

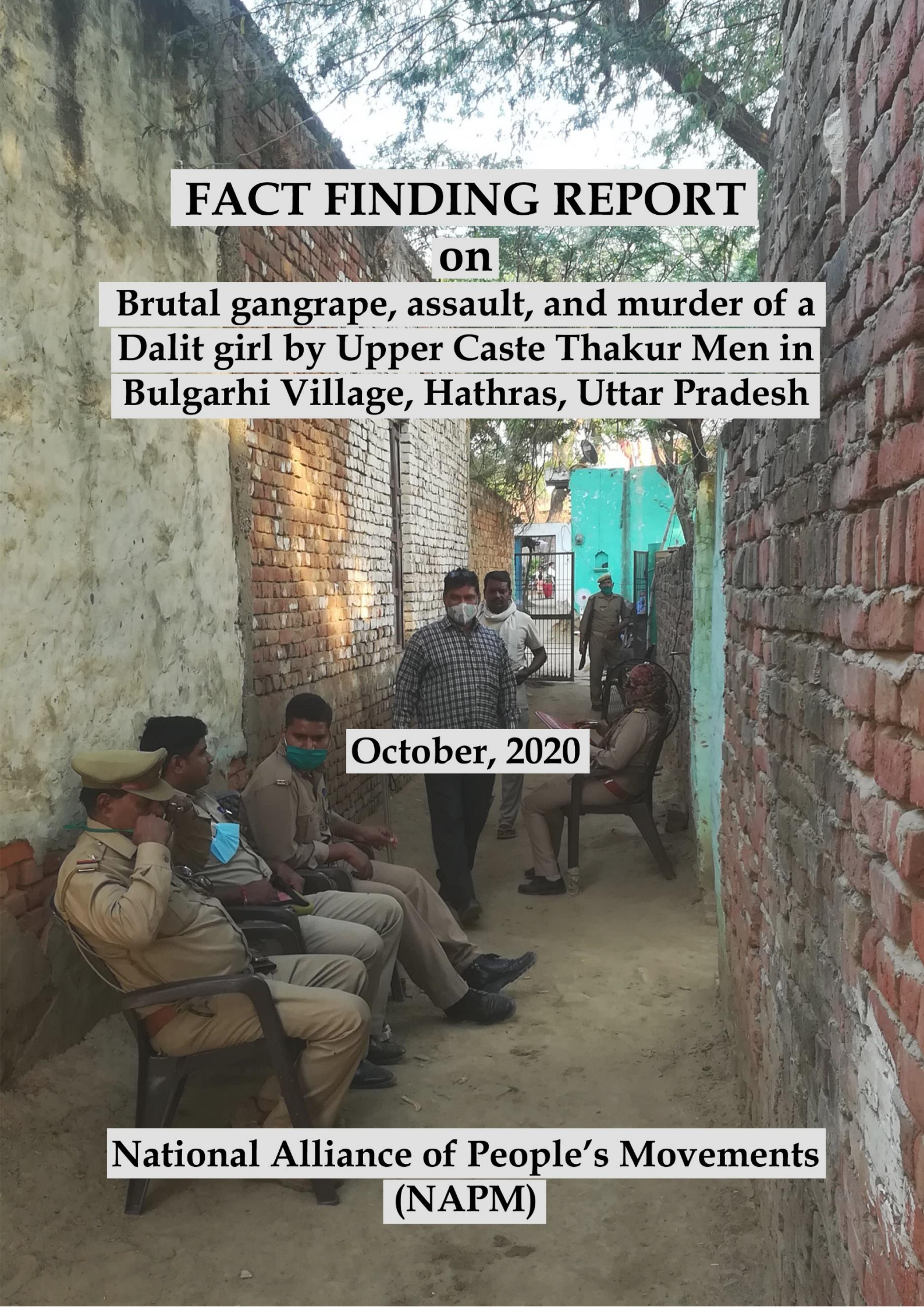
FACT FINDING REPORT

on

**Brutal gangrape, assault, and murder of a
Dalit girl by Upper Caste Thakur Men in
Bulgarhi Village, Hathras, Uttar Pradesh**

October, 2020

**National Alliance of People's Movements
(NAPM)**



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Brutal gangrape, assault, and murder of a 19-year-old Dalit girl by Upper Caste Thakur Men in Bulgarhi Village, Hathras, Uttar Pradesh

October, 2020

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National Alliance of People's Movements (NAPM)

Introduction

After 14 years, on the same date, i.e., September 29th, Since the Khairlanji murder took place in the Chandrapur district of Maharashtra, we have witnessed the Hathras incident, rape and murder of another Dalit victim. These atrocities that have been taking place across India are a result of cumulative effect of caste & gender, inequality & injustice.

