily reliant on non-plan budget which remains static, leaving little scope for modernization and development.

For the subordinate courts which handle nearly 90 per cent of all litigation, the funding comes from the State governments. It has been found that in every state in India, except perhaps Delhi, the annual budgetary allocation for the Judiciary is less than one per cent of the States annual budget estimates.

A whopping 35 million cases are pending in India at present. On an average the 14,000 subordinate courts divide nearly 13 million cases

every year, perhaps the highest in the judicial world. The 21 High Courts divide on an average 1.5 million cases every year. As per estimates India needs 1500 High Court judges and 20,000 subordinate judges to clear the mounting arrears every year. The introduction of fast tracks is helping in the disposal of cases to some extent, as is in the case of setting up of Lok Adalats.

We have to remember that Justice Meera Sarma has worked within this system - this vast, ..... under-staffed, under-funded system that was challenged to its limits by the myriad problems of a 1 billion strong populace. When I meet her for an interview, which, contrary to my expectations, she had agreed to readily, she sat across me in her comfortable, soberly furnished living room and began speaking “I have had a hard life and I alone know the troubles that came my way. Now that I am retired and lead a quiet, relaxed life, it seems astonishing that I have survived against such odds. But it wasn’t always like this. I had the most wonderful childhood at Nazira, a small Upper Assam town that had a close-knit community. I was born in 1937, the youngest in a family of seven sisters and one brother. My father Bholanath Barpujari was head official of the Assam Tea Company, which had more than a hundred tea gardens under it. My mother, Jayada Barpujari was an unusual woman. Even though my father was working for the British, she joined Gandhi’s freedom movement and was very active in the field. She sheltered many freedom fighters who were evading arrest. She tirelessly worked for

women's development through the Mohila Sanghas that she was a member of and it is to my father's credit that he respected and supported her in the cause.

Being the youngest of the daughter was a blessing for me because unlike my sister who were married off while still in their teens, an exception was made in my case. After my matriculation from Nazira Girls High School, I was sent to studies for my graduate degree to Handique Girls College. While my sisters managed their homes and children, I was as free as a butterfly. I persuaded my father to send me to Banaras Hindu University which he did, and in 1954 I enrolled for my post-graduation in Political Science. By now I was deeply interested in politics and drawn to Jay Prakash Narayan's socialist vision. BHU university nurtured my interest and moulded my beliefs in very stimulating ways. I actively participated in debates and discussions but the kind of India that we envisaged for the country. It was an exciting time. Our youth and idealism made it seem that a progressive, strong, peaceful and just nation was an achievable dream.

My closest friend was a girl from Andhra Pradesh named Vijaya. One day, on an impulse, we enrolled in the Law College for BA LLB. When I returned home from BHU with my postgraduate and law degree, my mother breached the subject of marriage. I had just begun to last freedom and was in no frame of mind to get my wings clipped, as it were. Now there was a certain young man Bhupen Sarma, an Assamese



student leader and political activist in BHU who evinced an interest in me. However, I was not attracted to him and felt we had nothing in common. As a young woman I had no interest in romance and was totally focused on being a lawyer. My elder brother had by now become a very successful lawyer, in Sivasagar. He hoped I would join him and work together. He even took me on a tour of the court. By now Bhupen was actively trying to win me over. So I laid down three conditions – I would not stay in Nalbari, his native village. He was to build a house for us at Guwahati. He would have to stop drinking. In 1961 we became man and wife. Coming from a progressive, liberal home, coping with my new family was a culture shock. I could not even understand the dialect they spoke. I often spent days weeping bitterly. We would not stay at Guwahati right away as it was not within our means. Within a span of a few years, two sons and two daughters were born. I had seen my mother playing a role outside the home in spite of eight children. So I was determined to hold fast to my dream. I started practicing in the Nalbari District Court. My husband built up a good practice and his colleagues were supportive of me.

In 1964, a year after my marriage, with my infant daughter left in the care of relatives in Nalbari, I joined the Guwahati High Court as its first woman lawyer. The first case was a civil revision case and as I stood arguing before the Judge, there was a buzz among the gathering in the room – second Judge Reddy, whom I found most intimidating, asked me in a deep, guttaal voice, "Are you new?"

"Yes Sir."

"Not Sir, say Milord", somebody whispered to me.

"Yes Milord."

After the hearing I was surrounded by male lawyers who congratulated me and welcomed me into their midst. I am happy to say I won the case.

What stood in my favour was that I had this great drive, this passion to gain as much knowledge of the law as I could. Knowing this, many senior lawyers asked me to stand in for them during hearings and I waved tirelessly to gain knowledge of company law, industrial disputes, labour disputes which gave me an edge over others, because those were considered new territory.

Then, in 1983, just when it seemed I was getting somewhere, fate dealt me a cruel blow. During Magh Bihu one evening, my husband collapsed at our home. I rushed him to the hospital and eight days later he passed away. He was only 48; my oldest daughter Rajashree was doing her graduation. The twin boys and my younger daughter were not even ten. Numb with shock, I went through the rituals and supervised the print order to textbooks at the press my husband owned. There was no time to comfort my grieving children. I had to sort out his case files and wrap up his legal affairs. I then took on more and more cases as I had to run the household solely on my income. There were those years when I was the advocate of Karbi Anglong district, which enjoyed some degree of autonomy. I would catch the night bus on Friday, work there on Saturday and return home on Sunday so that I could attend court on Monday. Looking back, I wonder how I had the

resolve and stamina for such arduous work. Perhaps, it is because there were reserves of strength within me that never let me lost heart. However challenging the times were, I doggedly stayed my course. For me, law is not just a profession. It is my life."

Justice is depicted as a woman, her eyes blindfolded, holding up a pair of scales. She is Justitia, the Roman goddess of justice, an allegorical personification of the moral force in judicial systems. The set of scales balanced on her right hand . Upon which she measures the strength of a case's support and opposition. She is also often seen carrying a double-edged sword on her left and symbolizing the power of reason and justice which may be wielded either for or against any party. The blindfold symbolizes objectivity, without fear or favour, regardless of money, wealth power or identity. Along with objectivity is the value of impartiality.

For all the exalted depiction of the symbol of law as a female, Indian women lawyers face daunting challenges. Like many working women they too are forced to choose between careers and children. A recent study based on interviews of 84 women lawyers, it was found that maternity breaks had an adverse impact on their careers. Women in law firms were the worst affected, followed by women in litigation.

There has been a massive growth of law firms in post liberalization India. How does this burgeoning field treat women lawyers? What about women serving in government courts of law? Among the women

lawyers interviewed, many admitted being given unchallenging jobs, accept lesser professional fees than their male counterparts. Corporate women lawyers have been denied benefits and promotions.

Women in litigation have to confront gender bias at many levels. Most clients, lawyers and judges are male. She is often chided if she is assertive.

In spite of these and many other challenges, India has distinguished legal luminaries such as Flavia Agnes, Indira Jaising, Nandita Haksar, Sheela Murthy, Alamjeet Kaur Chauhan, V.P. Seemantini etc. The Society of Women Lawyers (SOWL) is a platform for Indian women lawyers to connect on issues relating to women lawyers and the workplace, hurdles faced by women in becoming partners in law firms, general counsel of large companies and senior advocates in the High Courts and Supreme Courts.

There is also the All India Federation of Women Lawyers, established in 2007, affiliated to the International Federation of Women Lawyers.

Senior Advocate Rebecca John admits that women are considered unfit to cope with the ugliness of criminal cases. However, clients have more faith in women lawyers as they are considered honest and diligent.

It has been noticed that men and women are in equal ratio when studying law, but entry to the profession by women gets drastically reduced, rendering their qualifications useless. The role of women lawyers is vital

in issues pertaining to domestic violence, gender discrimination, child abuse and violence related to women and children, since women have greater empathy, understand and acceptance among victims. Women lawyers can play a key role in spreading legal literacy.

I had met Nikita Barua, criminal lawyer, a couple of years earlier at the local Doordarshan kendra studio as a co-panelist for a discussion on sexual harassment at the workplace. She had led us through the provisions of the Vishakha guidelines that deal with this aspect. Now we sit across each other at my favourite café. Fair, chubby-cheeked Nikita has a very assured, no-nonsense air about her that probably helps her clients to trust her completely. Nikita has had the good fortune of working under the State's most eminent criminal lawyer JM Choudhury. "I owe him whatever I am today," she says earnestly. With a Masters in Law, a Post Graduate degree and a B.Ed degree, Nikita started her career around 2001, after her son was born. "I was extremely lucky that Sir allowed me flexible timings so that I could work on a case well as take care of my baby. As his junior, he inculcated in me the importance of ethics, court etiquette and the rules of drafting. As he was a trial lawyer he made sure that we watched him as he argued in court. I clearly remember my first case. I had to request bail for a young man who shot some people in a train due to some misunderstanding. The situation was tense as the injured belonged to a different community. I was successful in obtaining bail for him.

Every single case comes with its own challenges and dilemmas. A distraught mother came to me with her teenaged school-going daughter. The girl had fallen in love with a youth who seduced her in a hotel. He had recorded the act in his phone and was blackmailing her

into continuing the affair. After several months the girl summoned courage to confide in her mother. I helped them to fill an FIR against the boy and he was arrested. He would have to be in custody for not more than sixty days. At the end of that period he would be out on bail and there was a chance that he could harass the girl, even seek revenge and make the MMS public. I opposed bail and placed before the court certain conditions on which he may be let out – one – he was not to release the MMS and two, if he troubled the girl, his family members could be summoned for questioning. I am happy to say my ploy worked and the boy never bothered her again. In my years in this profession, I have been deeply involved in my client's lives and have been privy to their most terrible secrets. They look on me just to help them win the course, but also to offer them solace, advice and the confidence to go through bad times. Often this drains you and the attrition levels are pretty high. The alleged rape case of a maid by a very senior company man nearly tore the family apart, especially so because he had daughters the same age as the maid. Winning the case and getting him acquitted was very satisfying. His grateful wife still keeps in touch with me.

