



## REPORT

# The Railway Campaign Fighting Sexual Violence on Trains

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On 8 March, 1998, a Railway Campaign was launched by several women's groups in Delhi demanding safer travelling conditions for women and reclaiming our right to travel safely in trains without the threat, fear or experience of sexual violence. The Campaign saw an intense phase of sustained public action and advocacy, and mobilised support from women's groups all over India. Four years later, in a significant decision, the National Human Rights Commission (NHRC), as a follow up to the case petitioned by Jagori (a women's resource centre based in Delhi, which initiated the Campaign in January 1998), has issued landmark directives to the railway authorities to take action to ensure the safety of women passengers in trains.

According to these directives the Railways have been asked to:

- Ensure that FIR forms are easily available on trains in all languages relevant to the routes concerned.
- Disseminate information as to who the women passengers should approach and lodge a complaint with in case they face sexual harassment in trains.
- Ensure that people are provided with complete information about the procedure to be followed in filling out FIRs (First Information Reports) in running trains.
- Come up with appropriate notices at strategic points in all railway

stations/ coaches highlighting that sexual assaults, obscene remarks and all kinds of unwanted attention are forms of sexual harassment punishable under the Indian Penal Code and Railways Act.

→ Sensitise officials in the relevant departments on these issues.

The NHRC directive is an important acknowledgement of the threat and fear of sexual violence which women cutting across all strata of society experience in public spaces. It reasserts that women have the right to be safe in public spaces, and that the State and its machinery must do what it can to protect these rights.

### Why the Campaign?

The impetus for this campaign came from a personal experience of violence. To quote from a Jagori report: "As we were coming back from the Sixth National Conference of Women's Movements in India in Ranchi on January 1, 1998, our group of ten women were harassed on the Tata-Muri Express. Three army soldiers, who consumed alcohol throughout the thirty-hour journey, sang rude songs, directed lewd stares, called out names and obstructed our paths as we passed by. Upon arriving at New Delhi Railway Station, one of the last women to get off the train (a member of Jagori) was physically assaulted by one of the drunken men. When she retaliated by

slapping him, he shouted obscenities and hit her. Although we immediately located a Railway Protection Force (RPF) person, he was of no help and let the offenders go without even asking for their identification. It took ten of us four hours to file an FIR after this and ensure that the culprits be traced! The case was registered with the NHRC, and in civil courts, and then finally taken over by the Army's Court of Inquiry."

On coming back and relating the incident to friends and colleagues, the group realised that every woman they spoke to had an experience of such violence to recount. When they went to the railway authorities to demand that action be taken, even the Public Relations Officer of the Railways, a woman, recounted personal incidents of harassment on trains. Hearing the experiences of so many women brought to light the pervasiveness of such incidents as well as the helplessness felt by women travelling in trains. It was often mentioned that women feel they have no power or social support to stop such abuses, even though they occur in very public spaces and in front of many people. Co-passengers ignore incidents of violence, not wanting to get involved, or 'hassled' with 'problems'. If attention is brought to the abuse, often passengers watch the scene as a form of entertainment. The comments of the



the fact that all of them faced tremendous difficulty in getting women at the station to take the pamphlet being offered to them. Women were hesitant. They either plain refused, or showed extreme diffidence in taking the pamphlet. Often if they were with a male person, they would look at him for permission, not feeling right that information was being offered to them directly and not to their husbands/brothers/sons/fathers. Most men, meanwhile, felt it was their right to have this information. Some would come up directly to the activists and demand that they be given the pamphlet, others would ask why the group was wasting their time giving information to women. Some men even refused to let the activists give pamphlets to women they were accompanying. The experience only brought out how women are made to feel that they have no right to information, and how threatened many men feel if information is being made available to women.

Till July 1998, this activity was carried out every month at different railway stations (Old Delhi, New Delhi) at different times to cover both day and night trains to different destinations. A group among our campaign team prepared a play representing different circumstances of harassment, based on newspaper reports of cases over the last five or six years. The play focused on challenging existing myths - that only young women are harassed, or that only certain sick/uneducated men molest women, and so on - by bringing out cases in which middle aged, married women with children, or children too were harassed, as well as cases where older men, a religious guru ('sadhu') or an educated gentleman had been the perpetrators of sexual abuse. Other innovative ways of spreading awareness were constantly created, like singing feminist songs

Law	Offences	Punishment
Section 354 of the Indian Penal Code	Using assault or criminal force with intent to outrage a woman's modesty: This includes physical or verbal assault.	Up to two years in jail and/or fine.
Section 509 of the Indian Penal Code	Words, gestures or acts intended to insult the modesty of a woman: This includes obscene words, language, lewd stares, showing offensive objects and intrusion upon privacy.	Up to one year in jail and/or fine.
Section 294 of the Indian Penal Code	Obscene acts and songs: This includes annoying others through obscene acts, songs or words in any public space.	Up to three months in jail and/or fine.
Section 145 of the Indian Penal Code	Drunkness or nuisance: When any person upon any railway (station or carriage) is drunk, commits any nuisance, indecent act, or uses abusive or obscene language.	Up to six months in jail and/or fine.
Section 162 of the Indian Penal Code	Entering carriage or other places reserved for females: This includes entering and / or remaining in a carriage, compartment, berth or seat of a train reserved for females.	Ticket is taken, removal from the train, and /or a fine.