The episode in Hathras, with a native Dalit girl, 19 years old, let's call her Dasya, in village Bulgarhi is however entangled in a controversy but also in the casteist politics, denying the facts narrated by the family of the victim and openly accusing them of lying and honour killing. This was so shocking yet unexpected and unimaginable even to all those, individuals and organisations, who are already aware and disturbed by the repression and violence witnessed in Uttar Pradesh over last few years. It is in this context that we, as representatives of National Alliance of People's Movements (NAPM), a team of senior activists and our supporters decided to visit the area, listen to the victim's family members and others, and conclude on the real facts and analysis of the brutal atrocity case not merely in the legal but socio-economic-political framework. Our intention has also been to raise voice against the inhumanity and extend our support to Dasya's family to fight the battle amidst feudal-casteist environs and politics.

We, a team of nine members, reached village Bulgarhi around 1 pm on 9th October. Before we could pass through the police cordon and barricades, we were stopped that no more than five members can go together to meet the victim's family. After writing applications addressed to the Sub-Divisional Magistrate in two teams of 5 and 4, we were allowed to go and meet the victim's family. The first team was provided a police vehicle to reach the Dasya's house, one and half kilometres away, while the second team had to walk. While the second team was waiting for the return of the first team, saffron turban clad Akhil Bhartiya Kshatriya Mahasabha activists also arrived with posters stuck on their vehicles with message written that they were there only to meet the 'victim' Thakur family. They were about ten to twelve people. They argued with police to go together and after much debate, they were allowed to go together inside the village. One of the vehicles with

them carried the flag of Pragatisheel Samajwadi Party, the breakaway faction from Samajwadi Party formed by Shivpal Yadav (See pictures attached).

Some of us sat inside, met and heard the vivid details of the incidence, the past and the post facto events as well. Bulgarhi, a village with more than 600 families, has a small group of about 15 Dalit families as a minority living since generation but experiencing a number of repressive acts and atmosphere over decades. The upper caste families of Thakurs, who have support of, have used services of Dalit families as agricultural labourers and in other ways. Some awakening has taken place among Dalits over decades.

Dasya's family through her father, was allotted 5 bighas of land by Mayawati's government in 1990s. However, till today, they are in physical possession of only three and half bighas while the rest is apparently encroached upon by some Brahmin family. They have small supplementary income from cattle rearing, through sale of milk.

Relations between the neighbours have long been strained. Nearly 20 years ago, the Thakur family had attacked Dasya's grandfather. "They came into our field to graze their buffalos and my grandfather requested them to take the animals elsewhere as our crops would get damaged. Angered that a Dalit could tell them this, they attacked him with a knife-like object. When my grandfather tried to protect his neck, the knife cut away his fingers," Dasya's brother said.¹

Vir, the police chief, said Ravi had been involved in the attack on Dasya's grandfather, while Sandeep had a history of "high alcohol consumption". Ravi's father confirmed that he had been jailed in connection with the attack on Dasya's grandfather.²

However, there was neither a conflict nor any incidence of fight that had occurred between the families of the accused and Dasya during last two decades. The brutal assault of September 14th was therefore totally unexpected and unwarranted for the whole family.

¹ <https://www.newslaundry.com/2020/09/29/help-us-get-justice-please-dalit-girl-assaulted-in-ups-hathras-succumbs>

² <https://www.newslaundry.com/2020/09/29/help-us-get-justice-please-dalit-girl-assaulted-in-ups-hathras-succumbs>

The Incidence

On the day of September 14th, 2020, Dasya went to the field as usual with her mother and brother Satyendra Kumar for fetching grass for the cattle. Satyendra returned home with a bundle of grass, leaving the women alone. Dasya was dragged to a farm belonging to accused family, about 50 feet away but inside standing crops of Bajra by the men, as was later narrated by Dasya. On finding her missing, Dasya's mother went on a desperate search and was totally shocked to find her body uncovered, wounded, bleeding on the ground. Screaming, her mother covered her body with a part of her Saree and found a boy nearby to send a message to Dasya's brother, Satyendra. He rushed to the spot on a bike and the body was taken to the Chandpa police station and then to the Balga Hospital in Hathras.

The family is aware of the accused, Sandeep, Ravi, Ram, Lavkush from the upper caste Thakur family, staying in front of them in the same lane of the village, as those who are used to drinking & intoxication. They were with Lavkush, their relative and all the four were involved in rape & assaulting Dasya. They strangled her resulting in serious neurological disability, her spinal cord affected and she was unable to move her body, which had almost become paralytic. She couldn't speak & was unconscious.