Nikita not only practices law, but also teaches law at the National Law University, Assam and has been appointed Mediator at the District Mediation Centre of the Gauhati High Court.

As we sip our coffee, Nikita leans forward and tells me, "Baideo, I am not a feminist. I have seen too much of the devious, manipulative side of women to be one. Women these days do not want to invest in marriage. They make life a living hell for their husbands by slapping them with 498A case in often trumped up charges. People don't know what a 498 case is, nor do they know what to do when such a case is

slapped on them. 498A is a criminal offence law that came into existence in the eighties to combat domestic violence and protect women from dowry harassment. The objective was to help the state intervene quickly when the life of a married woman was threatened. The most important amendment came in the form of introduction of section 498A in the Indian Penal Code. By this the husband or relatives of the husband who subjects a woman to cruelty shall be punished with imprisonment for a term which may extend to 3 years and also be liable to fine."

"What kind of cruelty are we talking about here ?."

"The law is very clear on this. This means any cruelty has that drives a woman to suicide. Any conduct which is likely to cause grave injury to the life, limb and health of the woman, harassment with the purpose of forcing the woman or her relatives to hand over some property, or harassment because of the inability of the women or her relatives to comply with demands . Section 498 A of the IPC is a criminal offence. It is cognizable, non-bailable and non-compoundable offence. But unfortunately, it has many loopholes which make it an instrument of people who have an axe to grind. It is a law which fosters corruption and enables police to violate Fundamental Rights. It denies justice to real victims of dowry harassment. Innocent families are forced to endure long drawn court cases.

Using this as a weapon, women have been known to negotiate hefty cash settlements from their spouses. She is able to seek revenge on the whole family on the basis of a single FIR. She sometimes covers up her own adultery with such a complaint. No wonder it has been called legal terrorism. So now there is this new bill to be put up in

Parliament by which 498A is to be a bailable offence. A woman should also be penalized if her statement in the FIR is found to be false.”

When she is not immersed in the lives of her clients and often preparing cases late into the night, Nihita spends her time bonding with her husband and teenaged son. She finds cooking very therapeutic and relaxing. She often asks her family what is their take on a certain aspect of a case and their insights help her. In fact her son is very interested in law.

“Tolstoy got it right when he said all unhappy families are so in their own way. I have seen the depths to which people can descend. At the end of the day however, this is not my profession but a passion. I feel driven to see justice done.”

“What would you advise young women about to enter the profession?”

“They have to be really committed, work hard, study all aspects of the law, listen to their clients and know their cases thoroughly before they go to court.”

In the end, as we gather up our things, Nihita concludes “I am not a feminist. I cannot disregard the male species. It’s like taking a restricted view. And as a lawyer who has fought on behalf of both men and women, I cannot afford to be biased.”



In the descending darkness of a May evening, the old man, leaning heavily on his cane, totters towards his car. As the driver helps him into the back seat, he looks imploringly at the woman standing at the gate.

“Don’t worry dada” she assures him. “I will do all I can. Go home and rest.”

I hurry forward, greet her and we make our way indoors. Soon we are seated in her small chamber surrounded by old almirahs filled with law books, steel racks crowded with files and a large portrait of her late husband on the wall. In her seventies, Kuntala Deka, a leading lawyer of the Guwahati High Court, is wearing a floral green house dress and her lined face beneath the carelessly pulled back hair looks worn and exhausted. But she is as sharp as ever, and a total workaholic. After several visits I know she will not offer me tea, not because she is not a good hostess, but simply because such niceties never occur to her. She is always immersed in her world of clients, cases, legal briefs, writs, court dates, summons and the like.

“That poor gentleman you saw just now” she begins “He has been here since the last two hours. He is simply beside himself. His son is in big trouble.”

“What seems to be the problem?” I ask with curiosity.

“His daughter-in-law has filed 498A case on his son. They don’t know what to do.”

“Is that a dowry case.”

She leans back. “I guess I’ll have to give you a backgrounder to that . The Indian Penal Code 498A is a criminal law passed by the Indian

Parliament in 1983. The crux of it goes like this "Whoever, being the husband or relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine. The offence is cognizable, non-compoundable and non-bailable."

"Are you defending the son?"

"Yes I am," she says grimly. "This is another case in which this law is being grossly misused. The husband is working in Saudi Arabia. The wife lives with her in-laws. She doesn't want to live with her husband. Perhaps she has met someone else. I have to find out. With the help of this law your wife/daughter-in-law whose demands are not met can make a written false complaint of dowry harassment to a nearby police station. The husband, his old parents and relatives are at once arrested without sufficient investigation and put behind bars on non-bailable terms. You will be presumed guilty until you can prove you are innocent. Most often, this type of case is filed out of a motive for extortion in an out of court settlement. There have been many instances when elderly parents, unmarried sisters, pregnant sisters-in-law have been taken into custody. A case can drag on for as long as seven years and studies say the conviction rate is as low as 2 per cent.

"So the law has done more harm than good?" I ask.

She leans forward and speaks with emphasis "Violence against women in their marital homes is a fact. In India the problem of dowry and harassment related to dowry was seen as the main cause of domestic violence and hence the amendments in the 1980s to address the issue of domestic violence focused only on that aspect. 498A, as I said earlier, was introduced in 1983, applicable in cases when the

complainant is a married woman and is subjected to cruelty by her husband or a relative of her husband.

"So how has the law specified this cruelty? What kind of cruelty are we talking about?."

"Its all spelt out very clearly. Such cruelty consists of (a) willful conduct by her husband or relative of husband of such nature as is likely to drive her to commit suicide or cause her grave injury. (b) Harassment to coerce her into meeting dowry demands. Then, in 1986 another section was added to the IPC-Section 304B. This applies in case of unnatural death, death by burns or bodily injury taking place within seven years of marriage, and where there are allegations of dowry demands. The laws are made with the best of intentions. It is only unscrupulous elements who seek to circumvent them. In spite of such strong laws, domestic violence and dowry deaths continue. The state's duty does not end with the enactment of laws. There must be dissemination of information about such laws, induction of more women into the police force, operation of helplines, setting up of counselling centres and halfway homes for battered and traumatised women.

As Kuntala shuffles some papers and looks worriedly at something she has scribbled in a legal pad, I change track.

"We have been a lawyer for close to four decades now. Do you see yourself as the champion of women?"

"No, I consider that self-limiting. I fight all kinds of cases and I pride myself in being a judicial activist. I filed a writ petition to reclaim around 7,000 bighas of land belonging to our sattras or religious monasteries set up by the great reformer (Saint Sankardeva) which are

now being encroached by illegal settlers, mainly Bangladeshis. The Assam Sattrā Mahasabha has said 85% of the land is being encroached upon. About 39 such sattras are badly affected. They include Ram Rai Kuti Satrasal Sattrā in Dhubri district, Rampur Sattrā in Nagaon district, Adi Alengi Sattrā in Bihpuria, etc. Acting upon the writ petition, the Gauhati High Court has directed the DCs and SPs of the districts concerned to take steps. Powerful vested interests, an inefficient administration and our corrupt leaders are making sure that nothing is done. I feel immensely saddened by the thought that we are close to losing our spiritual and cultural institutions and a day may well come when we lose our very identity as Assamese. As a lawyer, I do my bit to change things but it is a lonely battle.

The evening deepens into night and Kuntala tells me of the hours of work still ahead of her. Standing at the gate, as we talk desultorily before parting, her eyes grow moist and her voice trembles.

"I miss my husband so much." She says sadly. "He taught me everything I know about the law. I owe so much to him. Even now, when I am puzzled by some legal point, I feel like turning to him. I am then overwhelmed when I realize he is not there, will never be there when I need him. So I busy myself in my work and the hours pass without my realising it."

As I turn around the corner, I look back. She is still standing by the gate. Then I see her stoop and hobble into the empty house. The next time I meet Kuntala Deka, she is at her desk again, poring over legal briefs. We are to talk about her work in the family court. She provides me a quick backgrounder. Family courts came into existence due to the mounting pressure of women's organisations and individuals to provide

a speedy form for disposal of family-related disputes. Marriage, family affairs, all were to be handled in a spirit of reconciliation. In 1975, the committee of the status of women recommended that all matters related to the family should be dealt with separately. Gender - sensitised personnel including judges, social workers and other staff should hear and resolve disputes in a flexible manner. Even the court of Civil Procedure was amended for this purpose. The Family Courts Act was passed in 1984 and the President gave his assent.

“As a lawyer working closely in Family Court cases,” says Deka “I have seen the break-up of every kind of human relationship. It has made me realize how complex we human beings are, and how our conflicts often defy logic. There is always the conflict between the individual rights of a member ranged against the collective rights of the family. Though family courts are meant to foster the ties of the family, men and women are vindictively pitted against each other in divorce cases, squabbling about alimony, child custody and even trivial issues. Family Courts are set up in all cities with a population of over 1 million. Today, there are 60 cities with their own family court. In India . But criminal Acts like 498A and IPC 125 are being used by women to create trouble for spouses. They have negated the very purpose of family courts – the conciliatory approach.

Kuntala pauses for breath and then goes on “As a family court lawyer I have seen the break-up of everykind of human relationship. Believe it or not, the family has no legal persona. So you see, the inherent conflict between the individual rights of a member and the collective rights of the family is apparent in every litigation in the Family Court. The grey area between the rights of individuals and the welfare of the family become a battleground. Laws like 498A DV act, child custody law,

maintainers and alimony law pit the sexes against each other. " Just then there is a knock on the door . A young woman , her lips pursed in a grim line , enters the room . I take leave of Kuntala Deka. keenly aware that yet another drama was about to unfold.

