

PROBE GIMMICK

Sexual offences constitute an altogether different kind of crime, which is the result of a perverse mind, which results in the commission of rape. In recent years, we have noticed that crimes against women are on the rise. In just a span of less than a month, four rapes took place and that too by the security forces. These crimes are an affront to the human dignity of the society. Imposition of grossly inadequate sentence and particularly against the mandate of the legislature not only is an injustice to the victim of the crime in particular and the society as a whole in general but also at times encourages a criminal. The government has an obligation while awarding punishment to impose appropriate punishment so as to respond to the society's cry for justice against such criminals.

The heinous crime of committing rape on a helpless ten-year-old-girl Shabnum Rashid in Badrapayeen area of Kupwara shakes our conscience.

A minor girl of 10 years was ravished by the respondent on November 6 at about 10 pm taking advantage of her helpless state. Rape not just destroys the entire psychology of women but pushes her into deep emotional crisis. It has to be borne in mind that no punishment can compensate the loss of the child or the woman has suffered. It would be an added insult after the entire ordeal the accused escapes unpunished, which happens in most of the cases.

The criminal justice system reform is perhaps slowest when it comes to dealing with protection of victims. While it is true that there are serious human rights violations of the accused persons in various cases, in a rape trial, as in most of the offences against women and children, the system makes a complete turn and the victim is subjected to extreme stress and trauma before and during the trial. It has been held in the Supreme Court guidelines that when a woman complains of rape and identifies the accused, it would be sufficient to convict the accused on the basis of her statement alone even if the medical evidence is not conclusive.

However, the coalition state government has gone astray with 68 probes including 4 rape probes ordered till November 28. The probes ordered from time to time have not served the purpose. The probes have not prevented excesses and the people continue to suffer at the hands of the state and non-state actors. On November 6 and 8 two probes were ordered by the army and the government into the Handwara rape of a woman and her minor daughter. A woman from Sopore was taken to a guesthouse on her arrival from Jammu and gang raped. A few days later another woman was raped at Mattan in South Kashmir. All this happened in a span of ten days. And in all the cases men in uniform were involved. Instead of hanging its head in shame, the government shamelessly gave a new dimension to the Handwara rape, which said the major was not a Hindu as projected by the local press. Even if the rapist is a Muslim does it dilute the gravity of the crime in any way? On the other hand it makes the crime more heinous. Just imagine a Muslim committing a rape in the holy month of *Ramadan* (Fasting month of Muslims)? A rapist has no religion. A person who can rape a minor can neither be a good Muslim nor a good Hindu. Instead of shielding the rapist in such a crude way, the government should have put its foot down firmly and taken action especially when the chief minister justifies acts of violence in the every nook and corner of the valley following rape of a minor. The government has proved through its conduct that the probes ordered by it till date has been a mere eyewash and aimed at misleading public opinion. These probes have also proved that the government instead of taking action against the perpetrators of excesses is more interested in shielding them to uphold their morale. The state government has its compulsions and limitations but its inaction is telling upon its credibility.

Let the probes ordered by the Mufti led coalition government be taken to their logical end. Let the government fix responsibility for various crimes committed during this regime and let the culprits be brought to justice. If the government is not in a position to take the probes to logical end, if it is not in a position to exercise control over the men in uniform let it seek an apology from the people and step down. Recently, the reduction in the army came as another political gimmick on part of the government to befool the people, with ever increasing human rights violation.

Nov 26: The Jammu and Kashmir Coalition of Civil Society (JKCCS) organized a two-session programme on November 26, in the honour of Aasia Jeelani who lost her life in a landmine blast en route an election monitoring campaign in Kupwara in north Kashmir on 20th April this year.

The programme constituted of debate on National Heroes, Robert Thorpe award ceremony, Book release "Aasia -Martyr of peace" and screening of film "Aasia- A quest for justice".

Bordering over peoples resistance against injustice, the seminar reflected the constant dichotomy Kashmir's history has undergone over the decades.

President, JKCCS Parvez Imroz in his keynote address described the coalition as entirely a people's initiative and sought co-operation from the conscientious sections of the society in the espousal of Kashmir cause.

Acknowledging the role of Aasia, Mr. Imroz said, "She is an idol for all women. The conviction and determination with which she worked is commendable". Adding further, he said, "We mourn the loss of Aasia not just as an individual but more for the reasons that her death at the prime age is the death of a dream which without her may not accomplish. Her death has resulted into a terrible loss for the JKCCS, for the women's moment and particularly for the downtrodden sections of the women. The best way to pay tribute to Aasia is carry her mission with the same zeal and enthusiasm to which she was committed and to give her a rightful place in the history".

The first session of the programme triggered debate over Kashmir history. Terming distortion of history as a weapon of suppression, all the eminent speakers including noted journalist Ved Bhasin, Syed Noor-ul-Hassan, social activist Ghulam Nabi Hagro, human rights activist Gautam Naulakha and others expressed their solidarity for the need to write Kashmir history in the peoples perspective to safe guard against the obliteration of history which is most potent weapon of the colonists.

The debate was triggered by the JKCCS initiative to retrieve the noble and the revolutionary souls from the oblivion and accord them the due honor. While Muhammad Yaqoob Rafique, grandson of Abdul Salam Rafique was honored this year's national hero, Aasia was conferred with the prestigious Robert Thorpe award introduced last year. Thorpe an Anglo- Kashmiri was a revolutionary who struggled for Kashmiri rights during *dogra* autocracy.

Speaking on the occasion, all speakers expressed their sorrow for the untimely death of Aasia. In his speech, Gautam Naulakha thrusted for the peaceful solution to Kashmir imbroglio, which he added, had been more needed after Asiya's death. "Lest her martyrdom be in vain. Kashmiris must believe that commitment in inconvenient times is what distinguishes ordinary from extra ordinary. And yes such sheer"foolish" determination in the most adverse situation is what takes the movement forward. And yes it is my firm conviction born out of experience that sheer determination and hard work does pay dividend. Thus as far as I am concerned the one way in remembering Aasia's is to persist with the belief that people do make history" he said.

Speaking on behalf of the KWIPD, Naila Neelofar presented the overall scenario of the condition of women in conflict areas. During her speech she called upon the women to come forward and raise their voice against subjugation. Emphasizing the pain and agony that women have underwent during the past 16 years of conflict, Naila said it was high time that the sense of right and wrong of the nation be stirred. "Women have suffered, are suffering and in future if silence over women issues prevail as it has been till now they are likely to suffer".

The second session commenced with a book release 'Aasia- the Martyr of Peace' by Aasia's mother Jehan Ara Jeelani. Later Dr. Snober, Aasia's elder sister thanked JKCCS on behalf of her family members for honouring Aasia with the award. "We really feel honored. The lamp which Aasia has lit should be kindled", she gushed.

A documentary film Aasia- 'A quest for Justice' by Global Witness productions was also screened in which a brief introduction of Aasia's childhood, academic career, family life and her contributions towards highlighting the unheard voices was displayed. During the screening of the film sobs and sighs

could be heard from all around in the hall. Aasia's mother and sister could not contain their emotion. Two other women Parveena Ahanger (President of Association of Disappeared Persons) who is still seeking the whereabouts of her son and Mughli Begum (mother of disappeared) were also overwhelmed over the occasion.

Advocate Hafizullah presented word of thanks and concluded the whole programme.