Dasya was brought to the Balga Hospital but the doctors were not briefed by police nor did any policeman or official did any investigation as per all the family members, Dasya's mother, brother, father, sister-in-law (Bhabhi) and Bhabhi's brother. This was absolutely necessary for any further investigation and action under section 375 of IPC as is known to the administration but not carried out.

Almost nothing happened in 24 hours and she was again shifted to Aligarh hospital when she was still almost unconscious and her tongue was bitten and broken not allowing her to speak a word. It was in Aligarh JLNMCCH hospital, the relatives heard, the doctors exclaiming that they didn't know from where had the case been brought to them and for what! The family since the beginning felt that the doctors and employees there were under enormous pressure! They did give the basic

treatment and everyone from the family was of course most worried about Dasya's struggle for survival and nothing else at that moment.

Dasya came to a little consciousness for some time after a day or two and narrated her story to her mother, taking names of the four culprits, referring to rape and brutal assault too. The family members who were no doubt worried about their prestige, without giving any evidence of ego or arrogance, couldn't keep quiet. They called the doctors, sisters, and relatives of other patients, present in the ward too... and the reality came into the public domain.

Dasya came into some consciousness, yet not fully, when the Aligarh hospital, appearing to her family members as trying to get rid of the case by transferring to another hospital. The doctors there had categorically referred to AIIMS and not any other. The family too agreed and they could never protest or nor suggest anything to the powerful in any case. The whole systemic force was active around them with no space to manoeuvre, nor much support.

The supporters who reached out to the family and official members who could attend to them included the collector and all officials in Hathras, ...but none of the higher ups in the state administration from Lucknow. The members of Parliament from the same constituency, who too belongs to a Dalit community was not vocal in favour of the victim, rather he gave an unclear statement. Bhim Army chief Chandrashekar Azad visited Dasya at the Aligarh hospital after evading the police on the evening of September 27.

It was Shyoraj Jivan known to be a staunch defender of dalit rights, and a leading activist from Valmiki Samaj came to not just meet, console and give immediate support but also to be active in the long-term legal battle which is unavoidable in such cases and the politics. He has been active at the national level and with Valmiki community. He got furious to hear the story and the history.

Some doctors in Aligarh were of the opinion that Dasya should not be moved till she became conscious. The family too refused, realising that it was risky to shift her far in that condition. She was in severe pain and couldn't move her neck or back due to severe nervous injury affecting the spine. The false allegation that Dasya's family didn't permit the

administration to take her to AIIMS does therefore stand exposed and countered. Why this allegation again? It is however, shocking that the doctors, who must have checked her whole body, didn't examine anything related to sexual assault, nor did they enquire with her family till she herself brought out the truth. This passage, rather wastage, of time could be deliberate since late examination couldn't ever prove rape. The intention obviously could be to miss or lose evidence forever. A copy of the Medico Legal Case report, which was not made available to the family immediately, mentions penetration of vagina by penis as well as the report from the Forensic department of the same University which rules out this possibility are attached.

The statement recorded of Dasya, however, is her dying declaration as per law and nothing else. It is, therefore, obvious that the police had to take the four accused into custody. For this too, they had to hunt a lot until someone reported their hiding in a nearby village. With a large population aggressive and arrogant but active role of their caste was known from the statements.

By then, it had come out that Dasya was being harassed by the accused men from the family, Sandeep and others since past 6 months. She was once pulled by him near the field but had escaped. The family, however, was very categorical in refusing to accept the false story of some communication as also relation between Sandeep and Dasya who were in touch through phones and therefore she was killed by her own family, which was honour killing! They, especially, the women, Dasya's mother, sister and Bhabhi appeared to be pained even when they had to hear the same and respond to questions from the media as well as supporters.

Shyoraj Jivan was one who spoke out in anguish and anger and made a statement to some media in the same mood that if anyone happens to look at Dalit girls with wrong intention, his eyes would be popped out! We hear such kind of statements by many in politics that is violent especially when is based on casteism and communalism that goes unpunished! However, Shyoraj Jivan was arrested and is still in jail. None of the Dasya's family members approved Shyoraj Jivan's statement threatening violence but they certainly feel that their only

supporter from Valmiki community, to which they belong, is kept away as a conspiracy.

Meanwhile other controversies over supporters too have arisen. One, of Dr. Jyoti Bansal, who, as an Ambedkarite, felt a need to reach out to Hathras and console as well as strengthen Dasya's family's will to stand up and fight for justice. She has been active on social issues and progressive people from Jabalpur are not surprised that she decided to reach out so far... "When she spoke to Babuji (father), he felt highly consoled. We could find him interacting with her and coming out of depression to an extent. We, therefore, requested her to stay back and she did. She also stayed for the second night on our insistence and changed the atmosphere in the hours, in spite of a large police force surrounding us for 24x7 and outsiders continuing to visit and question. When these are the facts, we feel sad that she is blamed as a Naxal." Dasya's Bhabhi, who is educated and articulate, said to us, with sadness in her breaking voice.