## Womens' Police Station, Pan Bazar

On the first floor of a non-descript building opposite to the Pan Bazar Baptist Church, all hell breaks loose. Four police women sit behind their desks, trying their best to control the situation. There are no less than twelve other people in the room, ranging from 87 to 2 years and two family dramas are unspooling simultaneously. This is the Pan Bazar Womens' Police Station, the only one of its kind in the State, and was opened on October 2, 1993 to tackle cases related to rape, domestic violence and other offences against women.

I have an appointment with Rinkumoni Kalita, OC of this station. She is not in yet and instead of waiting at her room, I go into the other room, find myself a red plastic chair and plonk myself right in the middle of that drama. First there is Roopa- not her real name, a lean, dark woman in her late twenties, dressed in a purple salwar-kameez, her two year old daughter asleep in her arms. An older daughter in jeans and close cropped hair holds on to her mothers chunni, looking lost and bewildered. In a shrill tone Roopa is accusing her husband of eight years Mohan of beating her everyday in drunken rages, not giving her money, neglecting her children and canoodling with other women on the sly. The short and wiry Mohan faces the burnt of her attack with a sullen face. He is standing next to his eighty seven year old father, who has had blood passing in his urine and has undergone a battery of tests in the hospital. Summoned to the police station by the OC on the basis of a complaint filed by Roopa, he has had no option but to turn up with his father in tow. Among the three brothers Mohan is the only son who is taking care of his father. According to him, Roopa is cruel towards the old man and thinks of him as a burden.

"He is my father. How can I abandon him?" he looks appealingly at In charge Fatima.

"What about your daughters?" shrieked Roopa. "Don't you have a duty towards them? Do you take Moina to school or buy them anything?"

"I am a driver. I have to be out of the house at 5.30. Where is the time to tend to all that? If I don't work, what will we eat?"

Roopa's eyes are dark with malice. "You have time to sneak off to that Kachari woman and spend the night there, lying to me that you are visiting relatives. Do you think I don't know?"

All this while Mohan's father is sitting in his chair, his eyes fixed on the window, towards the fading sunlight, the crows cawing, and the hum of cars passing by. He then turns to his daughter-in-law and says in a defiant, feeble voice. "My son can keep ten women if he wants. Who are you to protest?"

A look of triumph and fury animates Roopa's tired face. She turns to Fatima "See? Now do you understand? Can you understand why I want to leave this man, and bring up my daughters alone? I have put up with this for eight years Baido." She begins to cry, her face crumpling up, her shoulders shaking. The sleeping child stirs in her arms and opens her eyes.

Fatima Begum is a solid maternal woman with a sweet round face and expressive eyes. She listens to them closely and appeals to their better side. Her advice is a mixture of idealism, pragmatism and gold old common sense.



"Look." She says. "You must not take the old man's words to heart. He doesn't know what he is saying anymore, and he is too sick to be here in the first place. You are his daughter-in-law and you have a duty to care for him. Think of it – how long will he live? Mohan, you say you drink when you feel tense after driving around all day. But young man, the bottle is not the answer. It only creates new problems. It makes you hit your wife and create a nuisance. You should be ashamed of yourself. Remember, you are the father of two daughters. Shouldn't you be looking after them? And Roopa here, isn't she your wife? How can you be so cruel?"

"She is always nagging me..." Mohan interjects.

Fatima turns to her. "You must learn to be silent, dear. Try to overlook his faults. Where will you go with these children? If you wish to divorce him you will have to go to the Family Court, find a lawyer to fight your case. We the police do not have any way to help you then. Now you two go downstairs and talk it out. Meet me before you go." The family, accompanied by a woman home guard in a blue sari, leave the room.

Even as all this is going on, ranged against the wall are sullen members of another family, each speaking the language of hate and resentment. A young woman, her hair tousled, dressed in a thin cotton nighty and a grimy petticoat is crouched on the floor of the dark lock-up. After years of abuse by her mother-in-law she has summoned enough courage to file a complaint against her tormentors – which also include her husband's sister. The mother-in-law, swathed from head to foot in a white sari, her dark eyes brooding and malevolent, often gets up and paces the room like a tigress, spewing venom at her daughter-in-law, who retreats further into the cell. Her sister-in-law tells Fatima

“Madam, I swear on the *Koran Sharif* that we have not touched a hair on her head.”

“Silent, girl!” Fatima says sharply. “Why are you using the name of your holy book to support your lies? Do you think the poor woman is enjoying doing this? We took her for a medical examination. She has injuries on her body. Now shut up and sit down till my other case is disposed. We have spent the whole day listening to your stories.” Three other women troop in. They have come to support the old woman. Two are nieces, one is a neighbour. They go into a huddle, talking in low voices. It is so dark inside the lock-up that I cannot see the young woman. But I can hear her child whimper. Her husband is nowhere to be seen. Perhaps he is too cowardly to side with her. That makes her story even more heartbreaking.

In a TOI report dated March 5, 2015, Union Minister of State for Home Haribhai Chaudhury informed the Lok Sabha that there were 518 all-women police stations in India out of 1,51,000 police stations Tamil Nadu had the maximum number of such police stations (199), followed by Uttar Pradesh (71), Bihar and Rajasthan (40), Gujarat and Andhra Pradesh (32) and Jharkhand (22). Chaudhury informed the house that on September 4, 2009 the Centre had issued a detailed advisory to all State Government on crimes against woman. Each police station, women police cells and all-women police stations were to give high priority to the issue. Shockingly, in a report by *The Hindu* dated December 25, 2012, many state governments have failed to open women’s police stations despite growing cases of crimes against woman. As per government data 13 states and Union Territories have no women police stations, including Delhi. According to the Bureau of

Police Research and Development data, there were just 442 women police stations across India as on January 1, 2011.

The main reason is not for to seek. Women cops comprise a dismal 3.4 per cent of the total police force of India that stands at around 16 lakhs. CPI (M) leader Brinda Karat has gone on record as saying that there should be a change in the recruitment policy. According to her, women are inducted into the police force just to handle women protestors. Women fear to approach all-male police stations for help. More women cops would mean access of redressal of crimes against women, whether it is rape, trafficking or domestic violence.

Early in March this year (2015) the Narendra Modi government approved of 33% reservation for women in police forces of all Union Territories including Delhi, citing difficulties faced by women complainants in approach all-male police stations. Recruitment of women into the force would make it gender sensitive.

Finally, Rinkumoni Kalita, OC of the Women's Police Station arrives and meets me. As she goes through the sheaf of papers at her desk, she begins talking. "Women are becoming aware of their rights and are doing to come out and complain. But men's thinking has not changed. Women are joining the work-force and contribute to the family's expenses. She is vocal about her role in the family. Men cannot stomach that mothers-in-law are also in conflict with the now generation of modern women. But experience has shown that sometimes the woman is herself to blame. She refuses to compromise or make adjustments with her husband and his family. She often forces her husband to forsake his aged parents. We deal with complicated, emotionally draining cases every single day, year in and year out. When

we manage to patch up differences among family members, it gives us a lot of satisfaction. We regularly register complaints of violence against women, including rape. When a woman alleges domestic violence, our police women visit the homes, question relatives, neighbours and get to the bottom of the case."

Even as I listen, I remember what Swayam, a Kolkata based NGO reported about the predicament of women victims of violence during investigations. Apparently, there is a lack of expertise, motivation and interest in collecting evidence and examining witnesses. There have been cases of police misplacing evidence of rape or unnatural death resulting in proof that has been destroyed and delayed court proceedings. There have been inordinate delays in receiving forensic reports, delays in charges, which leads to the perpetration acquittal. Regular police officers conducting their law and order duties as well as investigating cases find it hard to allot time to investigate.

However, there is room for hope. On September 4, 2009 the Ministry of Home Affairs sent State government and Union Territory administration an advisory indicating that they take adequate steps to improve law enforcement related to crimes against women. Such as enforcing existing legislation, playing a more proactive role in detection and investigation, ensuring that there is no under-reporting, hiring more female officers, offering gender training and sensitization courses, registering FIRS on time. Publicising helpline telephone numbers and creating Crimes Against Women and Children desks in police stations. The Bureau of Police Research and Development conducts training workshops related to crimes against women. The National Institute of Criminology and Forensic Science also offers training courses including

seminars on domestic violence, crime against women and investigation of rape and murder.

"The battered women who come here are usually those who are at the end of their tether", explains Kalita. "They do not wish their husbands to be prosecuted and sent to jail. And yet, there is no way out but to complain, because they fear for their lives. As we are women, they find it easier to approach us. In States like Tamil Nadu, there are no less than 188 All Women Police Units to deal with crimes against women. Interviewing and counselling these battered and traumatised women requires patience and expertise. More than training, we rely on our womanly intuition and experience. We get so many cases that at times we feel we are unable to give weightage to each individual case. We are careful to maintain written records of each case for proper follow-up"

What is your success rate in solving disputes without taking resort to FIR, family court and other recourses?

Resolving disputes between family members is a delicate matter." She acknowledges. "This is because there are a whole lot of issues involved, ones that affect all family members. When a marriage is dissolved .there is the custody of children, termination of parental rights, domestic violence. Many a time we counsel couples to sort out their problems through dialogue and help them understand what they will undergo if they divorce, especially a wife who has no income of her own. We work at solutions that benefit both spouses. We send them to an adjacent room to talk out their problems. Since we are present in the next room as authority figures, they are compelled to talk in a civilised way. We often remind warring spouses of their obligation to their children. If mediation fails, the next step is to approach the court.

But you must remember that we cannot negotiate or mediate if one side has power over the other . Where one party feels threatened, or when one party has been physically harmed ,and faces the risk of more harm in the future.

“There is another angle. When a woman files a case in our station, the counter petitioner – the husband feels that women police are more supportive of his wife and our decisions are biased. But we use dispute resolution techniques in a way that he feels the process is fair and neutral. When we resolve disputes, we are actually trying to prevent overcrowding in the family court.”

Tea and plates of savouries arrive. OC Kalita and I are joined by ACP Nandini Deka, head of the woman unit. Tall, fair and bespectacled, Deka naturally commands respect.

