

NIRBHAYA EDITION

The Official Newsletter of Internal Complaints Committee



**20 MARCH 2020:
NIRBHAYA CASE
CONVICTS HANGED
TO DEATH**

Revolution spanning 7 years

**"SHE WAS
POWERFUL, NOT
BECAUSE SHE
WASN'T SCARED
BUT BECAUSE SHE
WENT ON SO
STRONGLY DESPITE
THE FEAR"**

— ATTICUS

One year since the hanging of Nirbhaya case convicts, we look back at the movement, its effect and the change it brought.

Not everything can be changed, revolutions are slow, messy and ambiguous. However, as history depicts, revolutions are continuous, relentless and necessary.

Nirbhaya case is remembered to understand the strength of this fire in the nation, this fight for humanity.

NIRBHAYA CASE - REACTIONS, LAWS AND HAS IT BEEN ENOUGH?

Eight years ago, a rape case shook the nation. A retrospective on Nirbhaya - the fearless

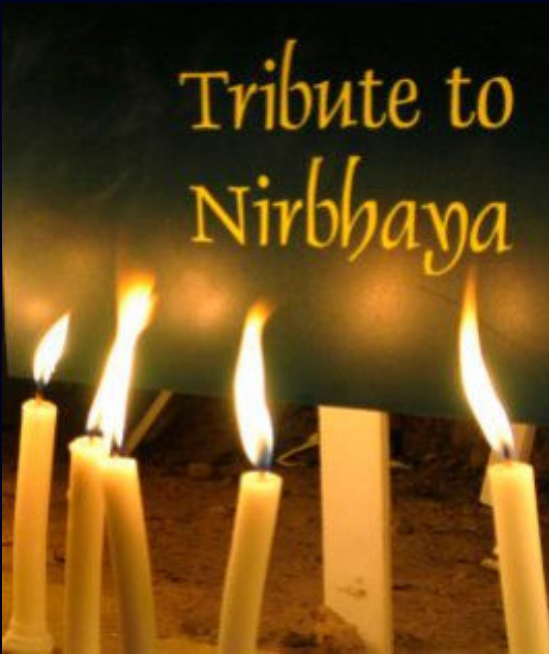


On 16th December 2012, when the horrific details of the events that transpired in Munirka, South Delhi, were coming out - the nation was shocked, which was the final straw that had broken the camel's back. This rape case was in a series of various other high profile rape and sexual assault cases that had the nation already in shock. It was Nirbhaya's case that became the symbol of women's resistance and the fight towards safety, equality and protection in the eyes of society and law as well. Immediately following the news of this incident, public protests broke out across the country. Thousands of protestors rushed to India Gate, Parliament of India and the Rashtrapati Bhavan demanding justice. Clashes against the police and Rapid Action Force units were spread across the country, especially the capital. Across all major cities and towns, silent, peaceful marches were happening - with social media activism being one of the highest ever seen in the country. When Nirbhaya passed away in the hospital, some MPs called for the criminals' immediate hanging, others for increasing women's safety. But they all agreed the laws need to be changed.

Naturally, with almost the entire populace's support, the laws changed - at least somewhat. Various state governments launched 24*7 women-safety helpline numbers to be called whenever a woman was in distress or feeling unsafe. There were fast-track courts set up for rape cases, so justice could be attained faster instead of getting stuck in an infinite bureaucracy. State and district level committees were formed for looking after the safety of the citizens. But the most important piece of legislation it brought around was the Criminal Law (Amendment) Act, 2013. A judicial committee headed by the former CJI, J.S Verma, was appointed by the Central Government to provide a new framework of tougher, stronger amendments to criminal laws to provide quicker investigation, prosecution and trials and enhance the punishments the criminals faced. Acid attacks, voyeurism and stalking were now defined under criminal law. Punishments for sexual assaults and rapes were increased. But the law was strongly criticised by several human rights and women's rights organisations for not including certain suggestions recommended by the Verma Committee Report like marital rape, reduction of the age of consent and making laws gender-neutral. It has been almost exactly one year since the convicts were hanged to death - and the incident still triggers a bitter memory in the minds of the women and men in the country. In memory of Nirbhaya, with stronger laws and sexual education, it is in the hands of the citizens as well as the governments to help women feel safer in the country.

~ Devam Doshi

WHY ARE WE STILL TALKING ABOUT IT?



IN INDIA
AVERAGE OF

87

RAPE CASES DAILY IN 2019

4,05,861

CASES OF CRIME AGAINST
WOMEN DURING THE YEAR
2019

IN APPROX.

94.2 %

OF CASES PERPETRATOR
WAS KNOWN TO VICTIM

MARITAL RAPE IS NOT A
CRIMINAL OFFENCE WITHIN
INDIAN LEGAL FRAMEWORK

CHANGE IS NEEDED

THE AFTERMATH

The years after the Nirbhaya case are marked with many more cases of violence against women.

That one crime, in a long line of vile crimes against women, caught the nation's attention and started the revolution.

Fast track courts have been established and laws have been reformed since the Nirbhaya case, however, a lot is still to be done.

India's justice system remains inadequate to handle the number of cases filed every day. With instances of witness tampering and harassment such as in the Unnao Case, the need for a quick trial is urgent but not fulfilled.

In a 2017 report, Human Rights Watch noted that the Indian police do not always follow protocol when responding to rape allegations.

Police neglect has been seen in both the Unnao case and Hyderabad Priyanka case and many others.

In the Unnao case, the police failed to file a complaint and couldn't protect the witnesses. The victim's father was arrested over fabricated charges and died in prison due to multiple injuries. The victim was attacked even after she was in legal protection.

Police also showed great neglect in the 2019 Hyderabad Priyanka Case where they refused to take preemptive action when contacted by the victim's family and made inappropriate comments about the victim. This delay was fatal to the victim who could have been saved if timely action could have been taken.

Even after the movement sparked by the Nirbhaya Case, India still remains unsafe for women with an inadequate justice system and stigma around assault which prevents victims from getting justice.

Things changed but not enough, there is need for stricter action and reformed laws to change the status quo. Nirbhaya left a legacy of fighting for justice and the fight shall continue.

JOKA STORIES

Meera is a cherished dish of Joka night canteens. Its face value is just a paratha and curry, but underneath lies a legend. Guy from IIM-C used to cook this dish for Girl from XLRI. Apart from bridging the thaw of C-XL rivalry, the legend also attempts to flip the traditionally assigned gender role of cooking. It's almost a part of the curriculum here. Where better to learn that chores should be divided equally, than in Night Mess.

Myths are powerful. They are immune to ravages of time, generations and batches. They are a great vehicle to propagate changes one desires. And if the 56th batch desires greater gender parity, nothing should stop them.

This article encourages the reformists of the current two batches to collaborate together and propagate any simple tradition that brings about egalitarianism. Let your imaginations paint this wide canvas. Give Joka a myth as a parting gift.

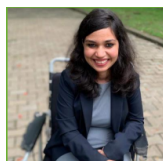
~Hrishabh Narayan



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ICC invites Jokars to share their stories, write articles and work together to form a safe and inclusive society.

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