

**COMPOSITION OF THE COMMITTEE ON EMPOWERMENT OF
WOMEN**

(2002-2003)

CHAIRPERSON Smt. Margaret Alva

MEMBERS

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2. Dr. (Smt.) Anita Arya
3. Smt. Jayashree Banerjee
4. Shri Bhan Singh Bhaura
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18. Shri Prakash Mani Tripathi
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20. ****VACANT**

RAJYA SABHA

21. Smt. Shabana Azmi

22. Dr. (Ms.) P. Selvie Das
23. Smt. Saroj Dubey
24. *Smt. Vanga Geetha
25. Smt. S.G.Indira
26. *Smt. Gurcharan Kaur
27. *Smt. Chandra Kala Pandey
28. *Smt. Bimba Raikar
29. Miss Mabel Rebello
30. Smt. Savita Sharda

SECRETARIAT

1. Shri P.D.T. Achary - Additional Secretary
2. Shri K.V.Rao - Joint Secretary
2. Shri Ashok Sarin - Deputy Secretary
3. Smt. Veena Sharma - Under Secretary

* Nominated to the Committee w.e.f. 20th May, 2002

** Shri N.T.Shanmugam, MP ceased to be a Member of the Committee on induction in the Council of Ministers w.e.f. 1st July, 2001

INTRODUCTION

I, the Chairperson of Committee on Empowerment of Women, having been authorised by the Committee to submit this Report, do present the Ninth Report of the Committee on 'Violence Against Women during Riots'.

2. This Report is based on the material received from the Ministry of Human Resource Development (Department of Women and Child Development), Ministry of Home Affairs and impressions gained by the Committee during the study visit to Gujarat where they visited some relief camps and had interaction with victims especially women, NGOs and State Government officials.

3. The draft Report was first considered by a Sub-Committee specially constituted for this purpose at its sittings held on 31st July and 5th August ,2002. The Members of the Committee were:-

1. Smt. Saroj Dubey- Convenor
2. Smt.Krishna Bose
3. Dr.(Smt.) Beatrix D' Souza
4. Smt. Sushila Saroj
5. Dr.(Smt.) V.Saroja
6. Smt. Jayaben B.Thakkar
7. Smt. Chandra Kala Pandey
8. Miss Mabel Rebello

4. The Report was then considered and adopted by the Committee on Empowerment of Women (2002-2003) at its sitting held on 8th August, 2002. The Minutes of the sittings form Part II of the Report.

5. The Committee wish to express its thanks to the Ministry of Human Resource Development (Department of Women and Child Development), Ministry of Home Affairs and the Government of Gujarat for their help and cooperation in connection with the examination of the subject and for providing material and information sought.

MARGARET ALVA

CHAIRPERSON, COMMITTEE ON EMPOWERMENT OF WOMEN

NEW DELHI;

8th August, 2002

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<http://164.100.24.208/ls/committeeR/Empowerment/9th/report.html>

REPORT

VIOLENCE AGAINST WOMEN DURING RIOTS

A case study of the Gujarat Riots

Violence against women is an impediment to the achievement of the objectives of equality, development and peace. Fear of violence is a permanent constraint on the mobility of women and limits their access to resources and basic needs.

2. The subject 'Violence Against Women' is broad based and comprehensive and includes different types of violence against women viz. domestic violence, violence at the work place, violence by the State and its functionaries, violence during war and social disturbances, sexual harassment and abuse, female foeticide, rape, trafficking, dowry related issues etc. The innumerable forms of violence against women are so inter-connected that there is need to understand the ways in which women become susceptible to those who prey on their socially constructed vulnerability. The Committee on Empowerment of Women have therefore taken up the subject 'Violence Against Women' for detailed examination.

3. The Committee having taken note of the serious nature of the Violence against Women during the recent prolonged riots in Gujarat as projected in the Media and in the reports submitted to the Committee by the National Commission for Women and some NGOs/women activists who had visited Gujarat and heard the problems/grievances of the women who were victims of violence, the Committee took a decision to study the situation in Gujarat in detail and prepare their Report on the 'Violence against women' and steps taken for their rehabilitation.