against sexual violence on different platforms, or moving in a group through the length of a platform chanting slogans to the beat of drums. The group also talked to people around them, engaging with those who asked genuine questions, as well as those who reprimanded some of the women for making an unnecessary mountain out of a molehill. Such campaigning at the railway station became a monthly ritual.

### Terrifying Experiences

On one occasion, the activists were joined by a film crew shooting for a documentary film on violence against women. A smaller group jumped onto a local train in the evening with the aim of active campaigning through distribution of pamphlets. The film crew joined the group. None of them were ready for the outcome. The group realised that they were the only four women in a compartment full of men; moreover it was hard for anybody to move and campaigning

was out of the question. The next hour was spent trying to deflect unwanted gazes and comments. The presence of the camera crew only made things worse; it turned into a side-show with every man acting for the camera. In the words of one of the group: "It was hard to breathe, impossible to move and terrifying." The only woman in the camera crew couldn't stand the tense situation and broke down in tears. When the ordeal was finally over the group had received new insights on how terrifying it was for women to travel by local trains at night in general compartments. The film crew, needless to say, was overwhelmed.

Outside Delhi, similar activities in other states were initiated and conducted. Some groups in Gujarat and Rajasthan, and the women's wing of the Western Railway Employees Union, Kota and the South Eastern Employees Union, Vishakapatnam (both with the support of the Hind Mazdoor Sabha)

conducted the campaign in their areas. Women's groups in Calcutta under the Maitreyee network, meanwhile fought for justice in the high profile Howrah Yatri Niwas case of a Bangladeshi woman who was raped at the Howrah Railway Station, and kept sending updates on their activities. (The case was finally won, with the woman being granted ten lakh rupees as damages by the Calcutta High Court.) Letters of solidarity came in from women's groups all over the country, as well as letters and phone-calls from members of the public who had read either the poster or pamphlet, or seen the campaigners at the station: most of these were women who had seen or faced some experience of sexual violence in trains.

By August 1998, the lack of response from the railway authorities had frustrated the group, and the group decided to begin advocacy efforts at another level. Attempts were made to meet the Minister for Railways, Nitish Kumar, in vain. Requests were sent in to the Ministry that the newly formed Safety Review Committee for the railways should consider the specific need and understanding of safety for women passengers, and have one nominee on their board from a women's group. Again, these efforts did not yield any response.

### **Steady Progress**

Later that month, it was only through raising the issue in the print media and television that the Campaign gained momentum. The Campaign was covered in an article in *The New Delhi Times*, following which women's groups were invited to participate in an episode of the Priya Tendulkar Show on the Star Plus TV channel. Members of Jagori, Action India, Sabla Sangh, YWCA and other individuals participated in the talk show entitled 'Railways – *Chalti ka*

*Naam Gaadi*'. For the first time, the issue of sexual violence in the railways and insecurity of women in particular – and not only fears of stolen baggage or derailling – were discussed. While the panelists looked on in surprise at an angle they had never really thought of, the support of the other participants in the show and the anchorperson forced the panelists to take serious cognisance of this issue and commit to taking it up.

Included on the panel for the show was Mr. Ram Naik, then the Minister of State for Railways. In September that year, a group of representatives from women's groups met with him and gave him a list of action points for ensuring the safety of women. He suggested that a symposium be held between members of women's groups and officials from the Railway Ministry, other departments, Railway Police Force, Government Railway Police etc. to discuss concrete measures. At this meeting the Joint Director/Crime, RPF was also present and asked the group to organise gender training for RPF personnel. However, neither of these came through.

Meanwhile, the case, which Jagori had filed, was being fought in the Army Courts, although only after pressure had been put on them by the NHRC. The following months saw different stages of the case in progress. After two years and tremendous pressure being put on the Army Court, the guilty were given a nominal suspension, and demotion. In the case against the RPF officials, apparently the "allegations could not be substantiated".

In spite of the case having been lost, a process began in the Railway Ministry on the role of the RPF as government officials with authority to intervene in any such situation. After sustained follow ups with the RPF, in March 1999, the Railway Board issued

the important Standing Order no.57 which directed RPF officials to prevent crimes against women, implicitly recognising that their role is more than just protection of property.

New hope for official response came in October 1999 when Mamta Bannerjee who became the Minister for Railways, issued a strong statement on giving the railways a new reliable face and called for safety, security, punctuality and customer care. We wrote letters to her requesting her to pay attention to the specific situation of women travelling in the railways, and the sexual harassment faced by them. However, a cabinet reshuffle and political uncertainties derailed this process.