An angry roar reaches us from the next room. It is Kalpana Gogoi, the constable. “Can’t you sit still for a moment, you old woman?” She cries. “Don’t you know you are in enough trouble already, for beating your daughter-in-law?”

We look at each other and smile. Kalpana is a thin tiny runt of woman, flat-chested and always of erect bearing, chewing pan, her eyes underlined with kohl. When I was sitting hear her, she volunteered the information that she had married very late, that too a man six years her junior. She fondly show me his picture on her cell phone. I had to agree she had definitely done well for herself. Then she let on that she had participated in many stage dramas and mouthed some passionate dialogue right in the middle of the two real-time dramas going on in that very room.

Rikumoni Kalita informed me that she was the OC of the station. Himashi Nath, Pallavi Saikia were the Sub-Inspectors. Fatima Begum was the Assistant Sub-Inspector. Kalpana Gogoi and Binapani Das were constables. There were four or five home guards. They worked in eight hourly shifts and sometimes even beyond, when cases were not sorted out. Besides the police station they had to regularly attend High Court, Family Court and the Mahendra Mohan Chowdhury Hospital and Gauhati Medical College Hospital in work related to different cases.

Before I leave, I wander back to the other room, where all the action was. The old woman is glaring balefully at the daughter-in-law cowering in the dark shelter of the lock-up, suckling her child. How dare she? This question is evident in every fibre of the old woman's hostile posture. It is going to be a long night.

But things are somewhat better for driver Mohan and his wife Roopa. They have talked out things. A beaming Fatima Begum listens as Roopa says she is willing to continue staying with Mohan, and he in turn promises not to lay a figure on her. But that is not enough for Fatima Begum. Mohan will have to give it in writing. The barely literate Mohan struggles to pen the undertaking, with Fatima dictating firmly but gently. Then it is Roopa's turn to sign the paper. I am surprised that Rupa, who sounded so articulate was an illiterate woman. She sheepishly pressed her right thumb on the stamp pad and made a mark on her husband's undertaking. With two sleepy children and a very feeble old man in tow, the couple returned home to salvage their marriage.

# Chapter X

## Drama in uniform

“How can I tell her about you?” Lobo is crooning in the background as I relax on the sofa of my favourite café in Uzan Bazar. The young crowd is full of beans, chattering over café ..... and brownies. I am here to meet yet another police officer, my namesake Indrani Barua, who is from the Assam Police Service and posted as SP, Kamrup. I am about thirty minutes early and I settle back and look over my notes.

It has been very tough for women to be inducted into the Indian Police force. The Punjab Police Commissioner (1961-62) sought the views of different State Governments on the induction of women to the police. The then Chief Secretary and Inspector General of Police, Tamil Nadu dismissed the notion, arguing that women were not physical fit to cope with the rigors of the job. But certain factors like social changes, increase in numbers of women as victims and perpetrators of crime, rise in the number of juvenile delinquents and domestic violence meant that the police had to recruit women, and that too in greater numbers. Though they are today an integral part of the police force, their numbers remain very low. As per latest home ministry figures, women constitute



barely 5.3 per cent of the total police force. Tamil Nadu, Maharashtra and Chandigarh have a somewhat better representation of women. In 1997, the authorities in Tamil Nadu took advantage of the labour legislation to ensure 33 per cent of the new police recruits were women. Globally, female police officers comprise 29 per cent of the force in South Africa, 14 per cent in the United States of America, almost 30 per cent in Australia and 18 per cent in Canada.

Research has revealed that in fact women personnel are very effective in policing as they are less physical force, are better in defusing violent situations and have better communication skills than their male counterparts. They are capable of ensuring the trust and co-operation of the public. French police officers respond more swiftly and ..... in cases of violence against women. In India, many para-military forces as now inducting women 80% of policing in India non-armed or service functions.

Recruitment of women continues to be low as the atmosphere within the force is not congenial and woman friendly. Women officers are frustrated at being kept away from core police functions and are given inconsequential assignments. Often confined to soft desk jobs or routine investigation of dowry cases, they feel their potential is wasted and their worth underlined.

It has in fact been found that women officers in charge of districts sub-divisions and zones have performed very well.

There have been cases of verbal and physical abuse of women personnel by their male colleagues. Though no research has been done in this area, plenty of anecdotal evidence exists. The police are mandated to set up complaint bodies. This is not done and a majority of women police personnel are unaware of the Vishakha guidelines relating to sexual harassment at the work place.

I look up and see a fair, well-built, short haired and very capable looking young woman come towards me. Dressed in a beautifully tailored black kurta and churidars, she smiles, shakes my hand and settles down opposite me, murmuring about the slight delay due to the evening traffic. We had met once or twice before, at formal gatherings, exchanging brief pleasantries. Now, after some telephone calls and detailing of what I wanted from her, she sat across me and began to speak.

“You could say I had a picture perfect childhood, an Enid Blyton version, if you like. We were at Digboi where my father was a doctor at the Assam Oil Company. We lived in the colony which was a close-knit community. I have a sister and two brothers. I was quite a tomboy, cycling around with boys, shunning up trees faster than anyone else, playing cricket and horsing around. In fact some people thought my family had three sons. My parents were broadminded and tolerant. They

had a keen sense of fair play as the same rules applied to both boys and girls. We girls were never ordered to return home earlier than our brothers. I often accompanied my friends to the oil-fields, straying even to the nearby jungles where we saw herds of wild elephants. At Carmel School I excelled in sports but was quite average at studies. I just did not put in enough effort. As I entered my teens, no boy was infatuated with me because I was considered one of them.

That care free life came to an end quit suddenly. I was just about to appear in my class X boards. Our whole family travelled by road to Guwahati to attend a marriage. A cousin was driving the car. As we were wending our way along the .....fends of Burapahar, an ASTC bus had a head-on collision with our car. My father and cousin died on the spot. All of us were injured. I broke my arm. My mother had multiple fractures and spent six months in hospital. I appeared for my Boards haunted by the fear that my mother would turn into a cripple. A year later, she recovered and we moved to Tinsukia. That was the time I grew up and faced life with all its dangers and cruelty.

Having passed my Boards, I enrolled in Arts in Tinsukia Women's College, even though I wanted to be a doctor like my dad. Five years passed by and I topped the university in my graduation. Though I took admission in SNDT university, I had sat for the Assam Public Service Commission exam and I cleared it at one go and I thought to myself "On good! I don't have to study anymore". But my tough mother made me

complete my MA previous from Guwahati University. Then, on September 1, 1993, I joined Assam Police as a probationer and reported for training at the Dergaon Police Training. Needless to say, taking into account my temperament, joining the police force was a natural choice, though many friends, teacher and even relation warned that it was a job that involved a lot of risks and problems. At that time the ULFA had unleashed a wave of violence in Assam and bomb blasts, kidnappings, murders had become routine. It did not deter me in the slightest. The only thing I found tough during my training was having to wake up at the unearthly hour of 5.15 a.m. We were a batch of 27 men and only three women. We had to go through ..... at obstacles, horse riding and arms firing. Having been an outdoorsy kind of person, it was not really strenuous for me.

“You met the love of your life there, didn’t you?” I ask.

“Yes.” She smiled shyly. My husband Partha Sarothi Mahanta. From the very beginning I was aware of how dashing and courageous he was. His sense of humour appealed so much to me. The fact that all of us lived on the same hostel helped me to know him more closely and I realized that he was the man with whom I wanted to spend the rest of my life. We got married after training. Yes, we belong to different castes, and believe me, thanks to my liberal, cosmopolitan upbringing, I was quite unaware that caste mattered at all.

Marriage brought with it new challenge. We were both so busy that spending time together was a logistic ..... But we made adjustments and carried out our duties. What was difficult was that while the wives of other police officer's were ..... of the very real dangers their husbands faced during operations and in the time of duty, I am acutely aware of it. This perhaps makes me love him all the more and cherish our time together.

One issue that bothers me and which I also took up with higher ups is that it is very difficult for a pregnant police women to don her uniform. She must be allowed civvies at the workplace. Fortunately for me, when I got pregnant, I was in Special Branch where I could wear civvies. This was in 1998. I began to have labour pains. Instead of being with me, Partha had to go for route lining duty in the Jorabat hills because some VIP motorcade was to pass by. Taking matters in my own hands, I called my mother, mother-in-law over, drove to hospital, and walked in for the delivery. Partha was very upset but our daughter Aisha arrived safely in the world.

My initial period at the police tested my limits in many ways. I was assigned to city police, Guwahati and had to often go out at night. I had to arrange my own housing and rented a small flat from an old couple. There was no orderly, no cook, I returned home at odd hours and you could hear my pressure cooker whistle long past midnight as I rustled up a meal for myself. There were times when I could not sleep for 36 hours

straight. These were the days Assam was on the boil – combing and search operations, raids, I have seen it all.

And through all those challenges, one thought went through my mind “I would want no other way. This is what I am born to do.”

Our first session ends and we plan to meet soon for her account of exciting and dangerous times in the line of duty.

Previously you have read about SP, Kamrup, Indrani Barua’s induction to the police force, her romance and marriage to a batchmate and the pulls and pressures of her career.

Best-selling author Sydney Sheldon had once opined “My heroes are those who risk their lives every day to protect our world and make it a better place – and that includes police,” I look across the table and see the short-haired, pleasantly plump woman dressed in a *khadi* olive green *kurta* with wooden buttons. She is giving orders to her juniors on the phone in crisp, measured tones. There has been an accident on the highway. Many have been injured and the situation is tense. Throughout our interview she is on the phone several times, passing orders, answering queries. Yet, the minutes she put her phone down, she is relaxed, sipping coffee, neatly carving the chicken cutlet into bit-size pieces and vividly describing some of the memorable incidents of her chequered career.