DAUGHTER, MOTHER RAPED SPARKS PROTEST

- SHAIQ NAZIR

Baderpayeen is a quite hamlet of three hundred souls lying just two kilometers away from the main Baramulla-Handwara highway. The dull sunshine of the late fall season, completes the gloomy scene of the village. The whole area presents a haunted look, as if everything the landscape, the trees and the conscience of the people was raped. The alleged rape of a 10-year-old girl and her mother by a major of Rashtriya Rifles (RR) in Handwara area of Kupwara district on November 6 night sparked off several protests in the valley on November 8, when people came to know about the incident.

Over six thousand people held strong protests at Kralgund and blocked Baramulla - Handwara highway for over five hours. They raised slogans against the troops of 31 RR whom they alleged, raped 10-year-old Shabnum Rashid and her mother Aashia Begum, 29, w/o Abdul Rashid Dar at Baderpayeen

village of Saturday night. daughter rape involving an 30RR was the media. It was series of rape Indian forces, month of

The incident widespread from all sections parties their ideological

An FIR No 97/2004 was lodged in the Kralgund police station in district Kupwara by Abdul Rashid Dar s/o Ghulam Rasool Dar under section 451,376,354 RPC on 7-10-2004. In the FIR it has been stated the on Nov 6 Major Rehman (Fake name) and his accomplices after raping daughter mother duo also attempted to molest other women who were busy in rice husking. A complaint has also been filed to SP who further directed Dy SP for immediate action and submission of investigative report within 10 days. In the preliminary investigation, it was found that Aaisha and Shabnum were raped and other women molested.

Handwara on The mother-incident Army major of prominent in the third in a cases involving especially in the Ramadan.

received condemnation and political irrespective of differences. Dr.

Shubeena of sub district hospital Handwara confirmed the forcible act of rape after medically examining the victims. She also found bruises and other marks of physical violence on the minor Shabnum's body. The marks of semen were found on bodies and trousers of both. A team of doctors is likely to submit a detailed report to the authorities.

The JKCCS team accompanied by some lawyers of Handwara Bar visited the village on the 4th day after the incident. The villagers were busy in harvesting the paddy crop and carrying out their routine chores normally. They had come out and protested on the highway soon after the incident but the passions seemed to have cooled down, which was quite disturbing and unacceptable to mind. However, as the events in Abdul Rashid's household unfolded most of these brainteasers became self-explanatory.

Entering the one storey house of the victimized family, a pale girl covered in a blanket lied in a state of shock adjacent to her mother, who herself was the victim of the wrath of the major. The mother Aisha Begum was stone faced by now as she had answered queries ranging from Mehbooba Mufti to Yasin Malik and thus would react emotionlessly to our queries.

Deadpan while, Shabnum seemed to be in a state of shock, Aisha's face depicted the torments that overnight changed her and her daughter's life forever. Clutching hard besides her mother, both seem together whatever dignity was left of them. Narrating her saga Aaisha said, " This major is quite vocal and likes to be flanked with jawans around. Of course, he had crossed our house many times, but I never

interacted with him nor did my daughter. She is not even beautiful look at her," she said supporting her ten-year-old girl".

Breaking down, in a meek voice, she described the event that withered her soul, on that fateful night. "The army major barged into our room at 11pm where I and my four children were sleeping. My husband was not at home that night. First, he whisked away my eldest son Ghulam Nabi (12) to the neighbor's house and beat him mercilessly on the pretext that he possessed a 'set' (communicating device) and a pistol. Then he came back and began to gaze ferociously at my ten-year-old daughter. Pretending to inquire, he took her in another room and committed the act; after some time, he pounced on me and repeated his dirty intentions. Then again, for a second time he held my daughter and raped her".

While narrating, some more villagers and relatives had assembled in the room. "We maintained a silence till now but the major has crossed his limits, he has victimized a minor this time. Some months back he molested a girl in Deedarpora but that time we hushed up the matter to safeguard the honour of the adolescent girl. The local MLA or MP have failed to safeguard our security and moreover the police threatens the victims with dire consequences if they report," said Avatar Singh a resident of adjacent Deedarpora village. The Sikh and Muslim communities have been living in harmony and they could hardly recall any incident of cross firing or presence of militants in the village even during peak years of militancy. So there is no question of entering the houses on pretext of searching for militants and weapons. This statement also counter's the army spokesman Batra's statement in which he had said the family had liaison with militants and had given the major a clean chit.

"The Major is a maniac he is used to treat men and women in a 'similar way,' he has committed this act thrice with a good looking barber boy namely Manzoor Hajam. Some days back he again called the boy to the camp, who knowing his intentions tried to resist. But his family fearing repercussions from the major forced him to go. As presumed, the major sexually abused him. "In August this year, I was busy in the field I saw the major approaching towards me along his jawans, I could judge his intentions and hurried towards my home. He harasses us in other ways also; he once took my son's van and drove it all through the day on bad roads of the village. He returned it back in the evening in dilapidated condition. Taking men for forced labor is also his routine. He has made hell of our lives," said Fareeda sister of Abdul Rashid.

Incident	Agency Involved	Victim	Details	Result
Gang Rape	Security Forces	Woman	Army on 29 th Oct ordered a detailed enquiry in the alleged gang rape of a woman by some jawans. In the handout issued from PRO defence Udampur office, the army has denounced the gang rape of a woman in Srinagar hotel as a criminal act of the most horrendous nature.	No
Gang Rape	RR Personnel	Woman	The Deputy Commissioner Islamabad ordered probe into the gang rape of a woman by Rashtriya Rifles soldier on 4 th Nov 2004 in Sonabara, Mattan.	No
Rape	RR - Personnel	Mother - daughter duo	* Nov 6: The government has appointed Sharafat Ali Khan ADC as an enquiry officer who has been advised to conduct magisterial probe in to these allegations and ordered him to report the real facts of the case to government through DC, Kupwara within 10 days. Army ordered probe. Maj Gen Balhama of Kilo Force appointed Colonel Nandal as an enquiry officer and sought the services of a dy sp, from local administration to assist the enquiry officer and ensure transparency and impartiality in the investigation.	Major Rehman Hussain, a Rashtriya Rifles Officer, was dismissed from the Army after being found guilty by a court martial of molesting a 12-year-old girl and her mother in Handwara in Kashmir but was absolved of charges of rape in the wake of a negative DNA report. However, the magisterial inquiry ordered by the Jammu and Kashmir government into the incident found the army Major guilty of rape of woman and molestation of her daughter.
Rape	Soldiers of territorial army	Nigeena	Oct 12: According to sources, Zahoor Ahmed and Qayoom Bhat, soldiers of Territorial Army and both residents of Khanthpora village,	No

			<p>abducted Nigeena d/o Abdul Khaliq Sofi r/o Khanthpora in Lolab from a marriage ceremony at Abdul Rashid Sheikh's house and subsequently raped her.</p> <p>"She was raped for many hours at an unknown place," the parents of the girl said adding Abdul Rashid Sheikh is a witness to the girls rape."</p> <p>Following a complaint by Nigeena's parents, the police station Sogam registered a case (FIR 60, 2004 under 366-367 RPC) on Oct 6. The accused are absconding, the police said. No inquiry has been initiated in the case.</p>	
Rape	3 RR	Hakim Jan 60 year old woman	<p>Dec 22: A 60-year old aged woman, Hakim's Jan w/o Syed Alam, a mother of four children on the fateful night of Dec 20, troops dragged her into another room and allegedly raped her. The police registered the case and have started investigation into the matter. Police has filed FIR 116/2004 in Pahalgam Police Station. To keep up its good image, the Army on Dec 27, said it has dismissed the trooper involved in the Sallar episode and sentenced him to one year rigorous imprisonment. The summary court martial and joint probe investigation are still on.</p>	<p>Dec 27-04: The army has claimed they had dismissed non-commissioned officer Lance Havildar Krishan Bahadur from service and awarding him one-year rigorous imprisonment for misbehaving with a 60-year old woman. The soldier would be handed over to police at central jail Jammu for the execution of sentence.</p>

Day after the incident, villagers from Baderpayeen and Kralgund took to streets to protest the incident. "They have crossed the limits now," the protestors were heard shouting. The protestors were not pacified by the assurance of the Deputy Commissioner Handwara, Abdul Majid Bandy.