4. The Committee therefore visited Gujarat and saw for themselves the conditions of women in the relief camps, interacted with the affected women, listened to

them and made an assessment of the measures taken/being taken by the State Government/NGOs etc. for relief and rehabilitation of the women affected by the riots.

5. The Committee visited Vadodara, Panchmahal and Ahmedabad from 2nd to 4th July, 2002 and went to three Relief Camps viz. Lunawada Relief Camp, Panchmahal; the Shah Alam Relief Camp, and Dariyakhan Ghummat Relief Camp at Ahmedabad. The Committee also met a number of NGOs/Women Activists who explained to them the work that was done by them for the riot affected women and what more needs to be done for their security, relief and rehabilitation. Finally, the Committee held discussions with the Chief Secretary, Government of Gujarat, Additional Chief Secretary, Home Department, Principle Secretary, Revenue Department and Secretaries, Department of Women and Child Development, Social Justice and Empowerment, Health Department and other officials of Government of Gujarat and representatives of the Ministry of Human Resource Development (Department of Women and Child Development). The representatives of the State Government explained to the Committee the events leading to the disturbances, the steps taken by them to curb the violence and the measures taken/being taken for relief, rehabilitation and security of the affected women, which are reproduced in the following paragraphs.

Background leading to large scale disturbances

6. According to the State Government representatives, on 27th February, 2002, the Sabarmati Express was forced to halt about one kilometer away from Godhra railway station, due to chain-pulling and stone throwing by miscreants who set the train on fire. One bogie was completely burnt, as a result of which 58 passengers were burnt and 43 persons received injuries. Those killed in the incident included 12 children, 26 women and 20 men. As a fall out of this, incidents of communal arson and stabbing spread affecting Baroda, Anand, Ahmedabad and some other parts of the State. According to official Reports, so far 758 persons have been killed in the disturbances besides 200 killed in police firing.

7. The Government of Gujarat has appointed a Commission of Inquiry under the provisions of Commission of Inquiry Act, 1952, to enquire into the incident of burning of some coaches of the Sabarmati Express on 27th February, 2002 and the subsequent incidents of violence in the State. The inquiry is stated to be in progress.

Reported Incidents of violence against women:-

8. The State Government have stated that in the carnage which erupted in various parts of the State from 28th February, 2002 onwards, thousands fled from their homes

either due to fear, insecurity and apprehension, or because their houses were looted or set on fire by rioting mobs. The State Home Department has recorded 185 cases of attacks on women of which 100 are registered in Ahmedabad City, and a total of 57 attacks on children of which 33 are registered in Ahmedabad City. In terms of persons killed during the riots the police have registered 225 women and 65 children. Rape cases of 11 women have also been registered. The district-wise details about the number of attacks on women and children in Gujarat are given in **Annexure-I.**

Visit of the Committee to Relief Camps:

9. During their visit to the Lunawada, Dariyakhan Ghummat and Shah Alam relief Camps, the Committee members interacted with the affected women and organizers so as to ascertain their views/problems/suggestions and find out whether they were satisfied with the basic facilities provided to them by the State Government. The main points that emerged out of the interaction are :

(i) Affected women and supervisors were satisfied with the basic facilities, provided by the State Government and NGOs such as food, water, toilets, daily cash assistance (Rs. 7/- per head/day), and medical and Health care. Shocked and shattered women were getting Trauma Counseling through trained Counsellors.

(ii) Women seemed unaware of the compensation and relief package announced by the Government, with regard to *ex-gratia* compensation which is claimed to be in case of death, an amount of Rs.1.50 lakhs (Rs. 90,000/- in cash and 60,000 in bonds) provided the bodies were identified. However, at Ahmedabad the victims complained that they have not received *ex-gratia* compensation. No compensation has been paid in case of missing persons as the families are unable to provide proof of death.

iii) The compensation paid for damaged/destroyed houses varied from Rs. 1,000 to 50,000. But their main grievance was that very few received Rs. 50,000 and even that was quite inadequate. Cheques ranging from Rs. 40/- to Rs. 200/- were produced as proof of discrimination in assessment of damage. Many complained that they were unable to encash their cheques as they had no bank accounts and did not know where to go.

iv) Earning assets, of many families were destroyed during the riots and the affected women sought adequate compensation therefor.