Another unjustifiable action taken recently, after stopping and manhandling Rahul and Priyanka Gandhi on their way to the victim's family, which is an act in the series of actions, criminalising dissent and strangulating opposition in 'democratic' India. Thereafter arrest of 3 active leaders of Union of working journalists from Kerala was also condemnable since we found police force not so aggressive or repressive during our visit although the questions raised outside and before the High Court in Uttar Pradesh regarding "illegal detention" imposed on the Dasya's family might have compelled the UP administration to behave... The police to collector... all serving the Chief of Uttar Pradesh appear to have been served dictates, as known from our direct and indirect interaction with them, through various ways and means!

Another important phase commenced with Dasya taken to Safdarjung Hospital instead of AIIMS. "We were told, when asked, that AIIMS and Safdarjung are the same. We couldn't argue as we are not educated nor knowledgeable about Delhi and the medical services."

Dasya was treated inside. They told the family that she was in ICU but there was no one to explain them, console them and they didn't hear

about the police investigation while they were much harassed, with questions asked; with no answers given to their queries.

The family remembered how Dasya's father was called to the District Magistrate in Hathras and questioned about the incidence. More than listening to his replies, an unclear message given to him on the very next day of the incidence that he and the family should convey to all about their being satisfied with the enquiry and the treatment both. This itself conveys the state was preparing to suppress the truth and close the case forever. Things changed after the civil society and a group of courageous media started raising the issue and bringing out the truth. No doubt the judiciary also had to hear, if not do justice, with due urgency, when the common citizens, not just activists also started reacting to the brutalities as well as the State's misleading deeds and statements.

At the Safdarjung hospital, when Dasya succumbed to her injuries, all the family members sitting outside were simply informed by the police and made to face utter distress, grief and pain. Their consent was sought for Post Mortem process and nothing else was shared. They were then called and shown the body put inside the mortuary as to assure safety. None realised that the body in the hands of the administration, wherever stored, was unsafe. The shocking news a few hours later was that the police had taken away the body for cremation, without seeking their consent or opinion!

Whatever happened after this, the police sent the family in a van to Hathras but having stopped the vehicle away from the cremation ground, the women vehemently crying tried to stop and knock at the police vans but in vain. They wanted possession of Dasya's body for their relatives, many of whom were yet to arrive, as also for other concerned since the brutal incidence was already in public debate and discussion on social as well as mainstream media. This was turned down by the police, who instead had cordoned the area of cremation and absolutely denied them any right or humane response to their demand for the body to perform final rites.

After a lot of public outrage and protests started happening at many places, the Uttar Pradesh Government announced the 25 lakh rupees compensation to the victim's family. Though the unconfirmed update is

that the father has received only 8-10 lakh rupees which one is supposed to get after registration of the case under SC/ST (PoA) Act, but when the Fact-Finding team were talking to the family, they said that they don't want money and haven't checked their accounts. "The money is of no use, if we don't get justice", said the family. On the same, the Allahabad High Court order says that if the family doesn't accept it then DM should keep it in separate account and think how to best use it.

This act of administration-government was criticised by even Bhartiya Janta Party leaders like Uma Bharti who said that cremation without the presence of family members was against Hindu customs. Arvind Kejriwal made the most poignant comment that first it was four accused who raped Dasya and then the entire system raped her. Calling the incident "shameful and blasphemous", BSP leader Mayawati last week asked the Adityanath government to pay attention.

There is no doubt that the police of Uttar Pradesh behaved in a highly suspicious as well as vicious manner, beyond anyone's expectation and they have, thereby created all doubts about their intentions. The reasoning, which the state government was compelled to present, when there was condemnation coming in from all quarters, was that they wished to avoid violence by getting rid of the body. None can believe this as the police can't, themselves, declare their inability to protect victim and to prevent any untoward incidence. Rather such an awfully inhuman and criminal act on the part of the state with no repentance, nor any response to our serious questions or legal challenge, has proved that the state itself wanted to suppress the issue with casteist, manuvadi and inhuman anti-woman elements exposed through this and other incidences in Unnao, Balarampur, or Azamgarh cases, before and after.

All this and much more has brought out the violent to vulgar politics in Uttar Pradesh which is protecting and promoting all such sections of population such as the upper caste oppressive forces, that are blatantly violating legal, Constitutional and human rights. In this case too, the matter before the Court through various petitions, need to be taken up.