"We won't move until the troopers involved will be punished," the protestors told DC. The DC said that the case will be investigated and culprits will be booked. Police has registered FIR 97/2004 under section 367, 456, 353.

About the incident, the SP Kupwara said, "it is of grave nature. There were several complaints against the major and his troopers."

In Srinagar, Defence spokesperson Colonel Batra denied the allegation but said army has ordered inquiry into the incident.

In his version, Colonel Batra said "On Saturday gunmen fired upon Shalpora police station. The police personnel of the police station rang up 7RR for help.

The 7 RR conveyed message to 30 RR deputed a patrolling party. But when 30 RR was on its way to police station, they were informed by their source that the militant who fired upon police station have fled away. The source told the patrolling party to search the house of Abdul Rashid Dar because militants were frequently taking shelter in his house. The army searched his home and came out".

He said medical examination of the mother and daughter has been conducted and army is waiting for report. "Prima facie nothing has happened," he said.

Meanwhile, according to Divisional Commissioner Kashmir, Khurshid Ahmed Ganai the

The army on Dec 18 ordered court martial against the accused army Major Vijay Kumar alias Rehman. The court martial will commence from Dec 20. General Court Martial (GCM) with Brigadier Syed Ata Hasnain as presiding officer will try the accused.

government has taken immediate action on the allegation. The government, he said, has appointed Sharafat Ali Khan Additional Deputy Commissioner as enquiry officer who has been advised to conduct magisterial probe into these allegations and ordered him to report the real facts of the case to government through Deputy Commissioner, Kupwara within 10 days.

Recently, Army Chief NC Vij has ordered an inquiry into the incident and a report to be submitted within 10 days. On November 9 the government ordered DNA test and finger printing so as to reach to the culprits.

Aisha wants justice for herself and her daughter and categorically rejects any type of compensation if offered. "That major should be brought before me in chains and his uniform should be snatched from him," Meanwhile the Police have registered an FIR against the Major and he has been removed from the army camp.

On November 13, Army placed the Major allegedly responsible for the Handwara rape under suspension.

As the team of JKCCS passed the camp outside the village where the major had emerged out on the fateful night, a signboard with a message from army was placed near the check-post of the camp with the words "Let us spread the message of love and peace" written on it and the major knew how to spread that message in his own style.

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According to defence spokesperson, the court will be held in Uri that is outside the jurisdiction of the place where the incident had occurred. "We found something in the probe ordered into the incident. After that we ordered a court martial," said Defence spokesperson.

Meanwhile, police investigating into the case have collected sealed DNA report from Chandigarh that would be produced before court as evidence.

According to government sources probe failed to yield results in stipulated time of 10 days like in most of the pending cases of rape and custodial killings. Massive protest was held across the valley against the incident.

Since the incident the force personnel are constantly harassing the family. Two non-locals including a woman used to come to Rashid's residence along with different things as gesture of their sympathies for the family. Finally, they spell the beans by offering Rashid a sum of Rs. 3 lack so as to withdraw their case against the army. The two further identified themselves as National Human Rights Commission (NHRC) workers. They gave their identity cards to the family assuring them of their authenticity. However, when rejected, the very next day the duo again came to the family and took back their identity cards. As the news spread, NHRC Chairperson AS Anand went public and refuted the news claiming that they had never sent any such observers. He further stated that anybody who has gone there has been impersonating as NHRC workers, which they actually were not.

After court martial, Rashid approached the Human Rights defender who contacted the PRO of 15 Corps Colonel Batra and requested whether the prosecutrix is entitled to engage her own council to access the court. The PRO after consultation informed that under the law of the land, private lawyers couldn't be engaged in the criminal procedure case. However in contradiction, army has engaged two retired lawyers turned judges in this high profile case. However they have no objection if the human rights defender observes the trial. Till date statements of 19 witnesses have been deposed.

A Special Investigation Team (SIT) was constituted by the police to be headed by the Deputy Superintendent Muhammad Shafi. According to police sources, 15 persons including the mother daughter duo have given their statements. The SIT DSP himself produced the challan and major Punkaj Sharma of 7 sectors RR attended on behalf of his battalion that command's 30 RR. The accused major however was not present in the court. Officials said major Rehman is already under the army custody "that is why he could not attend the court".

The court asked the army to clear whether it wanted to try case in the civil or army court. The army was asked to clear it before February 1. Later on behalf of the commanding officer 30 RR, major Punkaj Sharma moved an application before the court to conduct the trial through army's court martial.

On January 19, army said that the DNA test report received from the forensic laboratory in Chandigarh has exonerated the accused major of 30 RR in the Handwara rape case.

The major was accused of raping three women including a pre-teen girl at village Baderpayeen on the night of November 6.

“The DNA report issued by the central forensic science laboratory Chandigarh indicates that the vaginal swabs of the victim did not contain any DNA strains of the accused,” army said.

The communiqué added, “Though the DNA report conclusively clears the major of the rape charge, the general court martial will proceed to its logical conclusion”. Initially, people from all walks of life came forward to offer their sympathies but as soon as the issue cooled down, the family has been left to the mercy of their fate.

FALSE HOPES KEEP FAMILY AWAY FROM SEEKING JUSTICE - *Tabasum Istiaq*

Women have been suffering now and then at the hands of some dominant forces. Their sufferings have been compounded by the Social, Judicial and Political exploitation that in all spheres have failed to give justice to the women. Of and on their feelings are exploited, their belief trampled and their souls burdened with the irony of destitution.

Dilshada is one such case who bears the brunt of not only a horrified past memories but is still facing its consequences. At a minor age of 12, she was raped by two-security force personnel's leaving her crippled for life.

Fourteen years back Dilshada d/o Habibullah r/o Narbal Pingalgom Pulwama met a tragic incident that changed her life forever. It was on November 1997, that some BSF personnel's masquerading as militants came to their house round about 2 O'clock in the night and one of them started knocking their door. “As soon as we opened the door, they entered scattering things all around. We told them that we had nothing. But they didn't listen and ordered us to move out of the house. Moving out, they held Dilshada back. We pleaded them to leave Dilshada, which they refused. We were taken to a nearby field and kept there for nearly 3 hours with three persons guarding us. We all were very apprehensive about Dilshada's safety and it was nearly few minutes later that all our fears befell true. We heard Dilshada's painful screams. She kept screaming for hour and then it followed another silent 2 hours. After 3 hours the security personnel came out and escaped through a nearby forest,” said Dilshada's mother Mukhti almost breaking down into tears. Returning back, Dilshada's father identified the BSF personnel's as guards of a congress leader namely, Ahmed Khan. It was a Diwali night and they all were drunk.

Entering their house it was all havoc and amidst lie Dilshada almost unconscious. “It was a horrendous night for us, Dilshada's father could not endure to see her naïve child in this grave condition and got frozen” said Mukhti. The whole incident coincided with the burning of the Amir-e-Kabir Shrine in Tral.