v) There was a demand for a proper and comprehensive survey to assess the extent of loss to their

houses and earning assets in their presence. Upto now surveys have been done while they were in camps.

vi) Even after getting compensation, many victims were not willing to go back as their houses were yet to be repaired/reconstructed. They were afraid to go back and reconstruct the houses as they were threatened by their neighbours and told not to return.

vii) Another reason for reluctance on the part of a few women to go back to their villages was that the earning member of their family was killed and they did not have any means of livelihood.

viii) Those who were tenants had special problems. Though compensation was given, it was given to the landlords. And in most cases the landlords who belonged to the majority community refused to give them back their houses on rent or their belongings.

ix) Women in Lunawada Camp, Panchmahal District and Dariyakhan Ghummat Camp at Ahmedabad, did not complain of sexual harassment during riots. However, women in Shah Alam Camp, though hesitatingly, mentioned instances of sexual assault. Intervening at this stage, the organisers of the Relief Camp handed over a list of 58 women who were allegedly sexually assaulted.

x) There were complaints that FIRs of women and girls were not recorded. No complaints of police excesses on women during riots were made, but police inaction they claimed had cost many lives.

xi) Women demanded that investigation of the cases registered should be completed in a time bound manner, and by an outside agency.

xii) Special courts are needed to deal with these cases.

xiii) The affected women and supervisors requested that camps should not be closed till the monsoon season is over.

xiv) At Shah Alam Camp, beddings especially for pregnant and confined women were not provided and there was shortage of milk for children and nursing mothers. The living conditions were poor.

xv) There was a demand that adequate arrangements for their rehabilitation be made before the Camps are closed. They asked for separate land to be allotted in places where there was hostility from the majority community, so that they could build their new houses and live in security.

Points arising out of interaction with NGOs

10. During informal discussions with a number of NGOs/Women Activists/Voluntary Organisations, the Committee was given to understand that the immediate and important work done by them inter-alia was rescuing of people during violence, setting up of various relief camps and providing kits consisting of items of daily use such as darries, bed-sheets, towels, washing soap, tooth paste etc. In this connection UNICEF distributed through NGOs, 50,000 family hygiene kits and 100 play and music kits for children. A comprehensive plan was also drawn up by Indian Red Cross Society for the distribution of relief material which included personal hygiene and cleanliness items and clothes including set of sarees or Salwar Kameez for women. A few NGOs and women activists appreciated the steps taken by the State Government to provide relief, while most were critical of it and were of the view that much more could have been done. The main observations made by NGOs were : -

i) During riots women have suffered immensely as they have lost their husbands, parents and children; and many have lost the only earning member of the family.

i) The women who have faced violence are totally shattered and are yet to recover from the shock. They feel traumatized and will need trauma counselling for a long period.

ii) There have been cases where police have not registered the crimes or have registered FIRs against the entire village equating the victims with the culprits. And wherever they have registered the cases, the progress of investigation is very slow. Special efforts are needed to help those women who want to register FIRs through free legal aid services and guidance.

iii) As regards cases of sexual assault, it was mentioned that women, though sexually abused were hesitant to speak out for fear of reprisals.

iv) While praising the media for highlighting the instances of violence perpetrated on women and children, some NGOs were of the opinion that at times both the print and electronic reports provoked both the communities to further violence.

v) There was a consistent demand that cases of atrocities on women should be investigated by an unbiased independent Commission not only to do justice to the affected persons but also to verify the reports published in the media.

vi) The compensation paid for damaged/destroyed houses is too inadequate and with that it is impossible for them to repair/reconstruct their houses.

- vii) Many families have lost their earning assets. A comprehensive survey is needed to assess the extent of loss and to take steps to adequately compensate them.
- viii) Camps are being closed down even though people have not been able to repair/reconstruct their houses and the monsoon season is on.
- ix) Women are reluctant to go to their respective villages on account of security concerns and threats from their old neighbours.
- x) Comprehensive rehabilitation schemes need to be formulated and implemented for all riot affected women and children.
- xi) Special efforts must be made by the Government to provide livelihood means by way of jobs to members of those families who have lost their earning members.
- xii) Self employed women need to be provided marketing linkages and credit facilities, in view of the economic boycott call of the muslims by some organizations.
- xiii) Confidence building measures need to be launched in a serious and systematic way.

