



भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय महिला आयोग
NATIONAL COMMISSION FOR WOMEN
4, दीन दयाल उपाध्याय मार्ग
4, DEEN DAYAL UPADHYAYA MARG
नई दिल्ली-110 002
NEW DELHI-110 002
Website : www.ncw.nic.in

No.8/4(122)PM/2013-NCW

21st February, 2014

To

The Chief Secretary
Govt. of Odisha, Secretariat,
Bhubaneswar- 751001

Sub- Recommendations of the Inquiry Committee visit

Sir,

I am directed to state that the National Commission for Women (NCW) had taken suo-motu cognizance and constituted an Inquiry Committee under Section 8(1), read with Section 10(1) and (4) of the NCW Act, 1990 to inquire into the media report titled 'Odisha girl held hostage for 3 days and raped by 6 men' at Bindhima village, Cuttack district, Odisha.

After enquiring into the facts and circumstances of the present case, the Commission recommends the following:-

Key Recommendations :

- 1. Immediate transfer of the case to a Special Investigation Team :** It is utterly shocking that the investigation of such a tragic incident has been left to the fancy of a local police station incharge, resulting in granting of bail to the perpetrators of the heinous crime.

Hon'ble Supreme Court has made guidelines that rape investigations should be conducted by an expert women police officer under supervision of a police officer not below the rank of ACP with active participation of a forensic expert this has not been abided by the state government.

The state government is hereby requested to immediately constitute a Special Investigation Team consisting of police officers with expertise in crime investigation with atleast one lady officer and to be headed by an officer not below the rank of Deputy Commissioner and immediate transfer of the case to the SIT.

2. **Security to the Victim and her family:** Since the culprits are out on bail, it poses a serious threat to the lives of the victim and her family. The state government is therefore directed to provide adequate security to the victim and her family.

3. **Compensation :** The incident is as horrific and appalling as the apathy of the state government toward the victim. It was too shocking for the Inquiry Committee to find that the victim had not received a single rupee in compensation.

How many instances we have in the history of Independent India when six men gangrape a minor girl consecutively for three days and are out on bail while the 17-yr old victim, after undergoing such a horrific ordeal, had to sit on dharna and threaten self-immolation against shameful apathy of the state government.

The State Government is requested to give proper compensation to the victim.

4. **Rehabilitation of the victim through suitable employment :** The incident is powerful enough to cripple the victim for rest of her life. It is duty of the state government to ensure that she lives a life of dignity, overcoming the enormity of the tragic incident.

Since the victim is a matriculate, the state government is requested to take adequate steps for her suitable employment, as soon as possible.

5. **Immediate formulation of a Compensation Policy for Rape Victims :** Given the extreme trauma a rape victim has to undergo, it is most unfortunate and unpardonable if the authorities fail to provide her with even minimum relief through a judicious compensation. The NCW often finds that even in cases of ghastly assaults, the victim is left to lurch in extreme poverty, devoid of a single pie in form of state compensation.

The state government is therefore requested to immediately formulate a compensation policy for rape victims with stipulated timeframe for delivery and strict punishment for non-compliance by authorities.

6. **Immediate formulation of a Protocol regarding Investigation into Rape Cases based on JS Verma Committee Report :** The NCW often finds that in utter disregard to Supreme Court guidelines on investigation of rape cases, the investigation of rape cases are left to the dictate of SHOs or Incharge Officers, resulting in severe flaws in police investigation, that seriously impacts the final outcome of the judicial trial.

The state government is therefore requested to immediately formulate a detailed protocol on investigation into rape cases, based on the recent recommendations of the JS Verma Committee report and sensitise all its police officers on it.

7. **Appointment of a Special Public Prosecutor:** The state government is requested to appoint a special public prosecutor with good reputation for trial of the case in court.
8. **Trial of the Case in a Fast Track Court :** The state government must take into view the fact that only swift and exemplary punishment in such heinous cases can help deter occurrence of similar cases in future. The state government is hereby requested to ensure that the case is put to trial in a fast track court and trial is completed as soon as possible.

I am directed to convey the recommendations of the Inquiry Committee and to request that the State Government is requested to take appropriate action in the matter and kindly intimate the Commission about action taken by an early date.

Yours sincerely,



(Raj Singh)
Deputy Secretary