



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

India*

Report on an exceptional basis

Follow-up report to the combined second and third periodic report of India: issues related to the impact of the Gujarat incident of 2002 on women

During the State party's presentation on the combined second and third period report,¹ the Committee on the Elimination of All Forms of Discrimination against Women, in paragraph 68 of its concluding remarks,² requested a follow-up report on the impact of the Gujarat incident of 2002 on women. In this connection, the responses to the questions posed by the Committee are as follows:

(a) **Information disaggregated by sex on the 2,000 or so cases relating to the massacres that have been reopened and the resolution of these cases**

The cases of 169 persons (146 male and 23 female), who had been reported killed in 2002 in Gujarat, have been reopened and charge sheets have been filed in 12 cases of males and 1 case of a female.

(b) **Information on the number of cases of sexual assault and violence against women that have been reported and the resolution of such cases**

A total of 19 cases of sexual assault and violence against women had been reported. These were from the following places:

* The present report is being issued without formal editing.

¹ CEDAW/C/IND/2-3.

² CEDAW/C/IND/CO/3.



| | |
|------------------------|---|
| Ahmadabad: | 2 |
| Kheda District: | 4 |
| Anand District: | 1 |
| Ghandinagar District: | 1 |
| Sabarkantha District: | 2 |
| Rajkot Rural District: | 1 |
| Godhra District: | 6 |
| Dahod District: | 1 |
| Valsad District: | 1 |

(c) Information on victim protection measures and other measures to support victims that have been put in place and the impact of such measures

Police protection has been provided to the victims in Ahmadabad, Surat, Godhra, and the Dahod and Valsad Districts in order to stop further suffering to the victims. Information about protection provided to the witnesses in major cases is given in the following table:

| <i>Sl. No.</i> | <i>Police Station/CR No.</i> | <i>No. of witnesses</i> | <i>Nature of protection provided</i> |
|----------------|--|-------------------------|--|
| 1. | Prantij 26/02 | | No witness had demanded protection; hence no personal protection was given; however, patrolling by local police is continuing. |
| 2. | Godhra Railway Police Station 09/2002 | 8 | <ul style="list-style-type: none"> • One armed police constable each to 2 witnesses • 1+2 armed party to 1 of the witnesses • 1 SRP PSO to each of the 4 witnesses • 1 witness had denied protection in writing, hence no protection was provided • In addition, patrolling by local police as well as by the paramilitary force Central Industrial Security Force (CISF) was provided. |
| 3. | Vijapur 46/2002 | 9 | <ul style="list-style-type: none"> • Every witness was provided with 1 armed police constable • 1+4 armed guards were provided at Satnagar village • 1 police constable and 1+3 guards of SRP were deputed at village Sardarpura • Patrolling by local police was provided. |

| <i>Sl. No.</i> | <i>Police Station/CR No.</i> | <i>No. of witnesses</i> | <i>Nature of protection provided</i> |
|----------------|------------------------------|-------------------------|--|
| 4. | Meghaninagar 67/02 | 41 | <ul style="list-style-type: none"> • 1 armed police constable to each of the 40 witnesses • Round-the-clock 3 SRP PSO protection to one of the witnesses • Patrolling by local police and CISF was provided. |
| 5. | Naroda 100/02 | 96 | <ul style="list-style-type: none"> • 1 armed police constable to each of the witnesses • Patrolling by local police and CISF was provided. |
| 6. | Khambholaj | 2 | <ul style="list-style-type: none"> • Two armed police constables to Vinaben M. Patel and Sumitraben B. Patel from 24 August 2003 onwards • No other witnesses had demanded protection • One section of BW/HG was assigned to Suravali Bhagol and Piravali Bhagol villages. • Police Sub Inspector, 1 Assistant Sub Inspector and 3 police constable of OAD Out Post visited frequently the witnesses • ½ Section of BG/HG was assigned to Bhalej village as some of the witnesses were residing there. • Patrolling by local police and CISF was provided. |
| 7. | Khambholaj 27/02 | — | |
| 8. | Visnagar 60/02 | 4 | <ul style="list-style-type: none"> • 2 SRP personnel to each one • Patrolling by local police was provided |
| 9. | Naroda 98/02 | 3 | <ul style="list-style-type: none"> • 1 armed PC to each one • Patrolling by local police was provided |
| 10. | Khanpur 111/02 | 5 | <ul style="list-style-type: none"> • Fixed point of 1+3 SRP at Pandarvada village • Patrolling by local police and CISF was provided |

| <i>Sl. No.</i> | <i>Police Station/CR No.</i> | <i>No. of witnesses</i> | <i>Nature of protection provided</i> |
|----------------|------------------------------|-------------------------|---|
| 11. | Khanpur 13/02 | 4 | <ul style="list-style-type: none"> • Patrolling by local police as well as by CISF was provided |
| 12. | Kalol 60/02 | 1 | <ul style="list-style-type: none"> • SRP Head Constable-1 and police constable-4 • HQ of SRP platoon was located at this village • Patrolling by local police and CISF was provided |
| 13. | Kalol 36/02 | 3 | <ul style="list-style-type: none"> • SRP Head Constable-1 and police constable-1 to each of the witnesses • Fixed point of 1+3 SRP were located at this village • Patrolling by local police and CISF was provided |
| 14. | Kalol 222/02 | | <ul style="list-style-type: none"> • No one had demanded protection • Frequent patrolling by local police and CISF was provided. |

(d) Information on arrests made and punishments imposed, including on State officials who were found to be complicit in such crimes