[Note: The team visited Bulgarhi village (Hathras, Uttar Pradesh) and met the family and relatives of victim on 9th October, 2020.]

1. Press Releases by Hathras Police and Chandpa Police Station



HATHRAS POLICE



थाना चन्दपा क्षेत्रान्तर्गत हुई घटना के सम्बन्ध में चारो अभियुक्तो की गिरफ्तारी एवं हाथरस पुलिस द्वारा की गयी कार्यवाही का विवरण

दिनांक 14.09.20 को थाना चन्दपा में पीड़िता के भाई द्वारा लिखित सूचना दी कि संदीप पुत्र गुड्डु निवासी थाना चंदपा जनपद हाथरस ने आकर गला दबाकर पीड़िता की हत्या करने की कोशिश की। लिखित तहरीर के आधार पर धारा 307 IPC व 3(2)5 sc st act पंजीकृत किया गया था।

विवेचना के क्रम में क्षेत्राधिकारी सादाबाद/विवेचक द्वारा पीड़िता की हालत ठीक होने पर बयान के आधार पर तीन अन्य अभियुक्त प्रकाश में आये तथा धारा 376डी भादवि की बढोत्तरी की गयी। मुकदमें में त्वरित व निष्पक्ष कार्यवाही करते हुए नामजद एवं प्रकाश में आए सभी चार अभियुक्तों की गिरफ्तारी की जा चुकी है।



9454458200



Procellhathras



@HathrasPolice

Source: <https://www.newslaundry.com/2020/09/29/help-us-get-justice-please-dalit-girl-assaulted-in-ups-hathras-succumbs>



प्रेस नोट

थाना चन्दपा जिला हाथरसा

दिनांक -26/09/2020

थाना चन्दपा पुलिस द्वारा मु0अ0सं0 -136/20 धारा 307/376D, IPC, व 3(2)v Sc/St. Act में प्रकाश में आये वाँछित एक अभियुक्त को किया गिरफ्तार तथा पूर्व में नामजद अभियुक्त व दो प्रकाश में आये अभियुक्त को गिरफ्तार कर जेल भेजा जा चुका है।

श्रीमान पुलिस अधीक्षक महोदय एवं श्रीमान अपर पुलिस अधीक्षक महोदय हाथरस के कुशल निर्देशन व श्रीमान क्षेत्राधिकारी महोदय सादाबाद के निकट पर्यवेक्षण में वाँछित अपराधियों कि विरुद्ध चलाये जा रहे गिरफ्तारी अभियान के क्रम में SOG प्रभारी मय टीम के अथक प्रयासोपरान्त प्रभारी निरीक्षक चन्दपा के नेतृत्व में थाना हाजा पर पंजीकृत मु0अ0सं0 136/20 धारा 307/376D भादवि, 3(2)v Sc/St. Act से सम्बन्धित अभि0 रामकुमार उर्फ रामू पुत्र राकेश सिंह निवासी बूलगढी थाना चन्दपा जनपद हाथरस को आज दिनांक - 26/09/2020 को समय करीब 08.55AM बजे ग्राम सन्टीकरा रोड से गिरफ्तार कर जेल भेजा गया।

घटना का संक्षिप्त विवरण - दिनांक 14/09/2020 को वादी श्री सतेन्द्र पुत्र श्री ओमप्रकाश निवासी बूलगढी थाना चन्दपा जनपद हाथरस ने तहरीर दी कि मेरी बहिन को खेत पर चारा काटते समय अभि0 सन्दीप उर्फ चन्दू पुत्र नरेन्द्र उर्फ ठा0 गुड्डू नि0 बूलगढी थाना चन्दपा जनपद हाथरस द्वारा पुरानी रंजिश व मुकदमेवाजी को लेकर जान से मारने की नियत से गला दवा दिया था। उक्त तहरीर के आधार पर थाना हाजा पर पंजीकृत मु0अ0सं0 - 136/20 धारा 307 भादवि, 3(2)v Sc.St. Act पंजीकृत किया गया। दिनांक 19/09/2020 को पीडिता के मजीद बयान अन्तर्गत धारा 161 CrPC के आधार पर 376D भादवि का अपराध पाया गया तथा अभि0गण (1). रामू पुत्र राकेश सिंह (2). लवकुश पुत्र रामवीर सिंह (3). रवि पुत्र अतर सिंह निवासीगण बूलगढी थाना चन्दपा जनपद हाथरस के नाम प्रकाश में आये। श्रीमान पुलिस अधीक्षक के आदेश के अनुपालन मुझ प्रभारी निरीक्षक चन्दपा द्वारा अभियोग में वाँछित अभियुक्तगणों की गिरफ्तारी हेतु थाना स्तर पर टीम गठित की गयी। SOG टीम की सहायता ली गयी। आज दिनांक 26/09/2020 को मुझ प्रभारी निरीक्षक थाना चन्दपा मय टीम के अथक प्रयासोपरान्त ग्राम सन्टीकरा रोड से मुकदमा उपरोक्त से सम्बन्धित वाँछित अभि0 रामकुमार उर्फ रामू पुत्र राकेश निवासी बूलगढी थाना चन्दपा जनपद हाथरस को गिरफ्तार कर जेल भेजा जा रहा है। इस मुकदमे से सम्बन्धित तीन अभि0गण 1. सन्दीप उर्फ चन्दू पुत्र नरेन्द्र उर्फ ठा0 गुड्डू, 2. लवकुश पुत्र रामवीर सिंह 3.रवि पुत्र अतर सिंह नि0गण बूलगढी थाना चन्दपा जनपद हाथरस को पूर्व में ही गिरफ्तार कर जेल भेजा जा चुका है। अब कोई अभियुक्त गिरफ्तारी हेतु शेष नहीं है। शीघ्र ही उक्त अभियोग की विवेचना का निस्तारण कर माननीय न्यायालय में पेश करके दण्डित कराया जायेगा।