Interaction of the Committee with the Self Employed Women's Association (SEWA)

11. The Committee met with the representatives of SEWA – Self Employed Women's Association, who are said to be working at Panchmahal, Sabarkantha, Vadodara, Mehsana and Ahmedabad. The representatives gave a brief presentation to the Committee on the work done by the organisation immediately after the start of the tragic events in Gujarat. They said they provided immediate support by way of food, child care and health services, hygiene and sanitation, mattresses, salwar kameez etc. Livelihood support was provided by giving 300 sewing machines as also market linkages so that women could earn Rs. 30-40 per day in the camps.

12. At present the main focus of the organisation is stated to be on rehabilitation of widows and children. At the request of the Department of Women and Child Development, they are implementing '*Shanta project*' for rehabilitation of widows, orphans and single parent children. The project covers 247 widows who will receive a package comprising livelihood support and rehabilitation, help in housing construction, trauma counselling and insurance cover for house, earning assets, life and health. It will also cover 38 riot orphans and 624 single parent children who will receive education in residential schools, trauma counselling and health insurance cover. The Committee were informed that SEWA had collected details regarding

widows and orphans. Out of the widows identified to be covered under the project 28.3% were stated to be in the age group of 17-25 years and 36.8% were in the age group of 26-35 years. Out of the 38 orphans 30 were stated to be boys and 8 were girls. 17 of them were from Ahmedabad, 9 from Godhra and 12 from Sabarkantha. No specific scheme for the orphaned children, on a long term basis seems to have been drawn up.

13. Asked whether they had received any complaint of sexual harassment in the camps, the representatives of SEWA replied that they had worked with only 23,000 women covering some of the camps, where no such case was reported to them. But the Committee noted that the authorities had registered – cases of rape in one of the camps covered by them.

14. In response to a query, they stated that 71% of the women wanted to go back to their homes while 29% did not want to go back as they were under shock and fear after they had witnessed crimes, wide spread violence and attacks.

Interaction with State Government officials

15. At the outset, the Chairperson indicated the purpose of the visit of the Committee which was mainly to see for themselves the condition and situation of women and girl children who were victims of violence and to know the measures taken by the State Government in coordination with NGOs/Voluntary Organisations for the safety, security, relief and rehabilitation of the affected women. The Committee referred to the problems/suggestions voiced by the affected persons and the women in particular, in the camps they had visited. The Committee also mentioned the points/suggestions made by NGOs/Voluntary Organisations when they interacted with them.

16. While expressing their concern over the situation prevailing in the State, the Committee desired to know the steps taken by the State Government for 1) registration of FIRs and proper and expeditious investigation of complaints; 2) setting up of special courts for speedy disposal of complaints; 3) proper assessment and disbursement of compensation; 4) relief and rehabilitation of the victims; 5) confidence building measures 6) steps taken to restore peace and normalcy in the State and especially in riot affected areas.

17. The Chief Secretary stated that the main aim of the State Government after restoration of law & order, was confidence building, relief and rehabilitation of the affected persons. The Additional Chief Secretary assured the Committee that all the issues raised by the Committee would be addressed with the utmost seriousness. A Statement submitted to the Committee

explaining the measures taken by the State Government for the protection and rehabilitation of women and children in the wake of riots is enclosed as **Annexure II**.

18. The State Government informed the Committee that the following measures had been taken by way of relief and rehabilitation :

Death relief

Out of 983 deaths reported so far, ex-gratia death relief has been paid in 767 cases (Male-542 & Female-225). Payment of death relief has been completed except in case of unidentified dead bodies and heir's belonging to other states. The DMs have been asked to complete the payment in the remaining cases including the cases of unidentified dead bodies.

Relief to injured

Out of the total number of 2133 injury cases reported, payment is said to have been made for 1720 cases (male 1511 and 209 female).

Cash doles and House hold kits

Payment of Cash doles has been completed. Payment for household kits is under progress as the scale of assistance has been raised from Rs. 1250/- to Rs. 2500/- as per the package approved by the Government of India.