“This was sometime in the nineties when I was new in the force and was attached to the Dispur *thana*. It was an important police station, being in the capital area and there was constant concern about security. At that time Ganeshguri did not have a flyover. The major

headache we had was the ULFA (United Liberation Front of Assam) cadres who sneaked into the area, fired in the air and created widespread panic, with shopkeepers, promptly downing their shutters and people scrambling for cover. We were always on high alert and it was felt that ULFA was deliberately trying to undermine our presence there. Finally, after months of surveillance, we managed to nab one ULFA cadre. When we interrogated him, he appeared to give in and said he would lead us to rebel hideouts in the city. He led us on a wild goose chase up and down the Chandmari hills. We followed him negotiating steep slope clambering over boulders, perspiring and panting for breath. We had to return empty-handed, hauling him back to his cell at the Dispur *thana*. It was then I flew into a rage. I let out a torment of abuses and did not let him sleep at night, bombarding him with questions. At long last he just caved in and confessed. He then took us to a flat in the Railway Colony at Bamunimaidam in East Guwahati. Hidden in a trunk under a bed were a carbine and several rounds of ammunition. At that moment, I was elated. It was a big break for us. The ULFA cadre was produced in court. Then, appearing before the judge with me, other colleagues etc., present, this rebel unbuttoned his trousers, pulled them down, displayed his buttocks before the said judge, pointed an accusing finger at me and said "See what that police woman has done to me – beaten me black and blue."

The judge sat there gravely, observing him in silence. He then looked at me. I was very thin then and it was hard to imagine I could take on this hefty man. I will never forget how the judge gave me an amused smile. I then knew His Honour was on whose side.

In my line of work you get to meet weirdest kind of people and marvel at human nature. One of my first cases was an investigation into

the rape of a 13-year-old girl by an elderly autorickshaw. Both of them belonged to the Karbi tribe. When we went to apprehend the culprit I found that he had his hair in a bun and was in the habit of tucking flower in it. The women of the neighbourhood complained that he somehow managed to hypnotise females with his flower-tucked bun and made them do whatever he bided. We got him into custody and he was charges-sheeted. The girl was very articulate and was able to describe clearly what had happened. The sad aspects of rape cases are that the victims often wish to file an FIR, undergo medical examination and even appear in the court. But the victim's family is desperate to hush up the matter to avoid a scandal and ruin her chances of getting married. It is important to have lady police personnel to handle rape cases. The victims are traumatized and cannot answer queries put by a male officer.

Through the years I have come across my share of rape cases. The POCSO Act (Protection of Children from Sexual Offences 2012) has helped us to deal with cases pertaining to minors. The Act defines a child as any person below the age of 18-year-old. It defines different forms of sexual abuse including penetrative and non-penetrative assault, as well as sexual harassment and pornography. The Act casts the police in the role of child protectors during the investigative process. When we get reports of such abuse we have to make urgent arrangements for the case and protection of the child such as obtaining emergency medical treatment for the child and taking it to a shelter home. This Act also helps us to stop re-victimisation of the child at the hands of the judicial system. It is mandatory for a person to report a sexual offence. Failure to do so is punished with six months imprisonment.



I ordered more coffee. A young couple on the next table were eyeing us curiously. It isn't every day you see someone taking notes in long hand at a restaurant. I ask Indrani if she has dealt with cases of human trafficking.

Human trafficking in the North-East is a gigantic crisis. Hundreds of men, women and children are falling into the net every day. Before we can come up with an effective strategy to stop this, we need to go into ground realities which have helped those involved in this racket. For example, militancy has displaced people. So has ethnic clashes. Closure of many tea gardens has led to loss of livelihood. Natural disasters, the floods and acute poverty makes it easy for touts to ensnare people. Illiteracy and lack of awareness make victims vulnerable. Due to years of foeticide of the girl child, there is now great demand for girls in Punjab, Haryana and Rajasthan. Demand for domestic help in metros is yet another factor. Government policies related to education and child protection are not implemented well.

Early in my career we once raided a beauty parlour in Guwahati. The owner of the house was pimping for a few women in what looked like a beauty parlour. As I burst into an inner room I came upon this women in bed with a man. She had not a stitch of clothing on her. It hard to say who was more embaressed, me or the girl. We had used one of our own men as a customer to raid the pimp. So, we brought this girl to the station. What she told us was heart-breaking. She was a widow with two children, living in Nalbari. Every morning she took the train to Guwahati, let strangers use her, and then go back to cook a meal for her kids, do the housework and sleep, to begin this sordid business again the following day. The Assam State Women's Commission contacts us in certain cases and we then act upon them.

The coffee arrived, rich with foam. Indrani took a sip and continued.

My first law and order situation after I became SP was memorable. There was an accident in the outskirts of Guwahati, in Singimari, on the highway. A vehicle was driving at top speed and moved down two people. A crowd gathered and blocked the highway. They tried to set fire to the vehicle. The police even had to resort to firing in which one person was killed. The situation had turned really ugly. As soon as I was informed I rushed there with my force. I had no clear strategy in mind. I just stood in front of that huge crowd. My gut instinct told me that to avoid a confrontation; I had to listen to what it was they had to say. And they simply wanted someone in authority to listen to their problems, their side of the story. As they edged closer and began talking altogether, no one seemed to care for the poor vegetable vendor who had died in the firing. His body lay by the side of the road and only a friend of his sat and grieved for him. As the hours passed by we sensed that the crowd was in no mood to disperse. Can you imagine, they were waiting for the television crews to arrive, so that they would have their fifteen minutes of fame. By this time the DIG as well as the Deputy Commissioner had arrived. We diverted the traffic and sensed that by now many in the crowd had gotten drunk. The dead youth's father arrived and he had no issues with us taking the body to Gauhati Medical College and Hospital for post-mortem. He knew that the family would get compensation only after the formalities were completed. But the crowd warned the father from agreeing to anything. They were waiting to get into the news, live.

By now, we had been standing on the highway for five hours. I knew I had to do something fast. I pushed a man and shouted into his face. As soon as I did so, my men started blowing their whistles. As soon as they

heard that, the crowd fled in panic, fearing that it was a signal to fire at them. The tense stand-off was over.

“I marvel at your courage. How do you psyche yourself to do it?”

“It just comes when a situation rises. I am in uniform, I am expected to take action, sort out a problem. There is no time to hesitate or think about the risks. Both my husband and I never question each other when we go on dangerous missions. It is a job must be done – one’s safety, family – all these are concerns that retreat to the background.

It is not just humans that confront us. Last year there was a sudden flash flood in Boko, which caught the people by surprise. In a few hours schools, homes, shops and even the police station were inundated. I was there with my men and at great personal risk, they helped many marooned people to safety. We had to load boats in trucks to reach places where people were to be rescued. My phone was the only helpline into which panic stricken people called for help. I was on the highway for sixteen hours without food, unable to go to the toilet, getting by due to my physical endurance and determination. Though we lost thirteen lives, hundreds were rescued and I shall never forget the heroic efforts of the OC, Boko PS, my men and also the district administration to co-ordinate rescue efforts.

The waiter cleared the table. It was raining outside. Most of the tables were empty. Indrani was ready to wrap up with a last case.

“The thing is,” she says thoughtfully “trouble can erupt just about anywhere. A new industrial complex had come up in Jambari, near Boko. Rumours were floating around that alcohol would be made there. As it was an area with a Muslim majority, sentiments ran high. There

were meetings between the locals, the company management and the district administration. Due to the hostile attitude of the public, trucks were coming in and out of the complex under police escort. That day I was on the highway and some instruction told me that I should go to Boko and not to Hajo, which I had planned. I got a phone call that a mob was attacking the trucks getting into the factory. Police had even resorted to firing. We at once drove to the Boko police station. The officer-in-charge barely escaped with his life as his PSO defended him. The policemen at the station were bewildered by the sudden time of events. I took note of the situation and immediately took charge. I ordered the policemen to fall in line. The situation was extremely critical. I made arrangements to send the five people injured in the firing to hospital. Then I called the Additional SP, requesting for additional forces. We got into riot gear and armed ourselves with rubber bullets, stun grenades and batons. By this time the factory had been set ablaze. The flames rose high and could be seen from a great distance. In five minutes I had briefed my main and we were on our way to the factory. We were joined by the Additional SP, his men and also a group of CRPF jawans. Suddenly the OC turned to me and said "Baideew, please don't go there. It is too dangerous."

But I was in charge and this was no time to hesitate. We drove to the compound of the burning factory. Some workers were trapped in a room, screaming for help. The mob was looting the premises, carrying away whatever they could lay their hands on. With the force behind me I charged at the mob. Seeing us in riot gear they scattered and fled the scene. The workers were saved and the fire brigade doused the flames. I know that in that situation anything could have happened in a split second. When I am face to face with danger, I never think of my family.

That would only weaken and demoralize me. That night five men were arrested. Our troubles were not yet over. The public blocked the highway the next morning, demanding the release of the five arrested men. The DC, who was on the scene, was unable to persuade them. By now television crews were filming the scene. I knew what I had to do. Right there in front of the cameras and the public, I put on my riot gear once again. My men did the same. There were murmurs of apprehension. Maybe there would be tear gassing even firing. They jostled each other, backing away from us. In a short time, the highway opened the traffic.

I made my way home to Guwahati exhausted but quietly elated that the matter had been resolved.

The interview over, Indrani and I went downstairs and let ourselves out to the street slick with rain. Her PSOs were waiting by her car. We parted, shaking hands, and she promised to help me in writing this book.

It is a muggy May evening when I arrive for my 7 p.m. appointment with Banya Gogoi, S.P., Special Branch at its headquarters in Kahilipara, Guwahati. Two men in civvies escort me through the narrow walkways to a sprawling one-storey complex. There is an eerie silence as I am led through one door to another. I am finally ushered into a severely furnished waiting room, with one man courteously informing me that Madam would be arriving soon. He then disappears, softly shutting the

door behind him. The room is brightly lit, with a printer placed over an iron safe. Chairs are ranged against the wall. I look up at the ceiling and wonder if the four round brackets are CCTVs. I desultorily pick up the day's newspaper and straightaway notice a news item reporting the escape of two inmates from Barpeta jail. As is to be expected, both are male. With time to kill I look back on my work the previous months. A long cavalcade of women file past me in my memory – women who are victims and had been victimized, the innocent, the guilty, women born to comfort and privilege, women fighting to keep body and soul together. I have met women who have murdered their husbands, and women imprisoned for the alleged theft of some trifle. I have had long conversations with women police officers, advocates, judges, forensic specialists who uphold the law through their work and I have met those who have broken the law and paid the price for it. Together, these two kinds of women mirror what our society is, its strengths and weaknesses, its values and its faults.

