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# A double trauma for rape victims

## The State failed the girl who had to marry her alleged abuser

**T**he subcontinent is not the best place women to live and thrive, and we are reminded of this dubious reputation all too often. Last week, a tribal council in Pakistan asked a man to rape a 16-year-old girl in front of her family as punishment after her brother

was accused of raping the man's sister.

Even as we were struggling to come to terms with this devastating news, there was another, this time from India: A 14-year-old rape survivor, who gave birth to a child last year, has got married to her alleged rapist, following intervention by village elders in Uttar Pradesh's Bareilly district. The accused has been forgiven by the girl's family because, as her father said: "How long can one fight against the society...it is better that she has gone to his house". The victim's comment on her plight is heartbreaking: "My parents cannot feed me and my child. Here, we at least get two meals a day".

It is unfortunate that the traumatised child has to live with the same person who violated her. Unfortunately, the girl also does not qualify for UP's 'Victim Compensation Scheme', which provides financial assistance to victims or their dependents, who have suffered loss or injury due to crime like rape, acid attack and human trafficking, because the case is sub-judice. Obviously the marriage has given the accused a shield and a chance to get off scot-free. Is there any surety that he will stay with the girl if the case is withdrawn since now she is his wife?

On the larger issue of victim compensation, which is mandated under the law, there are several problems: First, the restrictive eligibility criteria. Next is the long procedure for processing of applications and the disbursement of funds. These roadblocks need to be removed and there has to be a mechanism through which rape/acid survivors can get help to take care of themselves even when a case is going on. This is important not just to ensure that the victim gets support to tide over the crisis till further help comes in, but also can help to keep unconstitutional bodies such as the "village elders" from calling the shots.

# Railways are dealing with safety in an ad hoc way

## There are many structural problems that must be addressed at the highest level

**C**ountering the objections of the office from the Commissioner of Railway Safety (CRS) that the Tejas Express—a new train launched this May with a traction power of 130 kilometres per hour—was being operated without safety clearance, the railways argue that, "Since CRS certification for running trains on the track at a top speed of 110 kmph had already been obtained in the past, the need for a fresh certification for Tejas was not required, as none of the advanced features of the train were being used".

The railways are both right and wrong in taking the position. Wrong, because policy circular number 6 of the railway ministry and section 27 of the Railways Act of 1984 mandates a clearance from the CRS before operating a new train or increasing speeds on any track. And right, because chapter 4 of the Railways Act empowers the railway board to overrule the observations of the CRS. Last April, the "Gatimaan"—publicised as India's fastest train with a top speed of 160 kmph—started operations on the Delhi-Agra route after "partial clearance" from the CRS. Since the mandated preconditions laid out in the CRS report have not been met, the train operates at a slower speed of 130 kmph. Following the PM's visit to the north-eastern states in November 2014, the railways hurriedly announced the start of operations on certain tracks; one of these in violation to the recommendations of the zonal CRS. A couple of accidents happened on the route and operations have had to be suspended for several months.

Most of the problems are structural. Although the CRS operates under the ministry of civil aviation, the office remains obliged to the railways ministry—which provides for its office, staff and transport expenses. Committees of experts have recommended the delinking of safety functions from the railways by providing for an independent safety organisation with statutory powers. Until this happens, the rail passenger will continue to be deprived of what she is paying for.

# Pakistan needs a major clean-up

## The law must extend to corrupt elements across the country's civil and military establishment

SHAHEEN SEHBAI



**A**s a hitherto lucky Nawaz Sharif was booted out from power, for the third time, last week, hardly a whiff of protest was heard. There was a deafening calm and a sense of relief all around, including the all-important security establishment.

I used the words "booted out" because his last two stints as prime minister were abruptly axed in 1993 and 1999 by Pindi boots—by Pakistan's military establishment. But this time they intelligently stayed away and quietly, and rightly, gave confidence to the apex court judges as the Panama Papers' judicial noose was enough to do the job.

The Sharif family had been caught red-handed with its hands, feet and neck deep in the cookie jar. Numerous cases of corruption, money laundering and violation of oath were detected to be tried now. There was relief because Sharif began his term by taking on the army on key national policy issues—how to combat terrorism and relations with India. He wanted a soft approach on both these fronts and like Recep Tayyip Erdogan's Turkish model, wanted to bring

the army under civilian supremacy. While he delayed action against the Taliban and pressed for a dialogue, the army thought precious time was being wasted and a stage came when a military operation was launched without the PM's approval. Sharif was forced to cooperate with the highly successful anti-terror operation— at a later stage the prime minister even claimed credit for it.

On India, Sharif showed extraordinary courage and defiance, inviting Prime Minister Narendra Modi to his Lahore home after first attending his inauguration in New Delhi, never mentioning Kulbhushan Jadhav, a retired naval official arrested in Balochistan in March 2016, nor coming out strongly for the separatist movement in Srinagar.