SEWA Project :

The Department of Women and Child Development has stated that it has sanctioned a project for Rehabilitation of Widows and Orphans which will be implemented by SEWA and that an amount of Rs. 75.58 lakhs had been sanctioned and released by the Department for this purpose.

Registration of FIRs and investigation of cases:-

19. The Home Secretary stated that many FIRs that had been recorded were of a general nature and were not detailed enough. These FIRs do not have specific names. He further added that in case of affected women and children residing in the relief camps, the concerned police have been directed to visit relief camps and record FIRs of the victims and proceed further in the matter. It has also been announced that anybody can give statements concerning any FIRs which had been recorded earlier. All the Inquiry Officers have been directed to prepare proper statements of the witnesses under Section 162 of the Cr.P.C. He stated further that all police officers have been directed to register FIRs promptly under section 154 Cr.P.C. whenever information of cognizable crime against

women/children is received with copies of FIRs to be given to the complainants. He claimed that action has been taken to collect evidence, and investigate all complaints under supervision of senior police officers to frame charge-sheets. In all cases where the police department is the investigating agency, free legal aid is given to women and children. The Committee were assured that departmental action would be taken in cases where lapses are established regarding investigation of cases of crimes against women and children.

20. The Home Secretary further stated that investigation of major incidents is being carried out under the supervision of Senior Police Officers and by Special C.I.D. Branch.

21. A list of 58 names of women who have alleged that they had been sexually assaulted was given to the Committee by the Supervisors when they visited Shah-e-Alam Camp at Ahmedabad. The Home Secretary assured the Committee that FIRs will be recorded after investigation of these cases.

22. In response to the allegation of Police inaction, the position was sought to be explained by the DG, Police, by stating that soon after the eruption of violence, the main role of the Police was to restore law and order as ten big cities were affected and the entire State Police was on duty round the clock. A Judicial Inquiry Commission was looking into the role of the Police, he added.

Measures taken for the Security of Affected Women and Children:

23. The Committee were informed that Commissioners of Police and DSP's have been instructed to take measures to protect and support women and children returning from relief camps. Teams of three women police personnel have been raised in almost all police stations in the affected districts.

24. The State Government has constituted a State level Mahila Cell vide G.R. No. SBII/COM/102002/1691 dated 15.05.2002 consisting of three women officers for redressal of grievances of women and children, who were affected in the recent violence.

Rehabilitation of affected women, orphans and single parent children and widows

25. The Department of Women and Child Development claimed that it had initiated a programme for livelihood restoration of affected women. Under this scheme 37 proposals covering 2833 women have been cleared to provide livelihood to riot affected women in the State they claimed, with further proposals under preparation.

26. The Committee was told that Training programmes for adolescent girls under the Kishori Shakti Yojana had been started in some of the relief camps. All that the Committee saw was a few machines and new pieces of white cloth in their hands. Surveys to identify affected widows are said to have been carried out by the Director of Social Defence and by SEWA with State Government support and 241 riot widows identified for help.

27. The Committee have been informed that the Director Social Defence has also sanctioned pension to 555 widows in relief camps. Many of these women were widowed prior to 28th February. The widow pensions are stated to be paid in cash to affected women.

28. As regard the assistance provided by Department of Women and Child Development, Government of India, the Committee have been informed that as a part of the Rs. 150 crore Rehabilitation Package announced by the Prime Minister, the Department of Women and Child Development has provided assistance to the Government of Gujarat, Self Employed Women's Association, Ahmedabad (SEWA) and various other NGOs for undertaking relief and rehabilitation work for the riot affected women and children in Gujarat, though no detailed action plan was presented to the Committee.

Observations/Recommendations:-

29. Gujarat seems to have been unfortunately singled out for a series of calamities and disasters. Hardly had it managed to recover from the devastating earthquake of 2001, when it was shaken by another upheaval, this time a man-made calamity. The Committee note that the disturbances in Gujarat started on 27th February, 2002 after the Sabarmati Express was set on fire resulting in 58 passengers burning to death and 46 persons receiving injuries.

