

# OXFAM IN ACTION

## Mobilising Communities to End Violence Against Women in Bihar and Jharkhand



ऑक्सफैम इंडिया  
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Oxfam India, for over a decade now, has been committed to ending gender based violence. As a part of its 2016-2020 strategy, Oxfam India will strive to ensure that poor and marginalised women claim and advance their rights, and make violence against women (VAW) socially unacceptable. As a rights-based organisation, working in six states<sup>1</sup> to fight poverty and injustice, it links grassroots programming (through partner NGOs) to local, national and global advocacy and policy-making. Oxfam India has adopted a two-pronged approach to end gender-based violence; one that works on reducing the normative social acceptance of VAW and two, influencing effective representation of women in decision making forums in local governance bodies. In this regard, two of Oxfam India's focus states, Bihar and Jharkhand have high rates of violence against women. Oxfam India has supported networks of NGOs, both in Jharkhand and Bihar, to mobilise communities to end violence against women and girl. In Jharkhand, it has supported Jumav Manch<sup>2</sup> since 2011, to form Jagruk Samitis to address cases of VAW as well as develop the leadership skills of the women. In Bihar, a partnership was initiated with six NGOs<sup>3</sup> in six districts<sup>4</sup>, led by RAHAT, in 2013, to form Dastak Samitis to monitor and address issue of domestic violence.

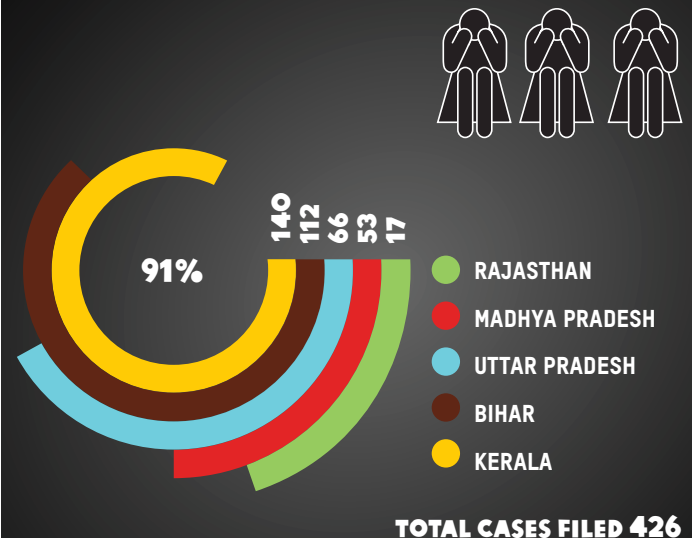
Violence against women remains the most widespread and the least recognised human rights violations in the world. In India, the cases of violence against women saw an increase of 9.2 per cent from 2013 to 2014; the total number of cases increased from 309,546 to 337,922. According to the National Crime Records Bureau (NCRB), in 2014, of the total number of cases of VAW, 122,877 pertained to domestic violence. This was an increase of 3.4 per cent from the previous year<sup>5</sup>.

The Indian criminal justice system has historically categorised cases related to cruelty by husband and relatives as domestic violence. West Bengal recorded the highest incidence of domestic violence cases followed by Rajasthan and Uttar Pradesh. The two focus states of Oxfam India – Bihar and Jharkhand – are at 11<sup>th</sup> and 16<sup>th</sup> positions with 4672 and 1462 cases respectively<sup>6</sup>.

In 2014, however, for the first time NCRB included data on the number of cases filed under the Protection of Women from Domestic Violence Act, 2005 (PWDVA)<sup>7</sup>. 426 cases<sup>8</sup> were reported from across India. However, it could be safely said that the data related to violence is not comprehensive given the sensitivity of the issue<sup>9</sup>.

Despite the under reporting, the numbers are striking and worrisome. The patriarchal society and norms attributing a lower status to girl child makes women vulnerable to various forms of violence. This is further accentuated by a poor sex ratio, low literacy rate, economic dependence and dismal poverty levels. These social norms are so deep set that women

### CASES FILED UNDER PWDVA IN 2014



Source: NCRB, 2014

themselves do not consider it as a violation of their rights and hence demand no justice either from the formal or informal justice system.

Oxfam India, through different networks and women's rights organisations, has been working on changing social norms, mobilising the community, and engaging with key stakeholders to end VAW. In 2013, Oxfam partnered with a network of six NGOs – RAHAT, Muzzafarpur Vikas Mandal, Nari Gunjan, Nirman, Disha Vihar, and Samajik Chetna Kendra – to promote violence free lives for women in 120 villages in six districts in Bihar<sup>10</sup>. The network is led by RAHAT – Rapid Action for Human Advancement Tradition. RAHAT, a women's rights organisation based out of Kishanganj, works with a mandate to ameliorate poverty, generate awareness and build capacities of the marginalised section of the society in general, and of women in particular. The project focused on promoting non-formal justice mechanisms through the 'Mahila and Yuva Dastak Samitis'.