Early that morning, Dilshada's father sensitized vicinity about the incident, announcing it from local mosque public addressing system. Hearing his screams, people came out of their houses and started protesting against the troops. It was nearly 10:00 am in the morning that Ahmed Khan a Congress leader- constituency Pulwama and the Commandant of the accused BSF Battalion arrived and apologized for the crime, which they agreed, was committed by their personnel.

“They ensured us of justice and promised swift action against the accused personnel. They further asked us not to file an FIR against the culprits. The commandant gave us 6000 rupees for Dilshada's marriage,” said Mukti. Few days later, Ahmed Khan along with the commandant came to the village and informed the family that the culprits had been brought to the book and

sentenced for 14 years imprisonment. This fetch some sort of relief to the family, as never before had been any case of security forces acknowledging their misdeeds and then punishing their own men. But this could never erase the stains that Dilshada's life had. It became a major cause for Dilshada's father's ill health. And finally not bearing the past memories, he succumbed two years later. This put the whole family on an unsurpassed economic crisis. With no other financial support, Mukti had to struggle a lot to some how sustain her family. Six years later, Dilshada was married to Farooq Ahmed Thakur in a neighboring village of Gudri Pulwama. Even though, her in-laws knew about the incident and are very cordial, Dilshada could not forget the memories of the dark past that continue to haunt her.

Recently, 8 years later, the family came to know that the accused who according to the Congress leader and the BSF commandant had been punished were actually never brought to book and lived freely. They also came to know that no FIR was registered against them till date. This has put the family in utter grief and sorrow as they had managed to live on this one thing of the culprits getting punished. "We have been deceived. Our emotions and sentiments have been played upon. They barred us from lodging FIR and told us that they had punished the accused, which they never did. If we had lodged the case we would have sought justice. Simply giving Rs. 6000 cannot be an exchange for my daughters modesty," cries Mukti.

Adding further she says, "It's simply now the BSF is exploiting the sentiments of innocent people and they think they can for long take people to stride but they are wrong, truth will seek itself out one day".

*"Banun tae ghuzrun ghashce ne har giz wanun
Ya gache teth kehn chare banun nate dardich rafakath"*
(Never express your grief and sorrows
only if there is a way to solve it or let alone mitigate it)

INNOCENT GIRL TORTURED FOR NO FAULT OF HERS - Asma Dhar

Hasina has not yet completed her teens, while she has lost the glow of her youth. A face that should be beaming with joy fears to smile. Her youth hides in her veil and pain conveys through her eyes.

Hasina Akhter (17) d/o Ghulam Ahmed r/o Zachildara Handwara was allegedly picked up from Zachildara Higher Secondary School at noon by JKP DSP Altaf Khan along with two lady constables Haleema and Parveena on 3rd July 2004, who accused her of helping some unidentified gunmen involved in Mushtaq's killing. Its worth to mention here that some unidentified gunmen killed Mushtaq Ahmed who had been working with CRPF for 9 years at 11pm on 14th June 2004 at his residence.

Narrating her woes to "Voices Unheard" Hasina said, "I was taken to Zachildara police station where Altaf Khan and lady constables interrogated me severely. **I kept pleading my innocence but they didn't listen to me. They alleged me of being in connivance in Mushtaq's murder. They tortured me hard still I refused. Tired off, they asked me to name Mushtaq's sister Meema to have an affair with a major and that it was for this relation that she planned her brother's murder. I still refused, as I knew Mushtaq's family quite well and knew that she had no such relation. Infuriated DSP started ripping off my clothes, beating me severely. However, I resisted the molestation bid and flung him away. This time he got very angry and beat even more viciously. Finally he calm down and asked me to name any neighbor, which I again refused. This almost got him maddened and he gapped my mouth and tied my hands. The two lady constables kept me holding and he started kicking me hard till I got unconscious. When I regain my senses, DSP asked me to finally name anybody or I will be sent to STF camp Handwara and tortured there. I asked for evidences but he said there was no need of proof. With this he kicked me hard in abdomen and I started bleeding profusely. I had been keeping fast for being ill since few days so I asked for water but instead they gave me chilly water to drink".**

Beaten continuously for nearly 4 hours, the DSP bundled her into the jeep for STF camp Kupwara. In the meantime, Hasina's father Ghulam Ahmed who had got fainted hearing Hasina's screams being a cardiac patient regained and took her out from the jeep. He pleaded that Hasina needed medical attention and that after she gets well he will bring her to the police station. The DSP agreed to this and said that he will send the lady constables at 4 pm to bring Hasina back to the police station. Hasina was taken to Zachildara hospital from where she was referred to Handwara hospital where she remained for two days. At 4 pm the DSP send the constables, however knowing that Hasina's condition had aggravated he got furious and sent the constables to Handwara hospital. "The two lady constables came to me and asked for forgiveness. They said that they have come to know that she is innocent and that some enemy has dragged her into this. I wanted to know his name but without saying a word they moved out of the hospital", said Hasina. On the same day, three ladies came to the hospital and repeated what the two lady constables had already said. They asked Hasina to keep mum and not reveal a thing before anybody but to their dismay Hasina being in critical condition had already given her written statement. As Hasina's condition worsened, the doctors referred her to Srinagar JVC Hospital. But the DSP didn't allow Hasina to go, for he feared she might reveal the torture before others. However at dawn on 5th July Hasina was shifted to JVC hospital where she was kept for two weeks. **Returning back to Zachildara, Hasina was called upon by the DIG who held a press conference on 11th July. The DIG asked forgiveness and promised job and 2 lack rupees as compensation to the family. The DIG further assured of an inquiry and prompt action against the accused DSP. The DIG further promised that he would demilitarize the whole area provided she would not raise this issue. "The statement by DIG has made our life miserable. The villagers think that my family and I are supporting forces. They further feel threatened that if there is demilitarization then the whole village might have to face the militant wrath as most of them are working with the security forces and might be killed" said Hasina.**

Since the day of incident, Hasina has been constantly harassed by the villagers who accuse her of being bad character. The whole village has got against Hasina and want to expel her from the village. "They harass me and abuse me. This has made our daily lives hell. Most of the times we fear to move out and now I veil myself so that nobody would identify me," says Hasina.

"We went to Zachildara police station to lodge an FIR but the personnel's there said that the DIG had already lodged an FIR. We asked for its copy but they refused to give it," said Ghulam Ahmed. Ghulam Ahmed a marginal farmer has a large family of six children two sons and four daughters to support with Hasina being the eldest. "I work in the fields and do other menial jobs to not only sustain my family but to give them a good life. All my children are studying and I have never deprived them of any basic necessity," said Ghulam Ahmed. Ghulam Ahmed is grieved, as Hasina could not give her 10th exams for the incident. "I am not only bothered about depositing new fees but for the loss of one year. I haven't been keeping well and I don't know whether I will be able to support the family for long" says Ghulam Ahmed.

Hasina now finds herself entangled amidst fear and disgrace. "The army has spread all across that I have taken money from them which I never did. It has put me and my family under the suspicion of the villagers and militants," said Hasina.

Amidst fear and suspicion Hasina's life seems to restrict to her home and it's only when Ghulam Ahmed accompanies her that she is able to go out.

WOMAN RAPED BY RR MEN IN MATTAN

-

Shiaq Nazir

Nov 6: A woman was allegedly gang raped by an Indian army Subedar and his bodyguard of 7 Rashtriya Rifles (RR) in Mattan area of South Kashmir.