Details of the number of arrests made and punishments imposed were as follows:

| <i>District</i> | <i>No. of cases</i> | <i>No. of accused arrested</i> | <i>Status of case</i> |
|----------------------|---------------------|--------------------------------|-------------------------------|
| Ahmadabad city | 02 | 05 | Trial stayed by Supreme Court |
| Kheda District | 04 | 17 | 12 convicted |
| Anand District | 01 | 30 | Pending trial |
| Gandhinagar District | 01 | 01 | Aquittal |
| Sabarkantha District | 02 | 17 | Aquittal |
| Rajkot Rural | 01 | 00 | Undetected |
| Godhra District | 01 | 70 | Pending trial |

| <i>District</i> | <i>No. of cases</i> | <i>No. of accused arrested</i> | <i>Status of case</i> |
|-----------------|---------------------|---|---|
| Dahod District | 01 | 20 including 2 Deputy Superintendent of Police, 2 Police Sub Inspector, 2 Head Constables and 2 Medical Officers | Bilkis Bano case was investigated by Central Bureau of Investigation. As per Supreme Court order dated 16 August 2004 in transfer petition (CrI) No. 192/04 the case was transferred to Session Court of Justice U.D. Salvi, Greater Mumbai. Trial Court had convicted 11 accused while 9 accused had been acquitted by trial court's order dated 21 January 2008 |
| Valsad District | 01 | 00 | A summary filed on 15 May 2002 |

(e) Information on the gender specific measures taken by the State party to rehabilitate and compensate women victims of such crimes and the number of women who have benefited from such measures

The following measures had been taken to rehabilitate the victims:

- A scheme of providing vocational training to the women riot victims staying in the relief camps was implemented by the state Government with the help of the Norwegian Agency for Development Cooperation (NORAD) training programme and 5,731 women were provided with training for different trades.
- A survey was undertaken of orphan children and widows who were victimized by communal riots and had taken shelter in the relief camps. This was done with the cooperation of NGOs like Child Line Organisation, ASAG, SEWA, AKHAND JOYT FOUNDATION, H.K. JANI Organisation, etc.
- Rs. 824,857 was paid as financial assistance under Scheme of Financial Assistance for widows to 480 women affected by riots and who were residing in relief camps.
- 2 riot affected children from the relief camps were covered under foster-care scheme. Rs. 500 per month had been sanctioned to them as assistance till they attain the age of 18 years.
- 334 children were covered under the scheme of assistance run by National Foundation for Communal Harmony, New Delhi. Follow-up work under this scheme was being carried out in coordination with all the District Collectors.
- 3 persons who had become disabled during riots and were taking shelter in the relief camps were provided with a disability card to make them eligible for free of charge travelling in State Transport Buses.
- The communal riots caused severe mental distress and trauma especially among women and children. To establish infrastructure for counselling of the affected women and children in relief camps in the State, the following steps were taken. Counsellors from various NGOs were volunteered to provide services to women. A training camp was also organized at the Gandhi Labour Institute for three days on 30 May-1 June 2002. Trauma counselling work was undertaken by 33 trained counsellors from May to August 2002 (about four months), and following number of people benefited:

| Type of beneficiaries | No. of beneficiaries | | |
|-----------------------|----------------------|--------|--------|
| | Male | Female | Total |
| 1. Children | 1 522 | 2 302 | 3 824 |
| 2. Adolescents | 1 065 | 2 042 | 3 107 |
| 3. Adults | 831 | 3 474 | 4 305 |
| 4. Old age | 4 306 | 11 565 | 15 871 |

(f) Information on compensation awarded to women victims, especially of violence against women

The State Government through Gujarat Women Economic Development Cooperation had proposed training programme under NORAD to the riot victims who were staying in the relief camps. The Government of India had sanctioned Rs. 23.6 million for organizing training for rehabilitation of the riot affected women. State Government had spent Rs. 23 million for vocational training classes in all districts.

(g) Information disaggregated by sex, on the 5,000 or so Muslim families displaced by the violence and measures taken by the Government for their resettlement and rehabilitation

There were 86 colonies in different part of Gujarat housing 3,644 riot affected families with population of 19,107. In many of the colonies there was availability of varying levels of household and general civic amenities. However, considerable amount of rehabilitative work was done in terms of providing individual entitlements in these colonies as per details given below:

1. Primary schools with midday meal centre in all the 86 colonies within a distance of 2 km.
2. Fully functional integrated Child Development Service Centers, providing services for health, nutrition and development of children in 85 colonies.
3. Public distribution shops in all the 86 colonies, within a distance of 3 km, providing subsidized food grains.
4. Most of the families were given ration cards, with 3,322 families getting Antodaya cards making them eligible to get food grains at highly subsidized rates.

(h) Information on measures taken to enable economic rehabilitation of the affected communities and rebuilding of basic infrastructures destroyed during the riots

Following measures had been taken for economic rehabilitation:

1. As per the provisions made by Government in Revenue Department's resolution dated 20 March 2002, Rs. 178.2 million has been paid in rural areas to 11,204 beneficiaries under Indira Awas Yojna.
2. Rs. 122.8 million has been paid to 18,037 beneficiaries in urban areas under Valmiki Awas Yojna. This amount has been paid from the Central Government's package of Rs. 1.5 billion.

3. Further, a Scheme has been implemented by the State Government through Gujarat Women Economic Development Cooperation under NORAD training programme to provide vocational training to the riot affected women staying in the relief camps and 5,731 women were provided with training for different trades.