In Jharkhand, Oxfam<sup>11</sup> joined hands with Jumav Manch, a network of 19 women's rights organisations, in 2003. Jagruk Samitis were formed to empower elected women representatives (EWR) at the village level; it helped that Jharkhand provided for the inclusion of 50 per cent women in the Panchayati Raj Institutions (PRIs)<sup>12</sup>. Oxfam India-Jumav Manch have developed a federation that demands entitlements and advocates for reducing gender inequalities, and reducing social acceptance of violence. In Jharkhand, Oxfam India works in 15 districts through the Manch.

# MAHILA DASTAK SAMITI IN BIHAR

*Mahila Dastak Samiti* was conceptualised as the first place women could go and 'knock at' in distress. It was designed to be a safe space for women to share their experiences of domestic violence and find solutions for putting a stop to the same.

"Members of the *Mahila Dastak Samiti* receive formal orientation on gender rights and the services they can access. Victims of domestic violence bring their grievances and the platform deliberates on it. Joint discussions with both parties are held to achieve mutual resolution and to ascertain actions needed at different levels for supporting women," explains Shiv Kumar Sah, documentation officer, RAHAT. The *Samiti* is headed by a chairperson and secretary; they are selected from among the members. They meet once every month.

The *Mahila Dastak Samitis* were formed in 120 villages in 24 panchayats of the six districts of the state. The challenge lay in its formation; the first step was mobilising women to attend meetings and trainings. Women were reluctant to come to these meetings and be a part of the *Samiti* because of a strong cultural norm that domestic violence is a 'private and personal issue' and should remain so. "In these parts, women are not even allowed to speak in general, forget about talking about domestic violence. Once a woman's husband came to our meeting and threatened to beat me as well as his wife if she discussed domestic issues outside the home," says Soni Devi, community mobiliser, Munger district.

The first few months were spent in talking to people in every household in the village. An environment was created for women to come and meet at one place to talk about issues of discrimination and violence. "Initially we did not understand discrimination and violence. When issues like patriarchy and domestic violence were discussed in the training we connected it to our experiences. It is then that we realised that we also have the legal right to demand justice. This was the first step in the formation of the *Samiti*," recalls Leela Devi, *Samiti* member, Teusa village, Kishanganj.

Though women started coming to the meetings there was the issue of women retracting their complaints following backlash from their families and recurring incidents of domestic violence. These issues were tackled by repeated interactions with the survivors. "The survivors were given

the confidence that the support structures will facilitate and support their fight against violence. This ensured a gradual rise in the access and sharing of experiences of violence in these *Samitis* by women," explains Shivani Kumar, community mobiliser, Patna.

When a survivor comes with her grievance her case is discussed in detail in the presence of all the *Samiti* members. A discussion on probable solutions ensue. If the survivor wants the *Samiti* to pursue her case, she files a written application. Once an application is filed, the *Samiti* members visit the family of the survivor. They go in groups so that they can counter any chances of backlash from the survivor's family.

Though men are not part of the *Samiti*, a few identified as the important voices in the society, are brought on board. They accompany the members when they visit homes of the survivors for talks. Discussions are held and if a mutual consensus is reached, the terms and conditions are drawn in a bipartite contract or the '*Iknama*'. This informal agreement is signed between the survivor and the family, with a *Samiti* member as a witness. Though not a legal document, the contract becomes a record for all future reference.

Roshan Ara recalls an incident when a woman, deserted by her husband, demanded maintenance. The family insisted on a divorce. "After so many years of separation, the girl only wanted the security of financial support. The *Samiti* met each member of the family, persuaded them to understand her point of view. And we were able to get her maintenance." Roshan is the chairperson of the *Mahila Dastak Samiti* at Teusa village in Kishanganj district.

The *Samiti* seeks the involvement of local elected bodies' in certain cases. Domestic violence clubbed with property conflicts and possibilities of *iknama* being unfulfilled are a couple of such cases. The involvement of the panchayat can be solicited in case of a referral by the local police station or if any of the parties (the survivor or the family) requests so. For instance, if a case of domestic violence, with a severe threat to life, is lodged with the local police, they are most likely to label it as 'personal issues' and send it to the panchayat. The '*Gram Kacheri*'<sup>13</sup> facilitates the involvement of the panchayat in such cases.

The *Samiti* also uses the Helpline, a crisis intervention centres for VAW initiated by Bihar government in 1999, to provide justice to the survivors of domestic violence. Following the enactment of the PWDVA, the Bihar government notified the existence of a statewide Helpline with Protection Officers (POs) for implementation of the Act and identified NGOs as service providers. Though the *Samiti* might facilitate the introduction of the Helpline, the survivors could also approach it directly.