The incident reportedly occurred on late afternoon of 4th November at village Soonchbrah which falls under Mattan police station of district Islamabad of Kashmir. The victim was identified as Parveen a (18) w/o Ershad Ahmad Khan of Gujjar community. The incident surfaced after the villagers held massive demonstrations in front of Mattan police station, demanding stern action against the involved soldiers. The

protesters also accused the RR soldiers of harassing the victim and her family. They also alleged that the troops were forcing the family to retract from their statement.

Following the massive protest, the Deputy Commissioner Islamabad ordered a probe into the gang rape incident. The police have filed FIR No.534/2004 under section 376,450,342 RPC. The clothes of the woman have been sent for forensic test to F.S.L. The SHO concerned and the additional SP Islamabad took up the matter with senior civil and police officials. The police is awaiting the report to conduct further investigation.

Meanwhile, the mother-in-law of the victim has contested the news report in a local daily in which it has been said that the army has compensated the victim. The mother-in-law is reported to have said, that they want justice and not any compensation.

The State Human Rights Commission (SHRC) has also taken cognizance of the incident. Describing the incident as shameful, the Chairman of the commission said that the matter will be taken up with Chief Minister and SHRC will recommend stringent punishment for the guilty soldiers. The commission has directed the IGP to investigate and file a detailed report into the matter before end of November. The case has been listed for November 22.

The Chief Minister categorically rejected the incident as a false allegation giving a clean chit to the accused while addressing the media in Srinagar. Mr. Shivraj Patil the Indian Home Minister, was also present at the press conference.

TERRITORIAL ARMY MEN RAPE 14 YEARS OLD GIRL IN LOLAB

October 12: Two soldiers of Territorial Army have been accused of abducting and raping a 14-year-old girl in Kupwara – North Kashmir. Though police registered a case, the parents of the girl alleged that the army is threatening them to withdraw the complaint and has sheltered the accused.

According to sources, Zahoor Ahmed and Qayoom Bhat, soldiers of Territorial Army both residents of Khanthpora village, abducted Nigeena d/o Abdul Khaliq Sofi r/o Khanthpora in Lolab from a marriage ceremony at Abdul Rashid Sheikhs house.

“She was raped for many hours at an unknown place,” the parents of the girl said adding Abdul Rashid Sheikh is a witness to the girl’s rape.

Following a complaint by Nigeena’s parents, the police station Sogam registered a case (FIR 60, 2004 under 366-367 RPC) on October 6. The accused are absconding, the police said. However, the girl’s parents alleged that Zahoor Ahmed allegedly took shelter in 8 Rashtriya Rifles (RR) camp in Kulgam, while Qayoom is absconding.

Moreover, the girl’s parent alleged the army of continuously harassing them and the witness. They also accused police of dilly-dallying.

Superintendent of Police (SSP) Kupwara, Sunil Dutt while talking to a local daily said, “I briefed the additional SP Kupwara, he will personally look into the case.”

The SSP however denied that Army was sheltering one of the accused and assured they will arrest them soon.

On Oct 14, the State Human Rights Commission took *suo moto* cognizance of a news report about the “rape of a girl by territorial army men”. A spokesman of the commission said that a notice has been issued to the Inspector General of Police, Kashmir zone to furnish a detailed report in the matter by or before October 30.

WOMEN BEATEN AND ABUSED

Pampore, Oct 20: Several women were beaten ruthlessly and their clothes torn off while protesting against the arrest of a local youth Muhammad Amin Bhat s/o of Abdul Aziz Bhat of Putlibagh Pampore, who according to them was taken by some unidentified security agency on October 19, night from the same area.

A number of women of the area took to streets in the early morning and blocked the highway demanding immediate release of the detained person. Police swung into action after the protestors declined to budge away from the spot. The police *lathi* (cane) charged the demonstrators and fired several rounds dispersing them.

The SOG personnel abused the women protestors and tore off their clothes. "They hurled the choicest invectives at us and severely thrashed some of the women," said one of the victims adding that the personnel also took away the watches and valuables from some women.

The protestors further accused the personnel of shattering the windowpanes of numerous houses. Meanwhile, women protestors staged a sit-in at the Red Cross, here against the arrest of a shopkeeper suspending the vehicular movement for hours.

Police station Kothi Bagh has registered a case against the incident.

WOMEN WOES BRING PAK SCRIBES TO TEARS

Oct 7: The four-day visit to the state of Jammu and Kashmir was not just an emotional coming for the Pakistani scribes but an eye-opener to the ground realities. With nerve staining experiences in the valley, the group was moved by the plight of the Kashmiri people especially women who have been going through an arduous 14 years of self determination struggle.

To add to their grief, the woeful narratives from women victims at the residence of a top separatist thawed Pakistani Journalists, with tearful eyes.

Maryana Babur, diplomatic Editor of "The News" broke into sobs, when a woman narrated her 15-year-old ordeal that left her badly bruised. Emotions also swayed her colleagues, who were seen hanging their heads wiping off tears.

Amidst the charged sloganeering when the visiting journalists arrived at Tehreek-e-Hurriet headquarters at Hyderpora, scores of women, some of them veiled, surrounded the delegation led by Secretary General SAFMA Imtiaz Alam and tried to narrate their tales. The order was restored when one of the Geelani's aides advised them to speak one by one.

A middle-aged woman who would pass off as 50 for her withered face awed the gathering when she recalled her miseries that began in 1990 after her husband took to gun and is since active. "I have seen him last in June 1990, when he left home. After a couple of years I came to know that he is with militant ranks. Since then my days and nights are all hell. Task force harasses me in the day and the army does its bit during nights. I have young daughters who are frequently called to the army camps. I cannot say more, this is what I have to show," the woman from Brenawar, a far off Hamlet in Budgam said showing the torture marks on her body to the audience.

Another woman told the visiting journalists that her husband is missing for last ten years and for her the only solution to Kashmir issue was if her husband returns home. Journalists including Maryana Babur, a leading woman journalist from Pakistan known for her liberal views, wept on hearing the women's plight.

HALF-WIDOW WAITS FOR LABOURER HUSBAND

Oct 19: Wali Muhammad Dar, 35, a labourer by profession from Sopore-Baramulla district was allegedly arrested by security forces six years ago. Since then his whereabouts are not known.

According to Wali's wife Raja, he was picked up from Sopore in April 1998. "My husband was arrested from Sopore bus stand. We don't know if he is dead or alive," she said.

She said she has been visiting detention centers and jails for Wali, who she insists was not "even remotely connected" with the ongoing militancy.

"But it (the search) has yielded no result," Raja said in choked voice. "I visited the then SSP Baramulla. " Except for hollow promises he could do little (for me)," She said.

To her utter disappointment, Raja said police even didn't entertain an FIR on the pretext that there was no witness to her husband's arrest. "My husband was picked up in full public view. They (police) know it, but they don't want to pursue my case because I can't grease their palms.

She cannot either afford to seek legal help. "My parents are poor and they hardly can afford the schooling of my kids," she said adding; "Now my whole concern is how to raise two small kids".

Raja has no plans to remarry saying he (Wali) was a God-fearing man. I believe he will return one day.

80% WAR WIDOWS HAVE SUICIDAL TENDENCIES: STUDY INCREASED SYMPATHY FOR MILITANTS, HATRED AGAINST STATE, NGO'S DO LITTLE, NO TAKERS FOR REMARRIAGE

Nov 7: Sara, 37, a resident of Pulwama has attempted suicide twice after her husband; a farmer was killed by troops in custody two years ago. Her father-in-law abandoned her and she is staying with her uncle for who Sara and her two children mean an additional burden.