Banya Gogoi is a powerful link in the Special Branch's chain of command, with vast experience in handling counter insurgency operations. Known for her intelligence gathering skills, aggressive leadership and absolute fearlessness, Banya is something a legend in the force

All these facts are pertinent when discussing the complexities of Gogoi's work in a state troubled by insurgency, ethnic unrest, illegal migration of

foreign nationals and under development. The State Special Branch, of which she is SP, did not have a separate existence till 1965, as it had been functioning under the DIG of Police, CID. In 1965, the CID was bifurcated from the CID and was placed under the command, control and supervision of the DIG of Police, Special Branch. Eventually, this post has been upgraded to Additional Director General of Police who exercises overall command, control and supervision of the Branch.

The branch deals with the collection, collation and dissemination of intelligence having security and law and order implications. It usually deals with sensitive matters like public agitation, subversive activities which carry potential and real danger to the security of the State and the nation. Security matters of the vital installations and key industries also fall within its purview.

With the development and use of sophisticated technology in the electronics field, the Special Branch has to constantly upgrade itself. The work of the Special Branch continues to be carried out through three different set ups – headquarter set up, zonal set up and DSB set up in the districts.

I am intrigued by Bonya Gogoi's long innings as a police officer involved closely with counter-insurgency operations in the state.

Tell me”, I begin. “How, as a woman, do you react to women cadres of insurgent groups? In fact, in your very first operation, you succeeded in nabbing a woman ultra.

“Yes” she nods, her spectacles glinting as she runs her fingers through her salt and pepper hair. “We have to understand that when ULFA first started their mobilization in villages across the State, both young men and women were attracted to their ideology. In the case of young women, other factors came to play – a sense of dissatisfaction in their lives, abuse in the hands of a step mother, lack of education and work opportunities. Many young women were worried about remaining spinsters as young men migrated to cities for work or vanished into the jungles, taking up arms. Then there was a mystique about young cadres coming to the villages with arms. Many young women became besotted with rebels and gave up their old lives in exchange of a life spent in the jungle. At one time the rebel leaders actively encouraged and enlisted women in their ranks. Many couples got married, had children. But there were also women who felt they were being exploited, sexually, marginalized into carrying out thankless chores in the camps. Many such women have returned and surrendered. It is no longer easy to lure away girls to rebel camps . Today a young woman makes informed choices about the life she wishes to lead. Many self help groups train women for vocations. Better roads and communication help them to travel to the cities for work.



Banya has led countless operations against rebel outfits. I want to know how she prepares for an counter-insurgency operation.

“An operation takes a lot of planning, often at short notice. When we receive information about rebels hiding at a certain place, we have to know the terrain and their movements. At that moment it is immaterial that I am a woman. I have to assume leadership and act fast. I take complete responsibility for my team because their injury or God forbid, death may demoralize the entire force. It takes patience to groom a team. By grooming I mean their action-worthiness, their ability to read maps, process information, cultivate sources, contacts. As soon as an operation is under way I ensure our weapons are in safe custody.

As probationer DSP of Dibrugarh in the early 90s, Gogoi achieved success in her very first operation, seizing arms and capturing a woman ULFA cadre. There have been too many operations to keep court. Since 2007 she has held the post of SP Special Operation Unit.

“I think the biggest challenge in life is to do small things in an extraordinary way.” She says, sipping her coffee. “In the force I am never over-sensitive or defensive about being a woman. The men in uniform, my colleagues are products of this society, and so I can understand their psychology, their prejudices. I believe in speaking out, calling a spade a spade, clarifying exactly where I stand. In my line of work every day is a challenge. It is not enough to go after the ultras in

some impenetrable jungle. I have to know the law, so that my actions fall within its ambit.

Gogoi holds herself back from discussing the secret killings, the extra-judicial slayings of family members of ULFA which was investigated into by the Justice Saikia Commission. But she stresses that the police lay great importance on specific information from reliable sources before launching an operation, so as to minimize collateral damage- which is death or injury of civilians. At the same time no two operations are the same and so it is not feasible to theorise the course of action.

Gogoi is single, lives with her eight-eight year old father, and like him, is deeply spiritual. Having given up meat and fish years ago, she relies on yoga and pranayam to see her through each gruelling day. The Gayatri mantra and Hanuman Chalisa empower her. As an officer, she believes it is vital to not transmit her stress and anxiety to her subordinates. “An officer’s shock absorbing capacity must be high”, she asserts. She also concedes that as a top cop she is always under public scrutiny and that keeps her focussed as well as introspective. When she is not holding meetings with Home Ministry officials or going after insurgents, she is most happy in the kitchen, stirring up tasty meals.

An incident that made a deep impression on her was when the OC in charge of Barborua Police outpost, in a remote location in Lakhimpur

was killed. The SP sent Gogoi to call on the bereaved family. She recounts.

“I had never seen such a young widow. She was a mere girl. Her screams of grief rent the air. It was unbearable. How can militants kill their own people? She was so beside herself that for a moment. I thought she would hurl herself against me. A little later she asked if the other policemen accompanying her husband were safe. I shall never forget that widow’s piteous laments. Her memory helps me to reaffirm my goal to wipe out militancy in our state”.

Why was militancy still festering?

“There are several reasons”, she explains. “The region shares an international border with Bangladesh, Myanmar and China. Those countries have an interest in fomenting trouble here. Our militant outfits have taken their help, whether it is in establishing camps, procuring arms or undergoing training. We have perhaps the highest concentration of ethnic groups in the world. That itself is cause for unrest and conflict. Add to that the lack of socio-economic development and you have a recipe for trouble. But we have had success in bringing the situation under control as of now. 13 militant groups are involved in peace parleys with the government. There has been a steady fall in numbers of youths joining insurgent outfits. We have had to work under the most adverse conditions. Sometimes we used to get reports about 12 hours after an

incident. There would be broken bridges and we would have to wade through rivers. Considering all that, we have been able to contain the menace to quite an extent.

As an officer I think what stands in my favour is my ability to remain calm under all circumstances. I put great stress on meticulous planning. I pride myself in being able to read minds. This helps me to get along with all kinds of people. This is very useful in my job because then you are privy to a whole treasure house of information – information you can use to protect lives and thwart the evil-doers. I am glad I have never hovered from taking action, not even when bullets were whizzing around me. I could wish for no better life than this

## **Chapter XI**

### **The daredevils**

Dusk is falling swiftly as the steep blue mountains of Arunachal loom over the frothy waters of the Kameng snaking its way past white stretches of fine sand. We are at Bhalukpung, a small town straddling Assam and Arunachal Pradesh, surrounded by dense jungles. On the 52

km journey from Tezpur on the north bank of the Brahmaputra, we had crossed desolate stretches without any sign of human habitation. Every now and then, olive green army trucks carrying jawans crossed us. Soldiers in fatigues patrolled the lonely road winding past Sal forests. Early on this Sunday morning I had driven to Tezpur from Guwahati to interview the Sonitpur SP Dr. Sanjukta Parashar, IPS, who has earned national fame for striking terror in the ranks of the dreaded National Democratic Front of Bodoland (NDFB) a separatist outfit that had carried out bloodbaths in Assam. Leading operations deep into the countryside, wading across rivers and trudging for miles across forests, this 2006 batch IPS officer has shot dead 16 NDFB cadres and arrested 64 of them, besides recovering tonnes of armaments, that too in a space of just 15 months. As Asst. Commandant of Makum in 2008, she was in the thick of action, trying to quell the Bodo Bangladeshi clashes. Posted to Udalguri at the height of ethnic strife, Sanjukta was able to lead her men in containing the violence. Her fiercest battles were in December 2014 when, along with Assam Police commandoes and members of the COBRA battalion of the CRPF (Central Reserve Police Force) she took on the might of the NDFB using her intelligence network of informers, speed and surprise to strike a body blow.

The challenges that this young lady IPS officer has had to face so early in her career can only be understood in context to the power of the adversary. Before we form an idea of the menace that is the NDFB, it is important to know the Bodos. Bodos are an ethnic and linguistic aboriginal group of the Brahmaputra valley in North East India. The Sixth Schedule of the Indian Constitution considers them as a plains tribe. Udalguri and Kokrajhar of Assam are Bodo-dominated areas. In the 1971 census, the Bodos were classified as the 8th largest Scheduled Tribe group in India.

The struggle for self-determination by the Bodos go as far back in time as the Simon Commission in the 1930s. But the Raj as well as successive state governments ignored this demand. In the 1960s a band of educated Bodos called for a separate Bodo political administration to be named Udaychal. The demand was made in 1967. But the proposal was not accepted by the Centre and State Government.

Two decades later, the issue raised its head, with grim ramifications. Upendra Nath Bodo, considered the Father of the Bodos, spearheaded a spirited movement for an autonomous Bodo homeland. Then, in 1993, taking the matter with the seriousness it deserved, the Assam Government formed the Bodoland Autonomous Council (BAC) with the sole purpose of fulfilling the socio-economic aspirations of the Bodo people. A peace accord was signed between the leaders of the All Bodo Students Union (ABSU), Bodo People's Action Committee (BPAC) and the government of Assam. But hope for any kind of détente was short-lived due to the non-implementation of various provisions of the Accord. Within barely a year, the accord was in shambles, leading to widespread resentment and the emergence of hardliners who were ready to speak the language of guns.