It was only after one and a half years, in April 2001, that an article in *Outlook* titled "On the Tracks of the Bogeyman" brought the issue back in focus. The NHRC called a meeting based on Jagori's petition and this article, accompanied by members of Jagori and two officials – one from the Ministry and the other from the RPF. A new round of negotiations thus began.

In January-February 2002, the NHRC issued landmark directives to the Railways Ministry to take action to protect the rights of women travelling in trains. Following the directives, in April 2002 the Ministry called a meeting with Jagori. Concrete measures to implement the directives were discussed and the planning for publicity material, like signs in railway stations and coaches, as well as training of railway officials began in earnest. Finally in May 2002, the RPF also responded by initiating efforts for gender sensitisation of their officials.

### **Some Key Issues**

The women's movement in India has played a leading role in raising the issue of violence against women through its various campaigns, street

action, legal advocacy and local movements. It has been particularly active in the struggle against violence within the home, the sphere of the private, followed more recently by efforts to address sexual harassment at the workplace. The Railway Campaign is one of the many streams of the movement which has tried to break the silence and stigma around sexual violence. The focus of the Campaign has been to challenge the fact that public spaces in our society are highly gendered as male spaces, and that women's entry into these is fraught with tension, thus restricting women's mobility.

The basic issues the Campaign sought to raise still stand. We still need to:

- **Reclaim women's right to free movement:** It is the right of every woman to go anywhere at any time, free from the fear of harassment/ violence/ abuse.
- **De-trivialise assault:** Most people, including the woman herself, feel that lewd stares, songs, obscene words and threats are not 'as bad' as rape. As the reaction of co-passengers and police highlight, there is a hierarchy of violence where some offences are more acceptable and treated as 'normal'. This is a fallacy that ignores what a woman faces every time she leaves the house, bracing herself for any such abuse. Every woman has the right to safe travel and bodily integrity. No violation is acceptable.
- **Give direct visibility to the issue and break the silence that surrounds such crimes:** Women must realise that it is not 'their fault' that such crimes occur. Often we are made to feel ashamed, and therefore made to maintain silence when we do face abuse. We are blamed by authorities, perpetrators and on-lookers alike for, say, our clothes, daring to go

## If You Are Assaulted or a Witness to Assault...

**Raise your voice:** Tell the offenders to stop their offensive behaviour immediately. Use collective pressure to prevent/ stop unacceptable violence.  
**Call the TTE, the train superintendent or the police guard and demand that they take action against the offenders:** Don't let them downplay the situation, they are duty-bound to assist you. If they don't help, ask for their name and identification number and make sure you file a complaint under 'dereliction of duty' with the superintendent of the railways at the station (normally located on the main platform).

**Be innovative:** Think of ways in which you can draw maximum attention to the offender's misbehaviour.

**Pull the chain:** This action brings immediate attention to the situation and often scares the offender. You can do this because assault is an emergency situation.

**Call a member of the Government Railway Police (GRP):** If you cannot find an official on the train to help you, then get off the train and find an officer on the platform. Tell the police officer to stop the train from leaving without you, or go to the ticket counter and inform them that you are 'breaking journey'. This allows you to travel with the same ticket on the next train.

**File an FIR at the GRP station:** This is the most important action to take. All offences are serious and should at least be reported. Though it is best to file the report immediately, if you are unable to do this out of fear or other constraints, go home and write about the incident in detail. Then bring this, your tickets and supportive friends with you the next day to file an FIR.

**Write a letter of complaint:** to the Railways Public Grievances Executive Director (Rm 471, Railway Bhavan, New Delhi 110001) describing what happened and attach a copy of both the FIR and your ticket.)

out at night, travelling on a train alone and so on. By recognising that this stigma is constructed, and by speaking out against it, we can identify the attitudes that humiliate and victimise us and map out strategies to combat it. Only through highlighting the occurrence and extent of the phenomenon will the appropriate authorities take responsibility and act.

- **Support women who file complaints and speak out against such crimes:** The truth is that it is difficult to speak out against sexual harassment if there is no support from the public, and especially from family members or those close to us. It is a vicious circle. The onus to seek justice cannot be only on the woman. It is critical that family members and members of the public

recognise that sexual violence is a crime and is not the result of a woman's behaviour, her appearance etc. They must support women who speak out and want to take action, and not be embarrassed by it or insinuate that she "asked for it." It is unlikely that women will be able to act against sexual violence without this support.

While the Railway Campaign has brought national recognition to the issue of security for women in trains, in many ways this is another beginning. The NHRC directives provide an opportunity to take the struggle forward. Women's groups all over the country must act as pressure groups to make sure that action is indeed taken and the right of women to travel safely is respected and ensured. □