There are thousands of Saras in Kashmir living in pathetic condition, suffering from many psychological ailments and having a high tendency to commit suicide, reveal the findings of a study "Women and Children Under Armed Conflict in Kashmir" by noted educationist of the state Prof. AG Madhosh. The research found that 80% of the widows have very high suicidal tendency after their husband's death and the break up of their families.

More than 65% of our sample had experienced regular spells of depression. Among these depressed women 80% had feelings of suicide and five among them did commit suicide by the end of the study," Madhosh said adding the objective of the study was to identify sociological conditions surrounding the lives of widows and orphans.

The violence hit victims according to the research have developed multiple psychological problems leading to major as well as minor health concerns with most of these morphing into depression.

"Of 2,500 victims including 1800 widows, age group 28-52 years, about 46 % of the women were found to be under high state of Post Traumatic Stress Disorders (PTSD). The victims not only survive the merciless brutality of the gunmen or troops but were also witness to the gunning down of their kith and kin, destruction of their property and shelling down of their residential houses. 85% of such cases are still experiencing recurrent and intrusive recollects of the horrible events," the research added.

The research further says the indifferent attitude by the authorities and people towards the widows increases sympathy for the militants and turns women against the state.

The agony and hardship of the widows increases sympathy for the militants and turns women against the state.

The agony and hardship of the widow doesn't end there. The widows, according to Madhosh suffer severely due to economic constraints and despite being entitled for government's *ex-gratia* relief they are made to pay for it.

"The governmental support in form of *ex-gratia* relief is received by 30%, but this amount is received only after by 2 to 21/2 years after their husbands' death. Some cases have been reported about mal and corrupt practices by the concerned officers in releasing the grants to the victim," Madhosh said adding the concerned officials many a times ask for some percentage from the relief.

The research further added the widows largely depend upon their relatives for financial needs.

The research also raises a question mark on the function of the NGOs who always claim of working for turmoil affected.

"Nearly 50% widows meet out their day to day expenses from the meager amount given by relatives and family friends. Non-governmental organization contribute a nominal support of 18% widows," the research said.

The research further revealed that some of widows resort to begging in order to fulfill their daily needs. "In fact 5-8% cases get money by begging on the streets preferably in the areas outside their

residential localities. In this process 3% cases take their children along and place them outside the mosques, shrines, petrol filling stations and hospitals, the research said.

The research further says that 70% of the cases have to seek job opportunities for which they had no previous knowledge.

During the research when asked that how much money they needed for necessary expenses, the response varied between Rs 300 to 6000, Madhosh added. "The most important items of expenditure are: food 69%, health care 46%, house rent 3% and children's education about 5%," the research revealed.

About the question of remarrying, some of the widows intending to start a new life responded by sayings that there are no takers for them, while the remarried ones expressed discontentment with their new family life.

"10-15% cases are below age group 18-25 years had a desire to remarry but their were no intenders, while as 3-5% cases between ages of 35-50 had remarried but were not happy with the newly married life," the research added.

The migration of widows along with their children, which resulted in broken families, took its toll on victims. "The immediate result of displacement was a sudden break in a normal family life. 54% of the widows were hanging between parental and in-laws homes. 30% of them left their children with their in-laws but more than 55% cases were forced to shift their children except their in-laws houses. 90% of the widows had a feeling of being parasite on their relatives or husbands friends. 3-4% of cases as half widows whose husbands have disappeared, kidnapped, killed have still a family life but with no amount of respect, love and care," the research said.

Continuing with the displacement, the research says that 60% percent of the widows had to move out of their home to reluctant relatives including parents.

Regarding concerns and needs, the respondent felt greatly concerned over the future of their wards. Future of the children 80%, education of the children 50% protection and security of the girl child, 18% financial/job security 45% and prevalence of peace and arms free situation 100%.

WAKE UP CALLS FOR THE KASHMIRIS: STUDY SAYS ORPHANS GOING ASTRAY

"Disordered young minds having stress loaded thinking, aimless in life, continuous worry about future of the small sisters and mother, sadness of mood, non participation in the social or community celebrations, continued isolation and loss of friendship"

This is how a study has described the thousands of children orphaned during the 15-year turmoil in Kashmir.

According to the study "Women and children under Armed Conflict in Kashmir" conducted by eminent educationist Prof AG Madhosh for the National Institute of Public Cooperation and Child Development (NIPCCD), the orphans, like widows have developed inclination towards the militants and many of them have pledged to avenge the killings of their parents.

"A common tendency in orphans was to join militant ranks and kill their father's 'killers'," the research according to Madhosh revealed.

The study further made some startling revelations regarding the immoral revelations regarding the immoral activities orphans indulged in. The study said the orphans were indulging in prostitution and drug addiction, some consuming expectorant having the high alcohol percentage.

"Most of the adolescent boys as well as girls were found engaged in drug abuse, starting with the consumption of corex expectorant to the use of *charas* and *bhong*. A small percentage of adolescent girls were found involved in sex-work directly or indirectly," the study revealed.

The research conducted on 700 children including 400 girls and 300 boys in the age group of 6-25 years of which 80% were orphaned during the turmoil revealed that orphans were unnecessarily harassed by their parents' relatives after they were displaced" The children who continued with their fathers relatives were alter put to an usual harassment. They had to stop going to school. 51% of them get engaged in domestic work," the research revealed.

The education of the orphans, according to the research was the first casualty after their parents were killed and they had to migrate to other areas. The interrupted schooling and family pressure compelled numerous orphans to look for jobs in the early age so to shoulder the responsibility of their family.

Earlier to having lost their fathers 90% of Children were either found in primary school or preparing to seek admission in private and government run educational institutions. But now 65% of the group 11-18 years had to enter into a regular child labor market," the research said.

The research further revealed that orphans under took employment, which were hazardous to their health and also were forced to work for long hours.

" Jobs like carpet weaving, farming, carpenter, transport, conductor, automobile filling service, domestic service, casual daily wage engagements as helpers to shopkeepers, house builders, masons, cleaners, babysitters and sweepers were done by the orphans in order to earn a livelihood," the research added.

In all these situations, according to Prof. Madhosh the children were facing multiple problems including long hours of work, hazardous working conditions, complete absence of basic facilities like drinking water, toilet, first aid and low and irregular wages.

The research further revealed that orphans admitted to different educational institution had to left these institutions due to varied reasons.

"The school programmes of most of the children were stopped. 45% of the orphans were non-school going children, but those admitted to the classes from 1st to 10th had to stop going to school. The main reasons reported were fathers killing and no known financial assistance and poverty of grand parents.

Earlier, according to Madhosh the dropout rate of orphans from the educational institutions was less but it increased in later stages.

"In the earlier phase the dropout rate was less than 25 and 2 % at the secondary stage. But later the dropout rate increased," the research said. The study complimented the role of NGOs in promoting education among the orphans. "A sustained schooling was however recorded in the areas where NGOs were functioning," the study observed.

According to the study, the orphans who pursued their studies after receiving financial assistance were unable to perform due to depression.

"The children who continued under some financial assistance yet have experienced an immediate fall in their achievement levels. The major cause of this problem happens to be a continued stress on their minds. Their confidence levels are shaken and their initiative is killed," the research revealed.