30. In the course of the riots, the National Human Rights Commission, The Minority Commission, Independent Commission of Eminent Persons, National Commission for Women and various NGOs/Women Activists visited Gujarat and brought out their Reports indicating *inter-alia* the situation prevailing in the State and detailed the sufferings and neglect of affected persons. Instances of violence and willful destruction perpetrated by uncontrolled mobs on minorities in particular innocent and helpless people in general and due to the indifference and apathy of the administration were highlighted both by the print and electronic media. The continuing disturbances in Gujarat prompted the Committee on Empowerment of

Women to visit some of the relief camps and see for themselves the conditions of women and children, the extent of their sufferings and to assess the relief and rehabilitation measures provided by the State Government. The Committee visited three camps from 2nd to 4th July, 2002; and interacted with the affected women, the NGOs and voluntary organizations working in these camps and listened to their grievances and suggestions. The Committee also held discussions with officials of the State Government and frankly presented their observations gathered during these visits. The State Government officials gave a presentation to the Committee about the measures taken by them to maintain law and order, the rehabilitation package of the State and Central Government and the efforts being made for the security and rehabilitation of those affected.

31. From the material placed before the Committee and as a result of interactions held with affected women, supervisors of the camps, NGOs and State Government officials, the Committee are constrained to make the following observations :

32. In any type of riots, women are the most affected. They lose their husbands, children, their kith and kin and in many cases the only earning member of the family leaving them destitute and vulnerable. Destruction or damage to households or earning assets compound their woes and sufferings. They have to bear not only the burden of managing the physical needs of the dependants but also bringing up their traumatized children.

33. The Committee note that 185 cases of attacks on women have been registered of which 100 are in Ahmedabad City. A total of 57 attacks on children have also been registered of which 33 are registered in Ahmedabad City. Rape cases of 11 women have also been registered. Of these 3 cases are from Dahod, 1 from Anand, 4 in Panchmahals and 3 in Ahmedabad City.

34. The Committee feel that it is the bounden duty of every State machinery to take pre-emptive steps to prevent spread of violence. For this purpose, the intelligence services have to always remain vigilant and cautious. In case of perceived danger, the causes must be nipped in the bud. The Committee regret to note that the failure to anticipate the potential dangers of the situation by the Intelligence services was responsible for the violence, death and destruction of the magnitude that was witnessed in Gujarat.

35. The Committee feel that effective and preventive steps ought to have been taken to ensure

that riots of such intensity did not spread. When such a situation arises, necessary effective measures should always be taken to contain the situation and prevent the spread of violence. It is in this context that immediate action ought to have been taken to organise meetings of political and religious leaders of all the communities and prominent NGOs, to sort out problems/issues amicably. But, this did not happen. Instead the violence was sought to be explained as a fall out of Godhra.

36. The Committee note that large numbers of men, women and children who fled from homes in the wake of the riots took shelter at various centres which they perceived as safe places. The community leaders, NGOs and voluntary agencies immediately responded and organized relief camps. The Committee are of the view that in situations of natural or man-made disasters including riots, the State Government is the primary agency responsible to provide relief, succour, security and rehabilitation to the victims which they were slow in doing.

37. The Committee note that the number of relief camps in the State of Gujarat during the peak of the riots was 121, out of which 58 were in Ahmedabad city alone. These relief camps accommodated 1,32,532 persons. The State Administration has stated that it made adequate arrangements through the Collectors, for a) additional shade/mandaps/pandals alongwith carpeting material (b) additional safe drinking water facilities (c) additional toilets/bathrooms (d) medical/health check up facilities (e) adequate ration/foodgrains and other essential commodities (f) grants in cash (Rs. 7/- per head per day) to meet miscellaneous expenditure.

38. The Committee were told that in cases of death, *ex-gratia* death relief of Rs. 1.50 lakh has been given to the dependents. Of this Rs. 1.50 lakh, Rs. 90,000 has been paid in cash the rest of Rs. 60,000 is given in the form of Government Bonds. As per information made available to the Committee, out of 977 deaths reported so far, *ex-gratia* death relief has been paid in 758 cases. But the women in the camps seemed totally ignorant/unaware of this compensation package. In fact many complained that there had been discrimination in the processes used.

