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## CURRENT AFFAIRS

## NITHARI EXCLUSIVE: THE UNTOLD STORY 2

## WOMEN NOT FOR WOMEN

*The desperate kin of girls missing in Nithari pinned their hopes on the National Commission for Women. But the mockery continued*

Sanjay Dubey

New Delhi

I have made every effort to trace my sister, but in vain. If it had been a politician or a bureaucrat's daughter, the police would have found them at any cost... We poor have neither the resources nor any backing to support us. We can only hope for help from (you)." Rajesh, a resident of Nithari village, wrote this on July 29, 2005 to the National Commission for Women (NCW).

At the time, in mid-2005, six girls had gone missing from Nithari in just four months. After losing all hope of any help from the police, the shattered parents and kin knocked at the doors of the NCW.

And, despite its claims to the contrary, the NCW did next to nothing to help them. The NCW's handling of Nithari was characterised by indifference and ineptitude.

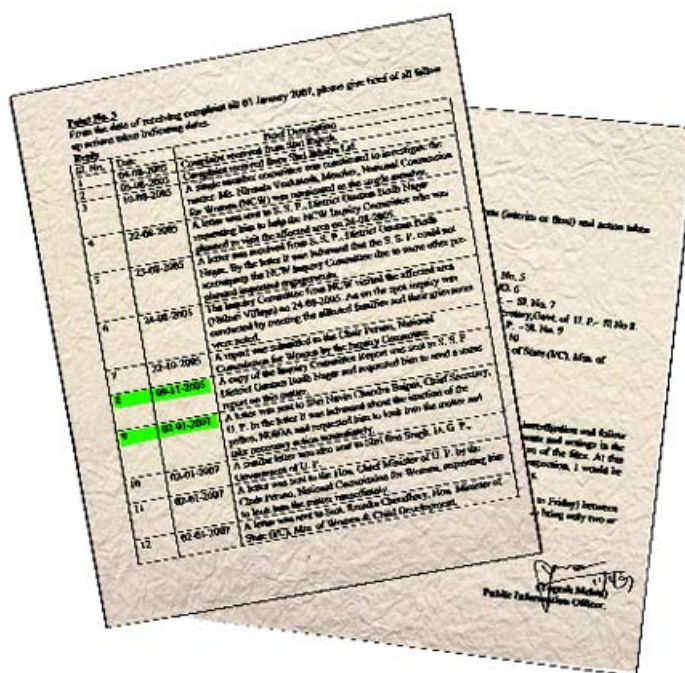
According to the information provided by the NCW in response to an RTI application, after receiving several complaints, the NCW constituted a one-member committee on August 10 to look into the case. The sole committee member – Nirmala Venkatesh — first visited Nithari on August 24, 14 days after she was appointed.

Usha Thakur, a social worker, who lives in Sector 31, Noida, which adjoins Nithari, accompanied Venkatesh during her visit. She says that an angry Venkatesh assured everyone she would do everything possible to trace the missing girls.

The NCW summoned police officials, including then Senior Superintendent of Police (SSP) Piyush Mordia, on August 30. Venkatesh spent the next two months preparing a three-page report based on her single visit to Nithari. She submitted it to the NCW chairperson Girija Vyas on October 22.

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Whenever the complainants and Thakur tried to contact Venkatesh, they were told she was out of town. “She wouldn’t come on the phone. When she would, she would talk about everything but the case,” says Thakur.

After she received Venkatesh’s report, Vyas sat on it for 19 days. On November 9, the NCW asked SSP Mordia to send an action taken report (ATR) within three weeks. Having done this, the NCW, for all practical purposes, considered the matter closed. It roused itself again a full 14 months later, on January 2007, when the killings became public knowledge.

On January 2, 2007, the NCW sent identical letters to the UP Chief Secretary and Director General of Police, asking for a fresh report on the case. The letter claimed that Venkatesh’s report (had been) forwarded to SSP, Noida in November 2005 and that the NCW did not receive an ATR. It went on to say that if the NCW did not get the fresh report on time, “Take further notice that in default, the Commission may proceed to take... action.” Significantly, the NCW issued no such warning to the police 14 months earlier, when it could have made a difference between life and death.

But contrary to the NCW’s claims in the letters, it had not forwarded Venkatesh’s report on Nithari to Noida Police. Neither the November 9, 2005 letter from the NCW to SSP Noida, nor the records at the SSP’s office indicate that the report was ever sent.



**No one to turn to:** Relatives of the missing in Nithari *Shailendra Pandey*

The two letters don’t say why it took the commission a whole year to respond after SSP Noida didn’t submit an ATR within three weeks. Under Section 10(4) of the National Commission of Women Act, the NCW has the powers of a civil court: it can summon any individual, including government officials; ask for evidence on affidavits; requisition any public record from any court or office; and examine any witness.

**After asking the police to send an ATR in three weeks, the NCW did nothing for 14 months**

Speaking to Tehelka on January 9, 2007, Venkatesh asserted, “I summoned Piyush Mordia and other Noida Police officials twice... but they did nothing. I even wrote to the CM but neither the government nor the police took any action.” But NCW’s response to the RTI application says that Noida Police officials were summoned just once, on August 30, 2005, and it was only in January 2007, and not in late 2005, that the NCW wrote to the CM.

A letter from the NCW to the Union women and child development ministry after the Nithari killings became public implicitly admits its laxity. Dated February 21, 2007, the letter states, "...lack of manpower ...is so grave that there is an unavoidable lack of follow up in the cases."

According to sources, despite an annual budget of Rs 7 crore in 2006-07, the existing manpower at NCW is not up to the mark. "They are all political appointees who have no knowledge whatsoever of how to handle such cases," laments former chairperson Mohini Giri.

This lack of expertise and complete indifference is stamped all over Venkatesh's report. It is full of errors:

> Instead of 15-year-old Pooja the report repeatedly talks about the disappearance of her younger sister, Arti.

> It says the committee was constituted on August 24, 2005. The correct date is August 10.

> It talks about five missing girls whereas the report's title says six.

According to the Noida Police's ATR, it stopped searching for two missing girls — Jyoti and Payal — a day before SSP Mordia was summoned by the NCW. The investigation in both the cases resumed almost a year later. The investigation into the disappearance of Beena Halder — Surendra Koli has admitted to killing her — was also closed in May 2006.

By exercising its considerable powers, the NCW could have prompted Noida Police to be more proactive. But, like the police and other arms of the government, the NCW also failed the Nithari victims.

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