Sharif even showed the audacity of inviting Indian tycoon Sajjan Jindal to his private residence at the hill resort of Murree, talking to him while strolling on the lawns to avoid monitoring. This could have been to either send or receive a message from New Delhi.

All these were highly annoying to the Pakistani army but it registered only soft protests inside closed doors and allowed him to continue, probably anticipating that the Panama Papers will ultimately, and quickly, bring him down through the constitutional process.

Some Indian voices were heard lamenting that a friendly or less inimical regime had ended in Pakistan, but deep inside their hearts many Pakistanis, and especially



People celebrating the Pakistan Supreme Court's decision against Prime Minister Nawaz Sharif, Karachi

Kashmiris on both sides of the disputed border, must be feeling happy.

"Five wise men have given a 5-0 verdict. It's good riddance on sound reasons," said Riaz Hussain Khokhar, an expert on India-Pakistan relations and a former Pakistani high commissioner to India. "Sharif's exit will have no affect whatsoever on Indo-Pak relations. There is no chance of any improvement because of Indian intransigence and New Delhi should take notice of official reactions in Beijing and Washington," he said.

Khokhar's comments should not be taken lightly by India as whoever succeeds Nawaz Sharif, most likely his brother Shehbaz Sha-

rif, now chief minister of Punjab, will not be able to maintain a soft stand or keep quiet on issues like his brother defiantly did.

Shehbaz will only be a stop-gap arrangement for a few months as general elections are due next year and he would have to keep his family and the party intact amid a plethora of criminal cases that will open against all of them, including Shehbaz.

A family hounded by sleuths who are going all around the globe to find hidden treasures looted from Pakistan would have a very hard time projecting an image of innocence to the electorate or claim sympathy or political martyrdom. It will take a hit.

The rule of law unleashed with the unseating of the first family of politics, especially from elitist Punjab, will have to be extended to others, including the equally rich former president Asif Ali Zardari of the Pakistan Peoples Party and the corrupt elements in the civil and military establishment.

Pakistan is clamouring for cross-the-board accountability and fortunately the judicial and the military establishments, at this particular time, also think a major clean-up operation has become inevitable—in fact it is a necessity for the nation to survive the grave strategic and economic challenges it is facing.

With politicians busy saving their money and skin, the momentous task of keeping Pakistan afloat, watching out and responding to the serious regional and international realignments fall to the lot of others.

The remote will become the main instrument of control.

Shaheen Sehbai is a senior Pakistani journalist. The views expressed are personal.

## NEIGHBOURHOOD WATCH



In most neighbouring countries, from Sri Lanka to Maldives, and Nepal to Bhutan, "Indian agencies" are often accused of playing a negative role in domestic events. Getty Images

# India must work to build trust in the neighbourhood

## Support for democratic and human rights principles will go a long way towards dispelling some of the anxiety

MEENAKSHI GANGULY



**I**n the old days, Indians would speak of the "hidden hand," accusing people of being on the payroll of CIA, or even the KGB. These days, Indian officials seem to have been attributed a similarly long and evil arm of influence by our neighbours.

After the mysterious disappearance and subsequent return of Farhad Mazhar, a Bangladeshi columnist and activist, on July 3, local media in Bangladesh reported conjecture that "Indian agencies" were responsible for the abduction. Nepali analysts have long spoken of "Indian agencies" being involved, usually in a negative role, in political decisions; but the distrust runs so high that a Nepali national even suggested to me that India's prompt earthquake rescue and relief mission two years ago, was motivated by a hidden agenda.

This is partly because India, by sheer size of its population, military, economy and geography, is an overwhelming presence in the subcontinent. But its officials should have realised by now that repeatedly saying that India wants peaceful ties, based on cooperation, is not enough.

While it is generally accepted that it will, like other countries, prioritise its strategic interests, the open dismay toward India is not

without basis. While many of the allegations might be dismissed as local paranoia, India also needs to reconsider its image. India's clear and unwavering support for core democratic and human rights principles in neighbouring countries might go a long way toward dispelling some of the public anxiety.

For instance, many Bangladeshis, particularly opposition supporters, believe that India is bolstering the ruling Awami League. In Nepal, almost everything, even the potholes, are often blamed on "Indian agencies." Bhutan's fledgling steps toward democracy, many Bhutanese believe, were derailed by India, which is accused of weighing in to ensure the election of its preferred candidate. India stumbled in the Maldives too, failing to stand up for the basic rights of the political opposition. Promoting human rights in both places would not only have helped the citizens of these countries, it could have ended the mistrust.

India's footprint was much more visible in Sri Lanka where Tamil Nadu politicians actively campaigned for the rights of Sri Lankan Tamils.

When Prime Minister Modi invited regional heads of state to his government's inauguration in 2014, there were hopes that he was signalling a shift in India's relations with its neighbours.