39. A number of houses are stated to be greatly damaged and in some cases totally destroyed. The Committee have been informed that as on 21st June, 2002 Rs. 7.62 crores have been disbursed in 4954 cases (2023 in urban areas and 2931 in rural areas) for completely destroyed residential houses, while Rs. 15.55 crores have been disbursed in 18294 cases (11199 in urban areas and 7095 in rural areas) for

partial damages. The compensation paid on account of damage of houses, the Committee were told had been made from Rs. 1000/- to Rs. 50,000/- depending upon the extent of the damage. But several cheques ranging from Rs. 40/- to Rs. 200/- were produced before the Committee which showed that there was discrimination. Many complained that surveys had been conducted in their absence and in an arbitrary manner while others claimed that the landlords had been paid the compensation ignoring the real victims who had lost all their belongings.

40. The Committee note that in comparison with the figures of number of Relief Camps and the inmates in the peak period in April, 2002, there is reduction of Relief Camps by 111 Camps and reduction in the number of inmates by 1,19,839. Relief Camps have been closed down in Anand, Kheda, Panchmahal, Sabarkantha, Vadodara and Mehsana. As on 2nd July, 2002, 10 Relief Camps were operating only in Ahmedabad city and even these were to close shortly. We had reports from NGOs that the closure took place despite their protests and the unwillingness of the inmates to return to their localities, due to fear or totally destroyed habitations.

41. The Committee are of the opinion that though a number of measures have been taken by the State Government to provide basic necessities in the relief camps and to ensure rehabilitation of affected persons especially women, in association with NGOs and voluntary organisations, much more needs to be done. The Committee would urge upon the Department of Women and Child Development, Government of India to impress upon the State Government the need to take appropriate steps to provide much needed relief, security and rehabilitation to the affected women and their families.

- The Committee are of the view that :

i) Majority of the women have seen/experienced violence and are still to recover from the trauma experienced by them. They continue to feel insecure and need trauma counselling for longer periods. For this, Government ought to get assistance of trained counsellors and professionals from TISS, Mumbai and NIMHANS, Bangalore.

ii) There are complaints that police have not registered several FIRs in cases of crimes against women, and the progress of investigations where the cases have been registered, is too slow. Women are asked to identify the attackers or produce witnesses when they are in camps while on the other hand they are under threats/pressure to withdraw their complaints. Free legal aid and assistance to those

women who have so far not been able to register their FIRs is an urgent need. For this the concerned police officials need to be instructed to visit relief camps which are still operating and also the riot affected areas. While women in general did not complain of sexual harassment at Lunawada and Dariakhan Ghummat camps, women in Shah Alam Camp complained of sexual harassment and attack during riots. A list of 58 women who have allegedly been sexually assaulted was given by the organisers of the Shah Alam camp to the Committee, a copy of which was handed over to the State Police for investigation. The Committee desire that all cases of sexual harassment which have been reported and these 58 cases be properly investigated so as to do justice to the affected women, and a follow up report sent to the Committee.

iii) Though ex-gratia death relief amounting to Rs. 1.5 lakh is claimed to have been paid in respect of 767 cases, most of the women the Committee met in the Ahmedabad Camps did not know anything about it. Out of 983 death cases, the payment has not been made in the balance of 216 cases, (the Committee were told) for various technical reasons like lack of proof of death, failure to identify the bodies in morgues etc. The Committee hope that efforts would be made to complete the process of payment for the remaining cases including the cases of unidentified dead bodies.

iv) It has been brought to the notice of the Committee by the affected women that no ex-gratia payment has been made in respect of missing persons. The Committee feel that a sympathetic attitude needs to be taken in respect of these cases and after necessary affidavits are obtained from the dependents/near relatives of the victims, the compensation to them must be paid at the earliest.

v) Another fact which was brought to the notice of the Committee was the inadequate compensation that has been paid for damaged/destroyed houses by the State Government, the upper limit of which is Rs. 50,000/-. Further, earning assets of many families had been destroyed during the riots and very few of them have received the compensation and those who got it said it was absolutely inadequate. Moreover, the surveys were made in an ad hoc manner when the affected families were in camps. They also complained of discrimination based on the community they belonged to. In many cases the landlords had claimed the compensation and were now refusing to let the tenants return. The Committee were informed that fresh surveys are being conducted to ascertain the exact extent of

damage to the houses of the victims and their earning assets.