After a decade of agitation, hope seemed at last to be in sight. On February 10, 2003 the Bodoland Territorial Council was created. It was an autonomous administrative body which had its jurisdiction in the districts of Kokrajhar, Chirang, Udalguri and Baksa.

The second Bodo peace accord has as its signatories the Bodo Liberation Tigers (BLT), the Central Government and the Assam Government. After signing the Accord the BLT surrendered its arms and became the Bodoland Peoples Front, a political party ruling the council. The

National Democratic Front of Bodoland (NDFB) are in ceasefire talks with the Central Government. The All Bodo Students Union continues its demand for a separate state in a democratic manner. But its efforts are stymied by the lack of political will among the leaders to see it take place.

Since the early 1990s Bodo militants have destroyed many species of wildlife in Manas. Designated a terrorist outfit by the government of India, it traces its origin to the Bodo Security Force, a militant group formed in 1986. In 1994 it renamed itself as the National Democratic Front of Bodoland, rejecting the accord signed by ABSU, BPAC and the Central Government. The NDFB has unleashed a reign of terror against non-Bodo civilians as well as the security forces. Santhal Munda and Oraon Adivasis who were brought to Assam as tea labourers during the reign of Raj were now gunned down, their homes pillaged and burnt. Their atrocities in 1996 during the Assam Legislative Assembly elections led to the formation of the Adivasi Cobra Force, a rival militant group. Since 1996 the Christian-dominated NDFB has also fought against the primarily Hindu Bodo Liberation Tigers Force (it surrendered in 2003). From the year 2000, the NDFB has gunned down Bengali Muslim immigrants in a bid to make them give up what they consider Bodo territory. In 2012 the NDFB (R) split again, leading to the formation of the NDFB(S) which is headed by K Songbijit, a non-Bodo. This group continues to be a headache for the government and have been blamed for the May and December 2014 attacks.

Sanjukta Parashar sits on a wicker chair on the sprawling lawn of the Prashanti Lodge, an Inspection Bungalow turned into a resort. The party of friends who had accompanied us are down below, seated on boulders by the rushing Kameng.

Sanjukta is striking in a white T-shirt and beige slacks, her hair swept from her face in a jaunty pony-tail. Her tall lean frame excides a natural elegance and inspite of the cheerful banter, it is easy to discern the iron will that makes up her personality. So here is a woman who at 3.30 am, instead of being fast asleep in a cosy bed with her young son, is leading her jawans, armed with an AK 47, deep into dense jungles far from civilization, marching in silence, all senses alert, fully aware that each movement could also be one's last. And it is not just the human enemy one has to contend with. There are marauding elephants, heavy rain, leeches, chest high river currents, slippery mud...

The crackdown against the militants have been carried out in a co-ordinated manner in Kokrajhar, Udalguri, Baksa and Chirang. As a retaliatory measure the NDBF (S) gunned down 75 men, women and children. Enraged villagers complained about the lack of police presence.

In an interview with Sumantik Baruah of the *First Post*, Parashar has explained "You really have to understand the terrain. All these attacks happened on encroached lands. People have cut down trees in reserved forest areas and set up villages. It takes one and a half hours of walking from the last motorable spot to reach the points. We already sought assistance from the army and they are planning on flag marches. We have also increased our patrolling extensively."

Policing has been a difficult task in many areas of Assam due to poor communication, inadequate deployment, terror challenge , proximity to the international borders, which facilitate easy escape by militants. Counter-terrorism operations are carried out under the Unified



Command structure which sees joint teams of army, paramilitary and police as part of a strike force but problems persist, including lack of night vision equipment.

Sanjukta Parashar showed promise early in life. A yen for academics was counterbalanced by proficiency in sports. Studying at the elite Holy Child School in Guwahati, she went on to graduate in Political Science from Indraprastha College in Delhi, completed her Post-Graduation and M.Phil. degrees in International Relations at Jawaharlal Nehru University, topping it with a PhD in American Foreign Policy from an Indonesian University.

Interestingly, when sitting for the Civil Services exam, Sanjukta's first preference was the Indian Foreign Service. Being athletic and outdoorsy stood her in good stead when she underwent gruelling training at the Sardar Vallabh Bhai Patel Police Academy at Hyderabad. "I would say the service chooses you rather than the other way round," she smiles, sipping her coffee and holding out a platter of *paneer pakodas* for me.

Ten years down the line she is loving every moment of being a policewoman. As she says "I like being in the middle of things. I can stand on the road for hours to sort out a problem. I have absolutely no ego hang-ups about it. For me the term "making a difference" is not a cliché. I live by it every single day. In my line of work I get to meet people from all walks of life and I like to be of help in whatever way I can. Contrary to the perception that I am always going after insurgents, I participate actively in community affairs. When I was in Jorhat I deployed policewomen in civvies to nab eve-teasers and it really worked. But the point I want to make is that I am against moral policing.

Young people meet, fall in love and carry on their romance. That is a most natural thing and we have no business disapproving.

When asked what were the qualities that were needed for effective policing she was quick to reply “Integrity ,courage and determination, without which you will never have the trust of the people and your team. Courage is indispensable, as you not only face dangers in carrying out your duties, but also make split second decisions. My courage must keep my force protected.’’

Sanjukta has no rancour towards the militants whom she has worked so hard to catch. “It is a law and order situation – plain and simple these are our people. The problem I encounter is the public perception that the police are an entity separate from the society. I wonder if, by instilling fear in the common people, we have become dehumanised. If people hate and distrust us, somewhere down the line we have done things that have brought this about. One bad example taints the entire force. That is why I put a premium on integrity. We wield immense power but with that power comes great responsibility. That said, you must also appreciate that the police operate under many constraints – scarcity of material resources, manpower, poor working conditions. In today’s Assam, even small incidents turn serious, with volatile crowds going on the rampage. Brute force is not enough to defuse the situation. We have to be always prepared for worst case scenarios.’’

By now it has become dark and chilly. We move to one of the picturesque cottages for the rest of the interview.

“How do you psyche yourself for an operation” I ask.

She laughs, shaking her head. “There’s nothing dramatic like having to psyche ourselves. We check the information coming in, say about insurgent movements. We pin-point the location, decide on the number of policemen to take part in the operation. We examine what weapons we will be carrying. Focussing on the task at hand is one way to remain calm.

Besides insurgent bullets whizzing past her, Sanjukta has had her share of facing real danger, including being charged at by an irate elephant. She was involved in a serious accident during her stint as probationer when her car had a head-on collision with another vehicle. Her mangled face required no less than one hundred and fifty stitches. Her trachea had to be operated on and three facial nerves are damaged.

Positive and forward looking, this fiesty police officer refuses to brood over life’s adversities. She cherishes time spent with her seven year old son Tattva and is indebted to her mother----- for looking after him when she is on duty. Reticent about her private life, Sanjukta is married to IAS officer Puru Gupta who is also posted in Assam.

“In my line of work, every day is different” she says with enthusiasm. “One gets to experience different facets of human life. Rescuing child labourers from the clutches of money lenders and shop owners was a very satisfying experience. We have rescued no less than twenty-five children from Arunachal Pradesh.

“Some incidents haunt you for a long time. There was this case of a middle-aged man who went missing for two weeks. He was the victim of a honey-trapping. His distraught son would come and sit in the police station day after day, desperate for news of his missing father. Two

weeks later the man's decomposed body was found. It was a bitter-sweet moment for the boy. He could not get back his father alive, but at least there was a sense of closure.

In a decade of policing Sanjukta has seen a lot of violence and unrest, corruption, manipulation, back-biting but she says that her son's innocent questions about life around him saves her from being a cynic.

She is deeply concerned about the physical and mental well-being of the police force. Noticing a number of deaths due to alcoholism, she introduced compulsory physical training every day. Those who are obese are also encouraged to lose weight. Sanjukta herself runs several kilometres every morning and during a half-marathon at Tezpur recently, she ran an unprecedented twenty one kilometres. Running gives her welcome solitude and the opportunity to reach out to her inner self.

We are ready to wrap up our interview. When asked about what it means to be a woman, she says ruefully "Honestly, I don't think in terms of male or female. I feel I have to be a woman only with my mate. Even with my son I am a parent. When I was younger I had short hair and beat the boys in a lot of activities. Some of them very rudely told me in typical North Indian fashion that I was not a girl. I used to feel hurt by such comments. I was also labeled a tomboy, a term that doesn't make sense to me.

Our party of young men and women, Sanjukta's friends troop in. She is completely at ease with them, laughing, teasing, taking photographs. It looks like the party is just starting.

I am anxious to return to Tezpur to be with my mother. We have lost our father a month back and she is struggling to come to terms with her grief. As Hitesh Mech the police driver races through the lonely road lined by brooding trees, he speaks of his respect and regard for Sanjukta. Her honesty, courage and spirit of service, he says, has inspired them to give their best to the job. Like Mech, there are others in the police force who would risk their very lives to follow her orders. Considering the patriarchal nature of the police force, this is an amazing achievement for this committed lady officer.

Like most working mothers, Sanjukta experiences guilt pangs in regard to her role as a parent. “Right now, when I am an SP, work comes first, I worry that my son will realize this and it would affect him.”

She hunkers down to talk in more detail about her job “I will not claim that I am an expert

On to criminology and definitely I am no authority to comment on female criminals, but believe me, I have had my share of unsavory interactions. Way back in 2008, the first woman I came across in the police station in the outskirts of Guwahati was the mother of an 8 year old juvenile in conflict with the law .He was apprehended for stealing the caps off the electrical streetlamps installed by the municipality. In fact we had laid an ambush to catch the thieves who robbed regularly; but it turned out that it was just a bunch of children high on the effects of sniffing dendrite and stealing these steel caps, selling them to the local scrap dealer to get money to buy the glue which they would sniff. A strange little neat cycle with seemingly no end, until the cops caught these little uns. Their parents were called so that they could be counseled

and the kids could be sent back to school to become productive members of the society. This little one did not have a father. His mom came quite late in the evening. She was a daily wage earner, a single parent, raising five boys. I got talking with her, and I asked for the names of her boys. Each boy had a different surname. Turns out they all had different fathers, these men fell in love with her and stayed for a couple of years and moved on as soon as the child was born. This little child who came into our lives was the youngest and he was regularly made fun of since he had a non Assamese surname. That led to him being dropped out of school. The mother understood he needed some guidance and I tried to sponsor him regularly. He is a teenager now, having finished his tenth standard.