नाम पता अभियुक्त:- रामकुमार उर्फ रामू पुत्र राकेश सिंह निवासी बूलगढी थाना चन्दपा जनपद हाथरस, उम्र करीब 28 वर्ष।

गिरफ्तार करने वाली टीम:-

1. प्रभारी निरीक्षक श्री लक्ष्मण सिंह थाना चन्दपा
2. निरी0 श्री दिनेश कुमार वर्मा थाना चंदपा,
3. निरी0 श्री मुनीश चन्द्र, SOG टीम प्रभारी हाथरसा
4. उ0नि0 श्री ओमबाबू थाना चंदपा,
5. मु0आ0 40 अशोक चन्द्र थाना चंदपा ,
6. आ0 412 नरेन्द्र सिंह थाना चंदपा,
7. आ0 458 धर्मवीर सिंह थाना चन्दपा,
8. HC 64 जवाहर लाल, SOG टीम हाथरसा
9. कां0723 सचिन शर्मा- SOG टीम हाथरसा
10. कां0 282 सोनवीर सिंह SOG टीम हाथरसा

Source:

https://m.facebook.com/story.php?story_fbid=10157750905626375&id=677416374

2. Referral Slip, Medical Examination Reports, and Letter for recording Dying Declaration by Hospitals

रेफरर स्लिप

आकस्मिक विभाग बागला संयुक्त जिला चिकित्सालय, हाथरस

नं० 198 2 P D No - 6272

दिनांक 14.09.2021

रोगी/भायल/श्री [Redacted] उम्र 18 yrs लिंग M

पुत्र श्री [Redacted]

निवासी [Redacted] थाना [Redacted] जनपद Hathras

को _____ अवस्था में इस चिकित्सालय के आकस्मिक

विभाग में _____ के द्वारा श्री _____

उम्र _____ पता 18/13 [Redacted] लाया गया

पहचान का चिन्ह _____ रोगी की स्थिति _____

दिया गया उपचार - It is very hard to immediate
 Rx refer to medical College Aligarh
 for proper management & investigation after
 giving first aid to her. we not
 clear due to serious condition.
 by to see it by left hand by right hand by right hand
 and hand by 5. DN & CI given.

आगे इलाज हेतु चिकित्सालय से जिला चिकित्सालय अलीगढ़/मैडीकल कालेज अलीगढ़/आगरा
 को भेजा जाता है।

सूचनाय आवश्यक कार्यवाही हेतु प्रेषित।

[Signature]

प्राप्तकर्ता के हस्ताक्षर
 पूरा नाम सहित

[Signature]
 E.M.O.
 Bagla Joint Distt. Hospital
 आकस्मिक विभाग चि० 30
 बागला संयुक्त जिला चिकित्सालय
 हाथरस

Source: <https://www.newslandry.com/2020/10/05/hathras-girl-wasnt-raped-up-police-say-wasnt-she-2>

13

SEXUAL ASSAULT FORENSIC EXAMINATION

MFC No. _____

Date _____

- 7. Details of assailants..... 4, known, Approx. 19-20 years
(Number, known/ unknown, approx. age)
- If known, name and relationship with survivor..... Sandeep, Ramesh, Laxmi, Ravi
(Belong to same village)
- 8. History of alcohol intake/drug intoxication Yes No
- 9. Was the survivor sleeping at the time of the incident Yes No
- 10. Did the survivor lose consciousness at any time during or after the incident Yes No
- 11. History of luring by sweets, chocolates, money, job etc. Yes No

12. Physical violence used by the accused

(Hitting with hand/fist/blunt or sharp object, biting, pulling hair, pinching, banging head, kicking, violent shaking, dragging, burning with cigarettes etc.)

