

Victim of Family Conspiracy

The Abduction of Farah

THIS is yet another case, like others we have reported before, of an intercommunity marriage being violently opposed by the woman's family, even to the point of endangering her life. As of the time of writing, the battle seems to have ended tragically with the death of the woman, allegedly at the hands of her natal family.

Farah Mohammad, daughter of Shamim Mohammad, executive engineer with the government of Orissa, was educated at a convent school in Rourkela. She studied in the municipal college, Rourkela, where she was taught in 1984 by Abhiram Biswal, lecturer there in political science. Thereafter, they kept meeting constantly.

In 1987 Abhiram left Rourkela and joined a government college at Bhadrak. Farah went to Aligarh to do her MA in political science. The relationship continued, and in 1989 Abhiram and Farah decided to get married. However, her parents opposed the marriage on the grounds that she was a Muslim and he a Hindu. Farah came to Delhi to get admission in the MPhil course at Jawaharlal Nehru University (JNU). Abhiram also came to Delhi, and on June 15, 1989 they got married at Ghaziabad under the Special Marriage Act. Abhiram was 27 and Farah 22 years old at the time of the marriage.

After staying together for a short while in Delhi and at Bhubaneswar Abhiram had to leave for Bhadrak to rejoin college while Farah returned to Delhi. The letters exchanged by them during this period of separation indicate

the pressures they were facing. Farah, in her letters, told Abhiram about the work she was doing in preparation for the admission test, and sought his guidance. She also expressed with intensity how she was missing him: "Yes, we are all prisoners of time and



Farah Mohammad

circumstances. You and I are destined to be mates and yet we can hardly do justice to the very essence of a very intimate involvement.....given the prevailing situation's demands and compulsions."

Farah got admission into three centres at JNU. But, on August 2, as she was going to deposit her fees along with two other students, Abhinna Kumar and Rajat Patnaik, she was accosted and forcibly abducted by her father and her uncle, A.Q. Qureshi, who told her friends that they were taking her to Rourkela and that they would send her back by August 10. When she did not return by that date, the two friends informed Abhiram, who

immediately rushed to Delhi. He hoped she might return by August 14, which was the last date for MPhil registration. When she did not return, Abhiram went to Rourkela. He met her father and uncle at their house on four occasions, in August and September 1989, but they refused to let him meet Farah and kept evading his questions regarding her whereabouts. On September 20 Abhiram filed a police complaint at Delhi against Farah's father and uncle, accusing them of having kidnapped and detained her against her will. But the police did not take any action, and Farah was not released.

Abhiram and his friends desperately sought help to get Farah released. In October 1989, **Manushi** and People's Union for Civil Liberties, along with Abhiram, filed a *habeas corpus* petition in the supreme court, which came up for hearing on November 6 before Justices G.L Oza and A.M. Ahmadi. The petition was argued by advocates Pinky Anand, Geeta Luthra and D Goburdhun. After examining the evidence of Farah's age and marriage, the court ordered her family to produce her on November 27. Farah's father and uncle claimed in their response that they were completely innocent, since Farah was an adult, married to Abhiram and was free to live with him. They denied that they had abducted or detained her. They said that she had, of her own free will, left for Pakistan on August 5 and was living there of her own accord. However, on November 24, Abhiram had received a letter from Farah in which she clearly

stated she was being forcibly detained in Karachi, and that she feared for her life and sanity. She pleaded desperately to be rescued and brought back to India:

"I have been labelled characterless, corrupt, a fallen woman My uncles here are very influential and they can do anything they like with me....I don't know what they will do to me, they are so vindictive. I only hope I am able to keep my sanity retained till you hijack me from this place.

"Another tragedy! They have seized my passport. I am almost penniless....They are keeping such a vigilant watch on my movements....They had earlier made me put my signatures on four blank papers. Now they can be up to any mischief.....My only ray of hope is that one day you will hijack me from this place where we will be safe and sound for ever with no interference whatsoever. Lauding on the Indian soil will make all the difference.... When will the day of our freedom, liberty, happiness and love come?"

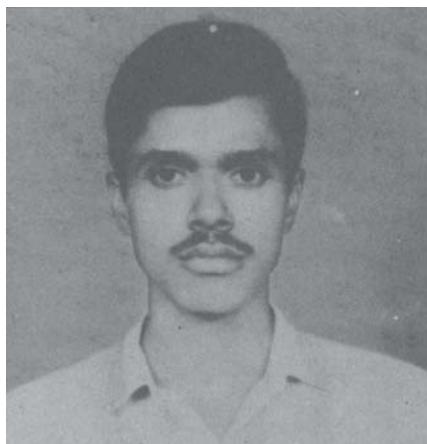
She requests Abhiram to go to Pakistan to rescue her and says: "Bring a packet of potassium cyanide or any other poison with an instantaneous effect when you come here. Will prove helpful in case we are caught while eloping...."

