



NCDHR

ALL INDIA DALIT MAHILA ADHIKAR MANCH

Administrative Office : 8/1, 2nd Floor, South Patel Nagar, New Delhi 110 008

Ph: 011-25842249, Fax: -91-11-25842250

E-mail: aidmamindia@gmail.com website: www.dalits.org



Press release

It is shameful that heinous crimes including gang rapes and murder of young Dalit girls in Kandhamal is excluded from the discourse on rape in our country, says Asha Kowtal, All India Dalit Mahila Adhikar Manch

Bhubaneswar, January 11, 2013 - The National Campaign on Dalit Human Rights with allied organizations like NAWO, Odisha Forum for Social Action, human rights activists and journalists conducted a fact finding visit to investigate into the recent cases of rapes in Kandhamal district, addressed the media today at Red Cross, Bhubaneswar.

On January 10, 2013, the fact finding team visited five villages (Tiangia, Simanbadi, Daringbadi, Badagaon, Sarangoda and Tikabali) in Kandhamal district. In each village, the team has met the rape survivor, the family, community members and the investigating police officers at the police station. Finally, the fact-finding team has met the District Collector in Kandhamal and shared the findings and recommendations.

The members of the team express their shock and anguish over the gruesome cases of rape and murder of Dalit Christian girls in the recent months at Kandhamal and at the same time are angered with the fact that these cases never figure in the recent discussions on sexual violence and rape in India. Dalit girls living in remote tribal areas of India with little access to livelihood and life are battered brutally and killed, and yet this is not enough for the Orissa Government to hang its head in shame.

In Kandhamal, if at all given, a rape case is given Rs. 5000 and rape and murder is given Rs. 10,000 as compensation and in Delhi the recent much publicized case was announced Rs. 1,500,000 (Fifteen Lakh rupees)!!! This shows the apathy of the Government and clear exclusion of issues of Dalit and minority girls. The discussion with the District Collector in Kandhamal has revealed that the district administration has no money for rehabilitation of rape survivors and their families. He said, "I have no money for the compensation and rehabilitation of minority (Dalit Christian) girl survivors of rape."

Delays in investigation, serious lapse in role of police, zero support from district administration and total break down of statutory bodies is clearly visible in every case that has been investigated. ***The entire child protection system, including CWC, JJB, Child line has not played any role in support of the victims as well the minor accused in the cases that we have investigated, says Manju Prabha, NAWO***

Bogus baba's and fake leaders like Bhagwat have been issuing baseless statements to the media and we condemn them as anti-human and misogynist ideas. The impunity enjoyed by a few in our country has instigated such people and others to get away scot-free. Such is the case in Kandhamal as well, where community control has been dismantled and hence people and officials are shocked to witness such horrific crimes in the area.

The Chief Minister of Orissa claims to have stayed away from New Year celebrations, in solidarity with the recent victim of rape in Delhi, but we wonder what he has done in response to these five inhuman acts of sexual violence on young Dalit girls in Kandhamal? , says Namrata Daniel, National Campaign on Dalit Human Rights

The families of the rape victims live in abject poverty conditions, without access to basic entitlements. Absence of job cards, access to PDS and other flag- ship programmes was clearly visible in all cases.

- As per the National Crime Record Bureau, Crime in India from 1995 – 2009, almost 261 murdered cases were reported in Odisha followed by 502 rape and 1623 numbers of attempt to murdered cases
- As per the National Crime Record Bureau, Crime in India from 1995 – 2009, it is found that, 46 abducted cases are registered in the police station in the state of Odisha.
- In total 11410 no. of complains registered out of which 8408 cases have been charge sheeted during the three years (2009-2011). Only in 9 cases, the accused have been convicted while in 148 cases the accused got acquitted.
- Since 2009, Mahila Commission has received 234 nos of complaints of rape and only in 2012, it has received 56 nos. of complaints of rape.
- During last three years Mahila Commission has received 10088 nos. of complains of women atrocities in Odisha

Key observations of the fact-finding team:

1. All the five cases reported to the fact-finding team was found to be authentic and the alleged crimes were truly reported. The detail of each case is attached.

2. All the acts of sexual violence were intentional and pre-planned to victimize the girl by raping and murder.
3. Rape survivors and family members do not have any knowledge about their legal rights and steps to be taken towards access to justice.
4. SC/ST PoA has not been invoked in Tikabali case and hence the accused have been roaming scot-free for more than 5 months. No compensation, no protection and no justice for this young girl who was raped and almost lost her life because the accused slit her neck with sharp knives.
5. The team observed that that local police did not registered FIR immediately and even those case registered police not supply free FIR copy to the victims
6. Severe gaps in investigation were observed particularly allegations relating to the police forcing the victims to change the statements.
7. Filing of Charge sheets has been delayed inordinately in all the cases. Police were not able to give a justification for this.
8. Filing of false / counter cases on family members of victims has been observed.
9. The entire child protection system is a total failure and has not been linked with any of the case yet inspite of several complaint letters and phone calls. None of the concerned members have supported. In addition, the girl was denied rehabilitation support by the administration.
10. After the rape and murder of young girls, Siblings of victim's family and other girls in the villages have dropped out from school in fear.
11. The victims are living a life of extreme poverty and have not access to life and livelihood. The team observe that financial assistances not given immediately after the cases. In one case Rs. 10,000 was given in case of gang rape and murder and Rs. 5000 for rape was given.
12. District administration and police have not taken serious steps and it seems are purposefully neglecting the cases of violence against dalit and minority girls
13. Human Rights Commissions and other statutory bodies have failed completely in addressing the life security and protection of dalit girls and women in Orissa. No committee working in the district such as Women and child development committee and District Vigilance and Monitoring Committee (DVMC) under SC/ST (PoA) Act 1989 and Rule 1995.

Recommendations:

1. The Orissa Government should ensure speedy trial for all the cases immediately.
2. Fast track courts should be set up for these trials.
3. Ensure filing of charge sheet immediately for the investigated cases.
4. Review of enforcement of SC/ST PoA Act at district and state level should be taken up the state and include SCST minorities to be included in the PoA Act as they are targeted with the same prejudices biases.
5. Full rehabilitation plan for the survivors and families should be made for the survivor and family. Provide a job for the family member, residential school for the survivor and compensation of Rs. 15,00,00 for rape and murder case.
6. Panchayat standing committee should be activated and take serious action in these cases of violence.
7. Health department (NRHM) has not taken any action in any of the cases. Trauma counselling and medical treatment for the survivors and the witness should be provided immediately
8. Education department (SSA) should ensure that the girls go back to school.
9. Minority Commission to be set up in the district and Orissa State level to look into all matters concerning minority groups
10. Residential school for minority girl children should be set up to ensure quality education, safety and security of the children.
11. The child protection system (ICPS) should be strengthened and activated with continuous monitoring and follow up.
12. The district administration to take steps to generate awareness of legal rights in particular for women and young girls.

13. Sensitization on Gender and exclusion issues – training of police and other district officials should be conducted in

Asha Kotwal
General Secretary,
AIDMAM-NCDHR, New Delhi

Manjuprava Dhal
Member
NAWO, Orissa Chapter

For further information:

Orissa Forum for Social Action
Jugal Kishore 08895210713
Divya 08895441954

jugalkishore_ranjit@yahoo.com
divyaraphael@gmail.com

Asha Kowtal 09560100442

asha.kowtal@ncdhr.org.in