The study further said that more than 60% of those unfortunate families had an average 2-4 children's, 59% children between 3-18 years had a sudden shock of losing their home. They had to accompany their mother's to her parental houses or the relatives from the maternal side.

Regarding the psychological condition of the orphans the study said a sense of isolation was creeping among the youngsters.

The study revealed "disordered young minds having stress loaded thinking, aimless in life, continuous worry about future of small sisters and mother, sadness of mood, non participation in social or community celebration, continued isolation and loss of friendship,"

On the physical side, children were found getting more infectious disease than normal children. " Most of the children particularly girls were found anemic and much older in appearance than their age," the study said.

The immediate problems identified by the orphans during the study were absence of education, no regular house, health deterioration, negative character growth, negative social attitude, denial of property rights, lesser change of marriage and absence of positive attitude towards life.

MOTHER-DAUGHTER DETAINED

Srinagar 20: Troops took away mother and her daughter, during a raid at Nowpora Shopian. According to reports, troops raided the house of Ali Muhammad Bhat and took away his wife Hajira and daughter Lateefa Jan.

4 JAWANS, 3 OTHERS GANG-RAPE GIRL

Srinagar, Oct 28: A twenty-one-year old girl was allegedly raped by four force personnel in connivance with two persons at a Guest House at Zero Bridge-Rajbagh. Six persons including two army men and two cops have been arrested in this connection.

According to reports, the girl hailing from Sopore about 50 km from Srinagar returned from Jammu in a sumo and reached Srinagar at around 10:00 pm. On reaching Tourist reception centre (TRC), she got perturbed over being alone at such late hours and asked for help from a person accompanying her in the sumo. Taking advantage of the girl's apprehension, the man lied to her and told the girl that the State government had kept a hotel reserved for the females at Zero-Bridge Rajbagh.

Lured, she was taken to Sara Guesthouse Rajbagh, where she was raped by six persons whole night.

On a tip off, a police party from police station Rajbagh raided the guesthouse early in the morning and arrested all rapists. They were identified as Bal Krishna of 6 JAKLI, Rakesh Kumar of 4 JAKLI, Ashwani Kumar, PSO of SP Vigilance Mushtaq Sadiq, Sanjiv Kumar, a policeman, and Shamas-ud-Din, a driver and Karnal Singh, a government employee.

The victim was removed to Lal Ded hospital - Srinagar for medical examination, where doctors confirmed that the girl was gang raped.

A security man involved in the rape managed to escape during the raid. Police has started manhunt to nab him. Army on October 29, said that a detailed enquiry would be conducted in this matter and the several possible punishment will be meted out to the individuals if found to be guilty.

WIDOWS, HANDICAPPED DESTITUTE DENIED RS 200 AID FOR THREE MONTHS

Nov 13: - Government pays meager Rs 200 every month to widow's, destitute and handicapped persons in different districts of the valley under the integrated National Security Scheme. A day before EID, 80-year Ghulam Rasool Wani of Baramulla left the office of Social welfare officer weeping because for the last three months the monthly aid has been denied to them.

Like Ghulam Rasool, 63-year-old Taja Begum too left the office of Social welfare department crying and cursing the authorities. "They have been playing pranks with us for the last three months, I don't even have bus fare to go back to my home," she said.

Ghulam Rasool and Taja are among 16,500 persons who are benefited by the scheme. The social welfare officer Baramulla said that Deputy Commissioner of the district has not released the funds for the scheme. While the DC has went to Delhi for Diwali celebrations, the forsaken have been left in the lurch by the regime for which consolidating vote bank and luring Bollywood has become priorities.

Protests were held in Sopore last month against the non-payment of the relief. After the alleged embezzlement for the poor, government had ordered a probe. However, the aggrieved persons ask 'why should they suffer for the sins of others.

AFAD AWARDS AASIA JEELANI POSTHUMOUSLY

DEC, 12: Aasia Jeelani- a Human Rights Activist who lost her life in a landmine explosion on April 20 2004, has been awarded posthumously by an International Organizations for her contribution to the families of disappeared persons in Kashmir.

According to reports, Philippines-based Asian Federation Against Involuntary Disappearance (AFAD), conferred award on Aasia during a conference organized on the eve of International Human Rights Day on December 11 in Indonesia.

A documentary film "*Aasia----A Quest for Justice*" produced by Jammu and Kashmir Coalition of Civil Society (JKCCS) was also screened during the "*Healing Wounds and Mending Scars*" conference held in the Indonesian capital Jakarta.

The delegates attended the conference from Indonesia, Kashmir Pakistan, Philippines, Sri Lanka, Thailand, Netherlands, Guatemala, the Latin American Federation of Associations of Relatives of the Disappeared Detainees (FEDEFAM) and leading African organization RADIEF.

"Indeed, the issue of involuntary disappearance is a truly global problem, affecting, from diverse cultures and continents---from Asia, Africa, Europe and Latin America. To counteract this lingering evil, a global response is deemed imperative to chastise the perpetrators from ever happening this again," the participants observed.

They called on all governments, especially Asian governments "who are largely responsible for these deeds," to finally adopt the Draft UN Convention on the Protection of All persons from Enforced or Involuntary Disappearances. "It is crucial that this be adopted before the end of 2005, being the crucial year for this future treaty.

PIHRO CONFERS AWARD ON LATE AASIA JEELANI

December: The Pakistan International Human Rights Organization (PIHRO) conferred posthumous award on late Aasia Jeelani, who was killed in a landmine blast on April 20, 2004.

According to influential daily 'The News,' the award was conferred at an impressive ceremony held at National Library's auditorium in Islamabad on Friday Dec 10. The award in the form of shield was given by Pakistani's Former Foreign Secretary Akram Zaki to Convener .All parties Hurriyat Conference, "Azad Kashmir" chapter, Muhammad Farooq Rehmani, who received it on the behalf of late Aasia Jeelani.

Rehmani expressed gratitude to the Pakistani International Human Rights Organization for this gesture.

60-YEAR OLD WOMAN RAPED BY TROOPS

Srinagar, December 22: Once again the shameful act of rape has been done by the Army troops of 3 Rashtriya Rifles in the Pahalgam constituency of J & K Chief Minister on Monday night of December 20, 2004. This time the victim was not a teenager but a 60-year old aged woman, Hakim's Jan w/o Syed Alam, a mother of four children. On the fateful night of Dec 20, troops dragged her into another room and allegedly raped her.

While the whole family resisted against the act, troops suppressed the cries of the other family members by their constant threats and beating. After hearing the news thousands of the villagers come out on the road and raised slogans against the present Government.

The police registered the case and have started investigation into the matter. Police has filed FIR 116/2004 in Pahalgam Police Station. However, the Senior Superintendent of police, Islamabad and defence spokesman, quoting 'medical examination report of the woman' said that no rape had taken place.' The commanding officer of 3 RR and police officers reached the village and assured the angry protesters that anyone guilty would be punished. While asked to identify the accused, Hakim Jan replied that the accused soldier who was fleeing from the house after committing the act was caught hold by her dumb son and bitten by him on his neck. According to her, the accused soldier was named by some sources as Kishan Bahadur. The fleeing soldiers thrashed the victim's son leaving him in a half dead condition.

To keep up its good image, the Army on Dec 27, said it has dismissed the trooper involved in the Sallar episode and sentenced him to one year rigorous imprisonment .The summary court martial and joint probe was completed within a week and the soldier was handed to the civil authorities for execution of the sentence in accordance with the provisions of law, he said.