There was yet another mother who I came across one morning after chasing a vehicle lifter through waist high swampy fields in the interior areas of Baksa. He had a head start and we weren't successful in nabbing him. The police team then did a thorough search of his house; we even found a passport photo which led to his apprehension a month later. What was remarkable was his mother, an old tribal woman with a wizened face, dressed in her traditional attire. She came over and asked me: "Child, are you done with your work?" When I replied in the affirmative, she dragged out a wooden stool and extended her arthritic hands. Within her fingers was a glass with some translucent whitish liquid. She offered the same to the boys. My security detail came to me immediately and told me that it was the local brew. Sure enough, I smelt it all right. The old lady explained that we must be tired after all that running and hard work, so she was offering us a drink. "

I have met more women who have deliberately tried to stop the police from arresting the accused, women who have hidden narcotics in the eaves to shield their men, who have raised fake complaints about

rape by security forces, women who have led protests on the streets styming the legal process by involving the police in needless law and order maintenance when they should have been investigating and protecting the victims from rioters. All part of the experience of being in the police, I guess, and I have taken it all in my stride. I have been cursed by women whose husbands and sons have been arrested for murder, whose sons have become terrorists, whose children have been apprehended under the requirements of the law. I have also been thanked by many women whose daughters were facing dowry harassment, whose children had been trafficked, whose kids have been wronged by charlatans and imposters. Along the way, I have seen women victims of violent crime from a 6 year old girl raped and murdered by a 14 year old boy, to two women repeatedly gangraped , until one of them died ,... Arresting those accused have given us a tremendous sense of accomplishment. All along the way, I must admit that I have always been a part of an amazing team of police personnel. From the constables, to the sub inspectors to the DSP and Addl SP I owe it to all the officers and personnel who have worked along with me in Guwahati, Rangia, Udalguri, Nalbari, Abhayapuri, Jorhat and Sonitpur. Without out their support and presence, no team could have ever been successful.

In my journey so far, I have also come across women who have been masterminds or accomplices in crimes. I won't say that they were forced into it; neither would I say that they were unaware of what they were up to. For one such woman I had to negotiate with the civil society and the police of a neighboring state. She, along with another girl saw the light at the end of the tunnel when two professional contract killers impressed upon them to honey-trap a rich business man. They did not know about the contract to kill, only being aware of the extortion. Arresting her and interrogating her was a unique experience, one that none of the team would forget in a hurry. A couple of years later , when another

kidnapping happened as a result of a honey-trap ,I spent a few weeks looking for a girl with a tattoo on her right arm. When we finally found her and interrogated her, she voided her bladder out of fear. After that it was easy to get all the details about her. One common element which I noticed was that these women came from broken families, often without the presence of a father, which forced them to go out and work. Invariably it would lead to these girls being sucked into the flesh trade from which honey-trapping becomes just another quick milestone.

The last woman I have to mention is someone who led us to the recovery of an assault rifle and a rocket launcher \_with enough ammunition that could have targeted any senior police officer in the district. She was this short, diminutive, yet uncannily sharp and motivated woman who believed in the cause. She was incredibly stoic in the face of evidence ,which was enough to put her and her husband away for years for gun running. But she took the whole thing with a calm that would put ascetics to shame. She told me about her family and her children and how she was adopted and later got married. Speaking with her, I was reminded of the dead bodies of little girls alongside their mother and father who were shot down in the most inhumane fashion last year by assault rifles not unlike the one recovered from her. I had asked her how she lived with herself in the face of such violence to



which she has contributed in one way or the other. I don't think she believes in the answer that she gave me: sometimes the good of a nation demands the death of a few. I don't think that she believes this, because I don't believe it. Human life is precious and there should be no reason to lose it be it a traffic accident or insurgency.

**On** Republic Day 2015 Violet Baruah, S.P., C.I.D., an I.P.S. officer was honoured with the Police Medal for Meritorious Service conferred by the Hon'ble President of India for her dedicated efforts in fighting against extremism, successful investigation and detection and performance as S.P., C.I.D. To gain a perspective of this remarkable success story, one requires to consider some statistics. According to Home Ministry statistics, out of 15,85,117 personnel working in State police forces in India, only 84,479 or just 5.33 per cent are women. Besides, there are just 499 all-women police stations in the country out of a total of 15,000 stations. The demand for more women in the police force gathered momentum immediately after the brutal gangrape of Nirbhaya in Delhi, 2012.

Considering the deeply entrenched patriarchal nature of Indian society, it is not surprising that induction of women into the police force in the initial stage was met with resistance, on the pretext that women were not suited for the rigorous demands of this service. However, changes in social conditions, the increased involvement of women in crime as accused or victim, rise of juvenile delinquency and domestic violence compelled the initiation of more women in the force.

International research has revealed that women are very effective as police personnel because they use less physical force and are better at defusing volatile situations involving the public. They generally possess better communication skills and are able to win the public's co-operation and trust. Women police officers respond more effectively to crimes against women. However, within the force, women continue to be sidelined and given inconsequential tasks. Many a time the work atmosphere is far from congenial and women-friendly. The untapped potential of these women are not fully realised as they are confined to soft desk jobs and investigation into dowry cases.

Violet Baruah is a glowing example of a tough, no-nonsense police officer who is at the same time finely attuned to her feminine side. Smartly clad in a black coat, trousers and a floral shirt, her close-cropped hair neatly brushed, she exudes quiet confidence as we sit down for a chat.

"Projecting a rough and tough image in order to be accepted in a male-dominated profession is a self-defeating move," she explains. "Women serve to humanise the police force and give a different perspective on professional policing. If we wish to change gender stereotypes, women in the force need to achieve professional excellence."

Much before joining the force, Violet had a ringside view of the challenges inherent to the service, as her father late Narendra Chandra Baruah was in the police force. She has vivid memories of him seizing arms and ammunition from Naga extremists. She can never forget the fear and concern she felt when she came to know that the extremists had put a price on his head. She describes how wonderful it was to hear

the roar of her father's Enfield on the driveway as he returned from some assignment in which he had risked his life.

In 1992, a young wife and mother of a barely year old daughter Urvashi, Violet joined the Police Training College in Nagaon as D.S.P. (Probationer). Much more than the gruelling physical training, she suffered the pangs of being separated from her child. To this day she acknowledges the unwavering support of her husband, in-laws and parents in the building of her career.

She has carried out her duties as S.P., Vigilance and Anti-Corruption, S.P., Morigaon, S.P., Goalpara, Commander, 14th Battalion at Nalbari, S.P., Cachar, S.P., Border and is at present S.P., C.I.D. She has taken up all challenges with her trademark cool and tenacity – whether it is rescuing trafficked girls from the flesh racket, investigation cases of witch-hunting in remote villages, or sitting up all night in combat gear in a rain-soaked forest when tracking insurgents. She has climbed steep hills, crossed torrential streams, risked her life in many instances as she pursued the call of duty. She has been the target of terrorists and has had a providential escape. Along with the physical rigours, she also enjoys the cat and mouse games of interrogating suspects. Sometimes the simple act of listening with a sympathetic look has the suspect sing like a canary. One of her proudest moments came when she solved a rhino poaching case within 24 hours.

“My work has never affected my family life,” she states emphatically. “My husband Pradip, is most understanding. I am very close to my daughter Urvashi, as also my son Raktim Pradip. You can describe me as house-proud and I love cooking elaborate meals. I remember how one evening I was busying myself with the rituals of Kati Bihu, when the call

came for an assignment. A couple of hours later, I was in the thick of an operation against ultras. That's life for me, and I have no regrets."

For her indomitable courage and devotion to duty, Violet Baruah has been honoured with the Kathin Sewak Medal, Antarik Suraksha Medal, Police Medal for Meritorious Service, as well as several D.G.P. commendations.

At the end of our chat, Violet Baruah has this to say, "I believe we should not take undue advantage of being women. We have to prove ourselves with focus, hard work, commitment and integrity."

## **Chapter XII**

### **Providing succor**

India is one of the world's most dangerous countries for a woman. If her life is not sniffed at birth, she may be beaten and burnt as a bride for dowry, sold off to brothels or gang raped. The Nirbhaya incident revealed to the world the brutality. Indian men can be capable of. And what was extremely disturbing are the comments of the two lawyers defending the accused. They have gone on record casting aspersions on the character of Jyoti, the victim.

Despite the growing crime graph, state governments in the country have failed to open women's police stations, A report in The Hindu dated December 25, 2012, 12 states and Union Territories have no women's police stations, including Delhi. According to the Bureau of Police Research and Development Data there are just 442 police stations across India as on January 1, 2011. Tamil Nadu had the maximum number of police stations (196) followed by Uttar Pradesh (71), Andhra Pradesh (32), Gujarat 31, Rajasthan 24, Jharkhand 22, Madhya Pradesh 9, Punjab 5, Chattisgarh 4 and Haryana 2. A senior Home Ministry official has admitted that the Centre's orders to open more women's police stations has been ignored. Activists are of the opinion that instead of waiting for more women's police stations to be opened, efforts should be made to open women's cell in all police stations so that women complainants can come to register cases and seek redressal.

The number of women cops comprise a dismal 3-4 per cent of the total police force in India, which stands at 16 lakh. CPI(M) leader Brinda Karate has opined that the government should do a rethink of the recruitment policy. She alleges that women are inducted into the police force just to tackle agitating women protestors in demonstrations. The focus should be to train them in policing, equip them with knowledge of the law regarding the safety, protection and welfare of women.