However, the role of the Helpline remains limited as there are no Protection Officers (POs) and inadequate interim arrangement providing multiple support to the violence survivors at the block or



Meeting with *Mahila Dastak Samiti* members at Salki Panchayat, Kishanganj (Bihar)

the district level. "A survivor needs access to multiple services like legal support, short stay facilities, medical help, child care facilities, and police intervention. There is a need for different platforms to offer linkages to women. Today, *Mahila Dastak Samiti* is not just mediating cases at village level. They are emerging as the support system for survivors of violence and as a referral point for all the services needed by women. The *Samiti* has given voice to women from the villages to identify domestic violence as a legal violation and fight it," says Farzana Begum, secretary, RAHAT.

RAHAT is part of a Family Counselling Centre (FCC) run at the SP's office in Kishanganj every Saturday<sup>14</sup>. The Centre includes a public prosecutor, member of district child welfare

committee, a police inspector and the Helpline representative, who at present is the secretary of RAHAT.

The *Mahila Dastak Samiti*, now, advocates for the implementation of the Domestic Violence Act at the block and district level. *Yuva Dastak Samitis* were formed on similar lines to complement the work among the youth and tackle issues like child marriage and right to education. The only difference is that most of its members are educated and it has boys in them as well. "After I became part of *Yuva Dastak Samiti*, I realised what my family inflicts on my sister-in-law is also violence and I started intervening at home. Then gradually, I started working for other girls too and offer support to the *Samiti*," says Anjana Devi of the *Yuva Dastak Samiti* at Teusa Village.

## JAGRUK SAMITI IN JHARKHAND

Jharkhand's unstable political environment and low priority status accorded to issues related to domestic violence has impacted the setting up of any effective institutional mechanism for advancing policies and programmes to address VAW, including the implementation of the PWDVA. However, the inclusion of 50 per cent women in the PRIs created an opportunity to provide support structure to respond to violence, through the strengthening of its elected women representatives. This was made possible through the formation of *Jagruk Samitis* at the village level. The *Samitis* made in partnership with the Jumav Manch works in 190 villages of 38 blocks in 15 districts of Jharkhand. The *Samiti* has its roots in the 'We Can Campaign'<sup>15</sup>.

It all started when groups of 10-12 women came together to form pressure groups in each village and were trained to work as grassroots advocates on VAW. They continued to work as pressure groups till 2010 when Jharkhand held its first Panchayat elections and 190 women stood for elections. Of these 190, 112 won. From this win emerged a new nomenclature '*Jagruk Samiti*'. The membership then was opened to men as well.

A *Jagruk Samiti* comprises 12-15 members; men comprise 20 per cent, the rest are EWRs, government frontline workers such as Accredited Social Health Activist (ASHA), Auxiliary Nurse Midwife (ANM) and *Anganwadi* workers, and women from the community. Each *Samiti* selects a president, secretary and treasurer; meetings are held every fortnight. These are federated at the block level with the president and the secretary representing each village *Jagruk Samiti*. The block level federation has 5-6 members from block level panchayat, and academicians. This is further federated at the district level comprising 50 per cent members of the block federation and 50 per cent members representing Zila Parishad, legal activists, NGOs, and members of district level *Jagruk Samiti* federation. Both the federations meet once every quarter to discuss pending actions.

One of the key roles of *Jagruk Samiti* is to discuss and mediate to resolve cases of VAW. Once the *Samiti* receives a complaint,

a joint meeting – with the complainant and the defendant – is called. Gudiya Kumari of Mahuda village in Dhanbad filed a case with the village *Jagruk Samiti* after she found that her husband was already married and a father of three children. She was also abused for dowry. After the intervention of the *Jagruk Samiti* with the family, it was decided that all cash and gifts brought with her during the wedding would be returned to her and all relationship with the man severed. The *Samiti* in fact supported her to marry again.

The cases that are not resolved at panchayat level are often difficult to address, as Jharkhand doesn't have functionaries and structures to address cases of VAW except through a police station, which is often not helpful in civil remedies as in a domestic violence case. In the absence of organised facilities, complete with POs, *Jagruk Samiti* attempts taking up these issues at federation level meetings and take actions against some key factors impacting violence. For instance, alcohol was identified as a contributor to increased incidence of violence and women decided to challenge it through the *Jagruk Samitis*. Lufutand village in Dhanbad was one of the first few villages where the *Samitis* first informed the police and took out a rally to close the local liquor shop. Once the word spread, many other panchayats took it up and closed local liquor shops. This



Women being briefed about domestic violence at a *Jagruk Samiti* meeting

led to an empowered group of women and an enhanced faith of the community in the power of *Jagruk Samiti*.