..... Survivor was strangled by her dupatta

Use of weapons if any..... No

Use of restraint if any..... Survivor was gagged
(Ropes, gags, clothes etc.)

- 13. Verbal threats..... Yes, threat to kill
(e.g. threat to kill/hurt the survivor or any person in whom the survivor is interested, or any close relative, threat to use photographs for blackmailing etc.)

- 14. Psychological/ emotional abuse..... No
(Cursing, insulting terrorising etc.)

- 15. Resistance offered by the survivor..... No
(Specify the injuries if any, caused to the assailant eg. beating, biting, scratching etc.)

16. Details of the act

(Specify the body orifice penetrated; mention the body parts/ objects used for penetration)
(In case the survivor is not sure/does not know whether a particular act occurred or not, it should be documented as does not know or DNK)

- Orifice penetrated..... Vagina
(Vagina, anus, oral cavity)
- Complete/attempted..... Complete
- Penetration by..... Penis
(Penis, finger, foreign objects etc.)
- Emission of semen..... Do not know. (DNK)
(In the vagina, anus, mouth)
- Emission of semen on breast, thighs, other body parts..... DNK
- Emission of semen on clothes, bedding or other places..... DNK
- Did the assailant use condom..... DNK
- Status of condom..... DNK
(Torn, unrom etc.)
- Did the assailant use any foam, jelly or lubricant..... DNK
- History of kissing, licking, sucking or biting any part of survivor's body..... DNK

loss of consciousness at the time of incidence.

COMPARED & ATTESTED

Emergency & Trauma
J.N.M.C.H. A.M.U., Aligarh

Name and signature of Medical Officer

Source: <https://www.newslandry.com/2020/10/05/hathras-girl-wasnt-raped-up-police-say-wasnt-she-2>

13

MEDICAL ASSESSMENT FORENSIC EXAMINATION

7. Details of assaults..... 4, known, Approx. 19-20 years
 (Number, known/unknown, approx. age)
 If known, name and relationship with survivor..... Sandeep, Ramesh, Lavish live
 (Belong to same village)

8. History of alcohol intake/drug intoxication
 Yes No

9. Was the survivor sleeping at the time of the incident
 Yes No

10. Did the survivor lose consciousness at any time during or after the incident
 Yes No

11. History of luring by sweets, chocolates, money, job etc.
 Yes No

12. Physical violence used by the accused
 (Hitting with hand/foot/blade or sharp object, biting, pulling hair, pinching, hanging head, kicking, water
 shaking, dragging, burning with cigarettes etc.)
 Survivor was strangled by tree dupatta

Use of weapons if any..... NO

Use of restraint if any..... Survivor was gagged
 (Ropes, gags, clothes etc.)

13. Verbal threats..... Yes, threat to kill
 (e.g. threat to kill her or any person to whom the survivor is attached, or any close relative,
 threat to use photographs for blackmailing etc.)

14. Psychological/emotional abuse..... NO
 (Coercing, insulting, terrorizing etc.)

15. Resistance offered by the survivor..... NO
 (Specify the injuries if any, caused to the assailant eg. beating, biting, scratching etc.)

16. Details of the act
 (Specify the body orifice penetrated, mention the body parts/objects used for penetration)
 (If the survivor is not sure and does not know whether a particular act occurred or not, it should be
 documented as does not know or DNK)

- Orifice penetrated..... Vagina
- (Vagina, anus, oral cavity)
- Complete/attempted..... complete
- Penetration by..... Penis
- (Penis, finger, foreign object etc.)
- Emission of semen..... DNK not know (DNK)
- (In the vagina, anus, mouth)
- Emission of semen on breast, thighs, other body parts..... DNK
- Emission of semen on clothes, bedding or other places..... DNK
- Did the assailant use condom..... DNK
- Status of condom..... DNK
- (Torn, unripen etc.)
- Did the assailant use any foam, jelly or lubricant..... DNK
- History of kissing, licking, sucking or biting any part of survivor's body..... DNK

