

The Journey of Saraswati Bai

VISHAL JAMKAR

Physical violence, abuse and desertion failed to break Saraswati bai's spirit. With support from her SHG, CRP and her lawyer, she not only became financially self-sufficient but also succeeded in challenging the social norms of the village

Saraswati bai belongs to Gowadi village in Shahpur block, Betul district, Madhya Pradesh. Saraswati bai, like many others, is a Gond. Her village is dominated by Gonds. Cases of violence are common in the area; however, these are not reported. A single mother of a teenage daughter, it took 16 long years for Saraswati bai to file a case against her husband and her in-laws. The husband, apart from causing physical injury to Saraswati bai, had deserted her when she was pregnant. The physical violence, as evident from the burn marks on her face and neck, was of such extreme nature that Saraswati bai deems herself lucky to be alive. Actually Saraswati bai was asleep at the time, and is not sure whether it was her husband or in-laws who set her on fire.

After many years of torture, Saraswati bai finally returned to her maternal home in 1993. Sustaining herself was her biggest challenge. In 2005, she joined a Gowadi-based SHG called Belakali Mahila Samiti. The SHG was being promoted by the Narmada Mahila Sangh—the larger federating body of SHGs organized by PRADAN in the region. Initially skeptical of the SHG model, she would often discourage other SHG women members of her village from attending such meetings, or even placing their concerns out in the open. However, her opinions underwent a transformation after she noticed the many positive changes the SHGs had succeeded in ushering.

Saraswati bai had a daughter to take care of. Setting aside her psychological trauma or, perhaps, burying it deep within, Saraswati bai took up to goat rearing, with an initial loan from the SHG. The income from goat rearing was crucial in supporting the two of them and in providing for her daughter's education.

Soon after, in 2006, she attended training programmes on gender empowerment. The first of such meetings was organized in Saharanpur. On being asked by one of the participants at the training about the ghastly burn marks on her neck, she for the first time publicly narrated her life's struggle. The training in Saharanpur was followed by another at the PRADAN campus in Kesla. Both the training programmes focused on how women could seek legal recourse in times of distress. The programmes shed light on the procedures, laws, sections, enabling policies and



provisions that make it possible for women to assert their rights more fully. Saraswati bai says that these programmes helped her discover a different energy and strength within herself.

The training programmes became the turning point in Saraswati bai's life. She returned with the faith that she deserved something better; that it was after all her right to claim maintenance and seek justice for the way her husband had treated her. The SHG of which Saraswati bai was a member played a very important role at this stage. The federation took the initiative and with the help of a few members of her group succeeded in calling

for a village-level meeting to address the injury and hurt that had been caused to Saraswati bai. The meeting, which took place in June 2007, sought the presence of the Saraswati bai's in-laws and other close relatives, residing in the same village. The husband, by this time, had absconded. The meeting came to naught when the in-laws refused to support the needs of Saraswati bai. They also reminded Saraswati bai that her husband had re-married.

When the news of this decision reached the husband, he somewhat half-heartedly conveyed through his relatives that Saraswati

bai could go and stay with his parents but he made no promise whatsoever to ensure her safety in the house; he offered no guarantee whatsoever that his parents and siblings would not cause harm. The husband declared that this was the only offer he could make, and there was no chance of him paying any maintenance.

This was the last straw; Saraswati bai, supported by other group members, decided to file a case at Bhoura police station. In addition, they filed a case at the Betul district court, with the assistance of the *Vidhik Sahayta Kendra*, namely, Legal Aid Centre. The *Vidhik Sahayata Kendra* extends its services to the marginalized sections; this includes members of the lower castes, especially women, children in distress, physically challenged, the unemployed and the aged. The services of the Kendra are free for those whose annual income is less than Rs 25, 000.

However, the public prosecutor to whom Saraswati bai's case was referred to by the *Kendra* did not pay much attention to her case and kept on delaying her hearings. In fact, the public prosecutor failed to verify the address of the respondent, namely, the husband, on account of which the court summons were delivered to a wrong address. This prolonged the case. In December 2008, Saraswati bai, along with the support and guidance of the other SHG and federation members, decided to file the case in Bhopal. This was not an

It was not usual for women to participate in gram sabhas because it has always been attended by men in the past. However, this time, the women decided to change the norm. When women tried to attend the gram sabha, the men, especially the Sarpanch, questioned the women on their presence in the gram sabha. Saraswati bai replied that it is their right just as much as that of the men to attend and participate in the gram sabha.

easy decision because Bhopal was a distant town. The support PRADAN offered at this stage by identifying a sensitive lawyer, Sadhna Pathak, was critical. Advocate Pathak's willingness to take on the case, in turn, became reason for Saraswati bai to move her case to a higher and more appropriate bench.

Pathak's help and Saraswati bai resolve saw them winning part of the case, under section 125 of the Criminal Procedure Code of 1973. The court decided that Saraswati bai would be paid Rs. 3,000 per month by her husband towards the expenses of their daughter. Later, as per the Domestic Violence Act of 2005, it was decided that she would be paid Rs 4,000 per month. This made it a total of Rs. 7,000. As part of the more recent developments, the court ordered that the husband be arrested and produced before court because he had defaulted in the payment of maintenance as instructed by the court.

The court also considered the physical violence that has been inflicted upon Saraswati Bai more seriously. Though the accused, namely, the husband and his parents, had initially rubbished Saraswati bai's claims of physical violence and even gone to the extent of saying that her burn marks were on account of the bursting of a stove, the court is now eager to preside over the details of the matter yet again. This will make the corrective action being undertaken against the husband more stringent. The court has demanded an account of the expenses

incurred for the treatment of Saraswati bai after her burns in 1993, and the matter is being processed with the court.

All the positive results can certainly be attributed to the strong resolve of Saraswati bai, backed by Geeta bai, the Community Resource Person (CRP) of the Narmada Mahila Sangh and advocate Sadhana Pathak. The federation members and CRPs had attended gender training programmes, followed by legal training; both Saraswati bai and Geeta bai were part of these. Geeta bai accompanied Saraswati bai to Bhopal for every hearing. What is equally interesting is that the change has not stopped with Saraswati bai's need for her own dignity and justice. In late 2007 itself, Saraswati bai had begun to question the structures around her and thought that women should have as much of a right to participate in the decision-making of the *gram sabha*. Saraswati bai organized the SHG members of her village and encouraged them to attend one of the *gram sabhas* on 26 January 2007.

It was not usual for women to participate in *gram sabhas* because it has always been attended by men in the past. However, this time, the women decided to change the

norm. When women tried to attend the *gram sabha*, the men, especially the *Sarpanch*, questioned the women on their presence in the *gram sabha*. Saraswati bai replied that it is their right just as much as that of the men to attend and participate in the *gram sabha*. The men were equally resolute. Seeing this, Saraswati bai announced that if they were not allowed to attend the *gram sabha*, the women would stage a hunger strike. Initially, the men chose to ignore this warning. But the women under Saraswati bai's comradeship refused to budge. They stayed till the next day at the site of the *gram sabha* without having a morsel of food. This drastic and unique step—the first of its sort—was strong enough to move the administration. The very next day, the CEO of Shahpur block visited the village. He took stern steps against the people, who opposed these women, and a police complaint was lodged against one of the *panches*. The men backtracked and the women were accommodated in the *gram sabha*.

The journey all began with one case, one step, one effort for justice. The legal case Saraswati bai has so ardently fought has become a milestone for the members of the federation and women in the area.