Though the *Jagruk Samiti* continues to face multiple challenges due to lack of devolution of powers to the panchayat and poor implementation of the Domestic Violence Act in Jharkhand, community mobilisers have been critical in taking up the cause. There are 19 village-level community mobilisers. Oxfam India-Jumav Manch trains them on issues such as child marriage, women's rights, PWDVA, trafficking and safe migration, Panchayati Raj Act including Panchayat (Extension to Scheduled Areas) Act, and the government social service structure available at the village level. Each community mobiliser holds the responsibility of 10 villages in a block and meet on a quarterly basis to highlight the local issues and plan innovative strategies for the same. The Jumav Manch Secretariat holds quarterly meetings and uses opportunities such as 16 days of activism<sup>16</sup> to send messages regarding violence against women across the state so that necessary structures and provisions are instituted for effective work by the state in the future.



Women and young girls attend *Jagruk Samiti* meetings organised by SPARK

## NOTES

- 1 Bihar, Chhattisgarh, Jharkhand, Odisha, Uttar Pradesh, and Assam
- 2 Jumav Manch is a network of 19 NGOs from Jharkhand on gender justice and governance theme. Its establishment was facilitated by OXFAM in 2004 when We Can Campaign was first launched in the State
- 3 RAHAT, Muzzafarpur Vikas Mandal, Nari Gunjan, Nirman, Disha Vihar, Samajik Chetna Kendra
- 4 Vaishali, Muzzafarpur, Madhubani, Munger, Patna and Kishanganj are the six districts being covered in Bihar by OXFAM partnership on promoting violence free lives for women
- 5 <http://ncrb.nic.in/> [as viewed on Feb 29, 2016]
- 6 <http://ncrb.nic.in/> [as viewed on Feb 29, 2016]
- 7 The Protection of Women from Domestic Violence Act 2005 (PWDVA) was enacted on 26th October, 2006 and provides for more effective protection to women victims against violence of any kind occurring within the family. The PWDVA is a progressive legislation that for the first time defines 'domestic violence' and affirms the right of a woman to lead a violence-free life. It provides civil remedies in the nature of protection orders, residence orders, maintenance, compensation,

and temporary custody orders to women facing domestic violence within the home. The state government is responsible for appointment of Protection Officers and registration of Service Providers and notification of medical facilities and shelter homes

- 8 PWDVA is a Civil Act and the numbers recorded in the NCRB are those of non-compliance compiled by the CJI
- 9 For more read: Implementing the PWDVA: Safeguarding women from Domestic Violence | policy brief No 14, October 2015 | [https://www.oxfamindia.org/sites/default/files/PB-Implementing-PWDVA-Safeguarding-Women-from-Domestic-Violence-261015-ENG\\_0.pdf](https://www.oxfamindia.org/sites/default/files/PB-Implementing-PWDVA-Safeguarding-Women-from-Domestic-Violence-261015-ENG_0.pdf)
- 10 Nari Gunjan works in Patna, Nirman in Vaishali, Disha Vihar in Munger, Vikas Mandal in Muzzafarpur, Samajik Chetna Kendra in Madhubani and RAHAT in Kishanganj
- 11 The partnership between Jumav Manch and Oxfam began in 2003; it continued after Oxfam India was formed in 2008
- 12 Refer to Oxfam In Action (no. 18) Increasing Women's Leadership and Rights in Governance Processes in Jharkhand and Uttarakhand
- 13 The Panchayati Raj Act 2006 denotes the constitution of Gram Katchahry in every Gram Panchayat for a period of five years. The voters

of a Gram Panchayat directly cast their votes and elect the Sarpanch and Panch of the Katchahry. The Katchahry have the powers of a Civil Court under the Code of Civil Procedure, 1908 and is assisted by a Secretary and *Nyay Mitra*

- 14 This committee is constituted by SP of Kishanganj in order to provide counselling to the cases of VAW. Therefore it consists of people from child welfare, public prosecutor, police inspector from Mahila Thana and one representative from RAHAT
- 15 We Can Campaign is a global campaign of OXFAM International that aims to end violence against women; undoing the shame and stigma attached to it and changing the social attitudes that support it. In 2004, Jumav Manch had partnered with OXFAM for the campaign whereby domestic violence was taken up as the primary issue for advocacy
- 16 The 16 Days of Activism against Gender Violence is an international campaign that starts on 25 November, International Day for the Elimination of Violence against Women and ends on 10 December, Human Rights Day. The campaign hopes to raise awareness about gender-based violence as a human rights issue at the local, national, regional and international level. (<http://www.amnesty.org/en/womens-rights/16-days> as viewed on Nov 13, 2014)

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