However, Srinagar based defence spokesman said the medical examination of Hakim Jan and the inquiry ordered by the army proved that the allegations of rape were baseless. The army court investigating the rape on December 31 has started recording the statements of the ten defence witnesses including the commanding officer of 30 RR. The case on behalf of the defence was being pleaded by a retired government lawyer, while Venugopal, lawyer of the accused cross-examined the witnesses. The army court will give the judgment in the case within three weeks.

FLIMSY REASONS STOP HAJJIS FROM PERFORMING HAJJ

On December 25, Khara Begum, 64, was on cloud nine when she left her village Tapar Payeen on December 17, for Srinagar Airport to board the *Hajj* flight to Jeddah. Ghulam Ahmad Para, her brother, was accompanying her for it is obligatory for a woman to have one among a certain set of relations if she is going for Hajj. Boarding passes for the flight were handed over to the siblings and then sleuths from state intelligence agencies halted the progress of the pilgrims. The sleuths told shocked Khara Begum and Ghulam Ahmad the reasons for which they were barred from performing holy pilgrimage.

Ghulam Ahmad Para s/o Abdul Hamid Para had gone missing four years ago from a seminary in Gujarat state of India.

“My son was studying in a *Darul-Uloom* (Islamic school) in Gujarat and he is missing since last four years. We are worried about him but I never thought his disappearance would become a hurdle in Hajj,” says Para.

Khara Begum, She has threatened to kill herself if ‘government interferes in my religion’ though the state government has nothing against Khara, she couldn’t go on the pilgrimage unless accompanied by a blood relation.

The villagers are enraged. “Government found nothing wrong when they applied for Hajj, registered their names among pilgrims. While Khara Begum was registered under S.no.8178/JK-399-6 and issue passport (NO.80321), Ghulam Ahmad Para was registered under 6141-JK-399-5.

“Doesn’t it make Jihad obligatory on us, shall we not fight this injustice,” said a relative of Para. At least 50 persons haven’t been allowed by the government to go on Hajj pilgrimage on various grounds, mainly related to the ongoing insurgency. Majority of them have no cases pending against them.

WOMEN/ CHILDREN KILLED IN OCT, NOV, DEC

Oct 6:	In another incident unidentified gunmen shot at the daughter of Abdul Razaq of kounsarbal in Kulgam
Oct 4	In a mis-intended grenade attack on a BSF picket at Chanakhan Sopore, one lady namely Hanifa w/o Ali Muhammad Marazi of Sofi Hamam Baramulla was injured.
Oct 11	Unidentified gunmen shot dead Rubina Begum w/o Late Nazir Ahmed in her house at Bhargi tehsil Gandoh Doda on Saturday Night. Police has registered a case.
Oct 11	Haseena w/o Sattar Rather of Khullara Kulgam was injured when their vehicle was caught in a crossfire that ensued after militants fired on a bus carrying troops.
Oct 11	Shamshada Begum w/o late Fayaz Ahmed Khan and her two children Maqsood Khan (10) and Zahid Khan were injured when she threw sawdust containing a live grenade into the hearth that exploded at Achar Magam Handwara on Monday. The injured have been hospitalized.
Oct 12	Militants shot dead a middle-aged woman namely Raseena Begum w/o Nazir Ahmed Khan in Bhargi area of Gandoh in Doda.

Oct 14	An army vehicle with number T02B/82294 crushed a minor at Harnag Wanpoh in Islamabad at 3 Pm. The girl identified as Masarat Jan of Kandipahari Harnag` died on the spot. Police has registered an FIR.
Oct 15:	A girl was injured in an exchange of fire between security forces and militants in Jui Dhar area of Gandoh in district Doda.
Oct 15	A minor girl identified as Fatima Begum 13 d/o Abdul Aziz was seriously injured when militants fired at her and her brother killing him on the spot at Lar near Mahore in Jammu's Udhampur district last night. She was immediately rushed to the hospital.
Oct18	Shameema w/o Abdul Hamid Mantoo was injured when unidentified militants barged into their residence at Mohomadpora, Kulgam and fired indiscriminately on the inmates injuring Shameema along with her two sons.
Oct 21	A woman identified as Ferooza was killed in a resistance bid to stop abduction of her brother-in-law by some unidentified gunmen at Kralgund Kupwara.
Oct 22	A girl Shahida d/o Ghulam Muhammad Malik of Yaripora was wounded in a grenade blast in Yaripora.
Oct 23	Unidentified persons abducted a woman Malika alias Malkani w/o Mutwali chichi of Sarfarwa, Kangan from Astan marg, Dagwan forest area of Harwan and Killed her subsequently.
Oct 25	Unidentified gunmen killed a woman Jameela Begum and his two sons while injuring another woman Jana Begum and her son in a macabre incident in Salbala Gool on Sunday evening.
Nov 5	Troops allegedly shot dead a woman Mehtab Begum 55, w/o Roshan Din of Nandoli village in Udhampur during an encounter with militants.
Nov 9	A woman was killed when unidentified persons detonated a bomb planted in a maruti car at Langate Kupwara.
Nov 13	Militants slit a primary teachers throat and beat up her husband at Leaven in Darhal area of district Rajouri on the intervening night of November 12-13.
Nov 14	Three persons including husband wife duo were burnt alive when some person set ablaze a house in Chakarathi Bala in Bholderwah area of Doda district on the eve of Eid. The deceased were identified as Ghulam Nabi s/o Din Sheikh and his wife and a close relative Muhammad Azim.
Nov 17	In a shootout unidentified gunmen killed Mahtaba Begum w/o Sanaullah, her daughter Zareefa and son while trying to kill two renegades who were on an Eid visit to their house in Caboose Khalisa Budgam.
Nov 18	One 9-year-old girl Azra zahoor was seriously hurt- when a tear gas shell hit her. The parents accused police of stopping them from taking the injured child to the hospital resulting in blood loss.
Nov 21	A body of an infant was recovered at Gund Nallah in Ganderbal.
Nov 25	5 women & six children were injured in a grenade blast at KC Plaza Indhira Chowk Jammu.

Nov 30	In two subsequent grenade attacks at Lalchowk and Bohri Kadal three women were injured. The injured were identified as Tehmeena d/o Ali Muhammad sheikh, Nurat d/o Ghulam Muhammad sheikh and Zaina w/o Ghulam Muhammad Mir of Rajouri kadal.
Dec 15	In Panzigam, Bandipora in Baramulla district on Monday (13) some suspected militants entered into the house of Muhammad Amin Khan and shot dead his daughter Fahmeeda, 25 an ex-special officer.
Dec 16	Abdul Razak Shah (40) s/o Abdul Samad Shah of Karepora and his daughter Mubeena Bano, a 10 th class student were abducted by a group of burqa clad persons in a maruti van and subsequently killed.

WOMEN / CHILDREN KILLED

DATE	CHILDREN KILLED	WOMEN KILLED	INJURED
October 4	-	-	1 w
October 6	-	-	1 w
October 11	-	1	2 w – 2 c
October 12	-	1	-
October 14	-	-	1 c
October 15	-	-	2 w
October 18	-	-	1 w – 2 c
October 21	-	1	-
October 22	-	-	1 w
October 23	-	1	-
October 25	-	1	2 w
November 5	-	1	-
November 9	-	1	-
November 13	-	1	-
November 14	-	1	-
November 17	-	2	-
November 18	-	-	1 w
November 21	1	-	-
November 25	-	-	5 w – 6 c
November 30	-	-	3 w
December 15	-	1	-
December 16	-	1	-
TOTAL	1	13	31

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