Modi now needs to turn that sentiment into action by promoting respect for human rights abroad. Concerns over "Indian agencies" are not going to disappear on their own.

Meenakshi Ganguly is South Asia director at Human Rights Watch. The views expressed are personal.

# Real-time feedback can help Smart Cities Mission

## If this is done, it will make the development project more dynamic and also help it deliver on its promises



PERSIS TARAPOREVALA

**T**he Smart Cities Mission (SCM) is a dynamic programme whose strength lies not, as popular culture would have us believe, in futuristic or technological solutions but in the simplicity of a selection process that has the capacity to improve in real time. If this structure is used effectively and employs citizen-engagement in the implementation process, the SCM could reduce its chances of being afflicted by two of the most common development maladies—over promising and under delivering.

Three examples demonstrate the potential for flexibility in the SCM. One, Aizawl was recently inducted into the mission despite the fact that the city's planned form of development eschews the mission's basic tenet. Aizawl plans to direct a greater portion of its budget on pan-city initiatives rather than focus on the compact area-based development that the mission promotes. This could result in finances and development spreading more evenly across the city. To the credit of the ministry of urban development, this demonstrates that there is space to move beyond the norms of the mission if the change allows for more appropriate and thus, 'smart' solutions being implemented.

Aizawl was selected in the latest round of the competition and the intervals between these rounds allow for patterns of change to become apparent. These patterns demonstrate the dynamism of the mission itself, which is learning from its own decisions towards building, hopefully, more resilient cities. Two, there has been a clear movement away from 'greenfield developments' or cities that were going to be built from scratch, towards more affordable and perhaps more effective forms of urban regeneration within existing cities. These shifts

**IF THE SMART CITIES MISSION IS ABLE TO PUSH FOR AN ACTIVE MUNICIPAL ENGAGEMENT WHILE CONTINUING TO ADAPT THE SCM'S FRAMEWORK TO SUIT THE NEEDS OF CITIES, IT COULD IMPROVE THE LIVES OF INDIANS.**

signify the possibility of active communication between municipalities and the ministry, where the focus is on urban regeneration rather than enforcing ineffective forms of development. While the ministry should retain this level of flexibility, some clarity on how these changes occur could allow for processes of transparency and accountability, which would improve the strength and credibility of the mission.

Three, the proposals from Davangere and Chandigarh demonstrate the versatility of the mission. Davangere has proposed a more grounded economic regeneration process that incorporates energy and ecological sustainability. Chandigarh, however, has a far more formal form of economic growth. The city will build a large hotel-cum-mall retail compound that will cost over Rs 1,300 crore. The plans of both the cities may or may not come to fruition, however the fact that both the cities are part of the same mission demonstrates a dynamism that is exciting and if approached with care could help cities forge identities, economies and infrastructure that they truly need.

It is important to note that the mission has had the benefit of hindsight by learning from older urban missions in India, such as the Jawaharlal Nehru National Urban Renewal Mission (JNNURM), which sought to create access to basic services and promote processes of good governance. At its core, the SCM has embraced all the primary themes in the basic services that JNNURM sought to provide (transportation, housing, and sanitation and water) while bringing in newer ideas that were not essential to JNNURM (Energy and Economic activity). This again reflects the possibility for introspection and improvement through the SCM.

There are, however, several projects that could lead to exclusion and disempowerment, especially those like waterfront projects that have historically resulted in displacement of people's homes and livelihoods.

For the SCM to be truly dynamic it needs to be institutionalise real-time feedback when projects are under implementation to enhance the possibility of inclusion.

If the SCM is able to push for an informed citizenry and active municipal engagement while continuing to adapt the SCM's framework to suit the evolving needs of Indian cities it could trigger meaningful change and genuinely improve the lives of millions of Indians.

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**innervoice**  
QUOTATIONS HELP US IN SEEKING WAYS TO LEAD A MEANINGFUL LIFE

PP Wangchuk

One of my valued readers has complained that, at times, I use many quotations and names of books in my write-ups. It was, of course, very nice on her part, and I replied accordingly, thanking her for her concern.

I understand the importance of quotations to support your point of view. If they are from a famous personality, it makes it all the better.

Quotations give you a sense of assurance and hope that there is merit and value in

what you want to say.

And, when you are in a fix and fail to understand a situation, a relevant quotation comes to your rescue and you say: Get, set, go.

So, I would like to say that great authors and their lovely quotations can be as torchbearers in one's life. Life is not at all that smooth; even the wisest of us find it difficult to handle the hurdles in the journey of life.

But one who understands the value of adages that are full of wisdom can see the

way out of a dark tunnel—to freedom, safety and happiness.

And, here is a quotation by Mark Twain telling us how to remain cheerful for a meaningful life: "The best way to cheer yourself up is to try to cheer up somebody else."

And, let me add another quotation (my own): "The best way to be good to yourself is to be good towards others."

Inner Voice comprises contributions from our readers. The views expressed are personal.

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