The Committee hope that the fresh surveys in this connection would be completed soon and fair compensation to the victims paid. If the victims need more financial help over and above the compensation they are paid as per the revised survey, the help of agencies such as Banks, HUDCO, and other Financial Institutions should be taken to extend loans on easy terms to them.

vi) The houses of the majority of the affected persons have not yet been repaired/reconstructed so far. With the monsoon season on and the camps being closed they have no shelter and nowhere to go. The Committee hope that the camps which are still operating would be closed only after the monsoons so that the affected persons are able to get their houses repaired/reconstructed.

vii) Another matter of concern was that though they are eager to go back to their villages/areas, the security aspect still haunts them. Though the State Government claimed that it had taken steps to provide security to the affected persons when they move back to their localities, the Committee are of the view that the confidence building process in the affected areas has not been seriously initiated. Women complained of threats meted out to them when they returned, forcing them to take shelter in the camps again. It is necessary to ensure that victims who have left the camps and returned to their localities are provided proper security.

viii) Many NGOs pleaded for a separate rehabilitation colony for the affected families. If the Government gave the land they are prepared to build it. The Committee feel this should be considered where there is real danger to their lives.

ix) At Shah Alam camp, the Committee noticed that there was lack of beddings especially for pregnant women and new born babies. There was also shortage of milk for children and lactating mothers. The Committee had pointed out this shortcoming during their discussion with the State Government officials, and hope that suitable steps would have been taken to remedy this situation.

x) Having suffered immensely, the major problem confronting the affected people especially women, is to work out livelihood measures for the rest of their lives. The relief operations undertaken for the riot victims require provision for not only relief but also for rehabilitation, with the objective of enabling the affected women regain the courage

to achieve sustainable long term earning capacity. Programmes for meaningful resettlement of these women and their families have, therefore, to be worked out. The Committee note that Red Cross, SEWA and some NGOs have offered support to run such programmes in camps by giving sewing machines and ensuring wages for women to earn. Some NGOs have also offered help to women to upgrade their skills under NORAD with market tie ups so that they may earn their livelihood, despite the economic boycott call against them, by some religious groups.

42. As a part of Rs. 150 crore rehabilitation package announced by the Prime Minister, the Department of Women and Child Development is said to be providing assistance in various forms to the Government of Gujarat. The State Government is stated to be working with NGOs to prepare livelihood proposals under the NORAD and STEP programmes for submission to the Government of India. The Committee desire that all these schemes for rehabilitation of the affected women, should be formulated and expeditiously implemented with the involvement of banks, donor agencies, NGOs and Voluntary Organisations.

43. The media has given vast coverage to the recent tragic events in Gujarat. The Government representatives, however, complained that print and electronic media have focused on the violence and arson and destruction and not reported sufficiently on the steps taken for relief and rehabilitation. At times, the issues (they felt) were projected in a way that instigated and provoked different communities against each other. The Committee are of the view that though people have a right to information and right of expression, yet keeping the national interest in view, the media can play a dual role in such situations by also acting as a moderator to calm passions. A positive role by the media by telecasting/arranging programmes and discussions of important political and religious leaders of both the communities appealing to the people to impose self-restraint and to renounce violence would help. The Committee hope that the media would respond to this urgent need and would play an effective role in preventing communal conflicts of such a nature in the future.

44. The Committee have noted with regret that no efforts have been made to confiscate the hate literature that has been widely circulated in the State or to identify those responsible for its preparation, printing and circulation. The Committee hope that the law enforcement machinery acts effectively in this regard.

45. There are recommendations made by several Commissions and Panels of important citizens including the National Commission for Women. Many of these have not yet been implemented like for instance, the establishment of Special Courts and an impartial inquiry by an agency from outside the State, to investigate the acts of violence during the riots, especially against women. The Committee hope that the investigations will be impartial and fair, so that the faith of the people in the police and the government machinery can be restored and Gujarat can ensure peace and tranquility to all its citizens in the future.

MARGARET ALVA

CHAIRPERSON

**COMMITTEE ON EMPOWERMENT OF
WOMEN**

NEW DELHI

August, 2002

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