Producing this letter in court, Pinky Anand and Geela Lulhra urged that the court direct the government to get her released. However, the external affairs ministry argued at great length that the production of Farah was a private matter between her and Abhiram. The lawyer for the Union of India argued that the consul and officers in the Indian high commission in Pakistan had no jurisdiction outside their high commission. Abhiram's lawyers struck that the supreme court has jurisdiction over all Indian citizens; whichever country they may be in and whatever their religion. Finally, on December 4, the supreme court issued notice to the Union of India who again sought time to take appropriate steps through the ministry

of external affairs and the high commission.

Meanwhile, Farah was suffering intensely, as is evident from another letter of hers, dated 29 October, to Abhiram:

"At present I'm being held as a prisoner. Please don't let them know I have written to you. They might do anything to me. As it is I am a pawn in their hands totally....For God's sake take me out of here.... They are forcing me to sign migration papers which I won't do nor will I sign these filthy 'D' [divorce] papers. They tricked me twice. First, by sending me here on the plea that my uncle is ill. Second, by making me sign these foul 'D' papers....assuring me that if I do that I'll be sent back to India....My dearest husband, my own Abhi, my love, please get me out of here. I am entirely innocent. Please save your wife from ruin. Save



Abhiram Biswal

my nationality and our marriage....Now I'm not being allowed out of the house. I am a complete prisoner."

Along with her letter, Farah also sent to Abhiram a letter written by her mother to her sister, Farah's maternal aunt. This letter is even more revealing as it shows the lengths to which many so-called educated families will go to thwart their daughters' rights as human beings:

"What both of you have done so far is much beyond our expectations.....Don't melt by the girl's entreaties. We would rather have her dead than accept her here. That fellow

had come and his appearance and mannerism gave us creeps here. He is a very very revolting sight for us to behold. We are making all out efforts to close this unpleasant chapter and she is not to return to him. Keep a strict watch on Farah and seal her mouth if necessary by applying a little force."

And it seems that Farah's family did in fact "have her dead" rather than accept her own decisions about her life.. On January 23, when the case came in the supreme court, a telex from the consul general, Indian high commission, Islamabad, dated January 15, 1990, was produced, stating that Farah was in Ziauddin hospital, Karachi, and was being treated for severe burns. Her mother, who was with her in hospital, had told the consuls, who visited her there, that she had caught fire accidentally in October 1989 and was hospitalised ever since. This appears highly suspicious as Farah's last letter to Abhiram was dated October 29 and she was not yet burnt by then. The consuls did NOT try to meet Farah in private. On January 21, they visited her again but Farah could not speak to them as she was in great pain. Her mother told the consuls that Farah was unstable and had been trapped by Abhiram into marriage, but had subsequently regretted this mistake and had gone to Pakistan of her own will. Farah's maternal uncle M.B. Khan appeared perturbed and told the consuls that he wanted her to return to India as soon as possible. He also suggested that they take Farah's statement in the presence of a magistrate. But the consuls refused, saying they would have to consult the high commissioner before doing so.

The next day, January 22, Dr Subhan of Nooruddin hospital rang up the consul general to inform him that Farah had died of cardiac arrest. He did not explain why she had been transferred to his hospital. Mr M.B. Khan also phoned and said he wanted Farah's body to be taken to India, but her mother wanted

the burial to take place in Karachi.

On receiving this report, Abhiram's lawyers urged the supreme court to direct the appropriate authorities to produce the death certificate and *post mortem* report and also to direct that her body be brought back to India. The matter is still pending, and we also intend to take penal action against Farah's family on charges of kidnapping and murder or abetment to murder.

Before the news of Farah's hospitalisation and death, **Manushi** had contacted women's and human rights organisations in Pakistan, and asked them to intervene and try to save Farah. Khadi-ja Gauhar of Lahore had contacted women lawyers Asma Jehangir and Hina Jjlani. However, all this took some time, and it appears that it was too late to save Farab's life. The lawyers in Pakistan intend to press in court for the exhumation of Farah's body and for conducting a *post mortem*.

This tragic case is yet another demonstration of the total helplessness even of educated, relatively privileged, women, when their families act like criminal gangs, kidnap and imprison them to deprive them of their most elementary human rights.

There is little difference between the helpless condition of women in India or Pakistan, amongst Hindus or Muslims. The failure of the bureaucracy even at the highest levels and the police in either country to act expeditiously to save women's lives, the callous delays and complete lack of any sense of urgency were compounded in this case by the lack of international agreements and procedures to preserve women's lives and safeguard the human rights of ordinary citizens who may be from the educated middle class but who are not themselves powerful or influential.

On February 5, 1990, the Vasant Vihar police station, yielding to pressure, finally registered a first information report. However, on February 13, the supreme court said no further action could be taken because Farah was dead and dismissed the habeas corpus petition. We intend to seek justice in this case.

-Manushi

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