Name and signature of Medical Officer

Emergency & Training
JNMCH, A & U, Nagam

MEDICAL ASSESSMENT FORENSIC EXAMINATION

MEDICOLEGAL INVESTIGATIONS

Sample/Specimen	Collected/Not collected	Reason for not collecting
Blood for DNA	Collected	
Oral swab	Not collected	Mouth washed & gagged
Scalp hair	Collected	
Blood for grouping	Collected	
Blood for drug/alcohol	Collected	
Urine for drug/alcohol	Not collected	Catheterized
Body swabs	Not collected	Body wrapped
Oral swab/oral rinses	Not collected	Mouth washed & gagged
Perineal swabs	Collected	
Vaginal swabs	Collected	
Vaginal washings	Not collected	No secretion present
Vaginal/anal smears	Not collected	2 days post assault
Foam/cervical swab	Collected	
Anal and rectal swabs	Collected	
Control swabs	Collected	
Pubic hair combings	Not collected	Pubic hairs shaved
Matted pubic hair	Not collected	
Finger nail debris	Collected	
Clothes	Collected	
Drop sheet	Not collected	patient
Sanitary napkins	Not collected	1 torn ribbon
Towel/kitchen	Not collected	

Postmortem
 OPINION
 On the basis of local examination I am of
 the opinion that there are signs of use of
 force however opinion regarding penetrative
 intercourse is reserved pending availability
 of FSL reports

Advice - Review with X-ray report for age assessment.

Signature of examining doctor..... Prakash

NAME & ATTESTED
 Name..... Bhramara
 Designation..... Jr.S. / Prof. Family Plan.
 Sec..... Dept. of OBG Dr. Debi Kishor
 Date, Time, Place..... 22/09/2020, 1:30 PM, JNMCH

TREATMENT PROVIDED
 Medical management..... As advised by the concerned department

Name and signature of Medical Officer

Source:

https://m.facebook.com/story.php?story_fbid=10157750905626375&id=677416374



DEPARTMENT OF NEUROSURGERY
JAWAHARLAL NEHRU MEDICAL COLLEGE
ALIGARH MUSLIM UNIVERSITY
ALIGARH

(10)

D.No. 2022/NS.202

Internal No: 7280

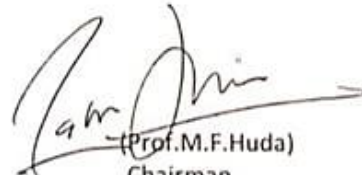
Dated: 22nd Sep 2020


To,
 The Casualty Medical Officer
 Emergency & Trauma Centre
 JNMCH AMU Aligarh


Kindly note that Patient [redacted] age 18 Y/F D/o [redacted] Resident of [redacted] Hathras referred to Neurosurgery, ENT, Forensic Medicine, Ophthalmology, OBS & Gynae. She is admitted in [redacted]

Patient is critical so kindly arrange Magistrate dying declaration.

Thanking You


 (Prof. M.F. Huda)
 Chairman
 Chairman
 Deptt. of Neuro Surgery
 J.N. Medical College
 A.M.U. Aligarh

Allow

 22/9/2020
 C.M.O.
 Emergency & Trauma Centre
 J.N.M.C.H., A.M.U., Aligarh

COMPARED & ATTESTED

 CMO
 Emergency & Trauma
 J.N.M.C.H., A.M.U., Aligarh

Source: <https://www.newslandry.com/2020/10/05/hathras-girl-wasnt-raped-up-police-say-wasnt-she-2>

DEPARTMENT OF FORENSIC MEDICINE

JAWAHARLAL NEHRU MEDICAL COLLEGE
ALIGARH MUSLIM UNIVERSITY
ALIGARH 202002 U.P. INDIA
Phone : 91 571 2720038
Local Extension: 5872

CHAIRMAN
D. No 2635 /DFM

Dated: 03/10/2020

To
The Circle Officer
Sadabad Police Station
District- Hathras (UP).

Subject: Final Opinion in response to your letter number 136/2020 dated 02/10/2020.

Respected Sir,

With reference to letter number 136/2020 dated 02/10/2020 and FSL report number 4807-Bio-2020 dated 01/10/2020 and PQ number 4779

Final Opinion

- 1) There are no signs suggestive of vaginal/anal intercourse
- 2) There are evidences of physical assault (Injuries over the neck and the back)

Signature of Doctor

Name: Dr. Faiz Ahmad

Designation: Assistant Professor

Date, Time, Place: 03/10/2020, 12:15 PM, Aligarh (UP)

(Dr. Saadiya Saee
Chairman

फॉरेन्सिक मेडिसिन विभाग
जे०एन० मेडिकल कॉलेज
अ०मु०वि०, अलीगढ़

REDI NOTE 9 PRO
AQUAD CAMERA



Source:

https://m.facebook.com/story.php?story_fbid=10157750905626375&id=677416374

3. Pictures taken during Fact-Finding team visit



Figure 1: Fact-Finding team stopped at the police barricades outside the village.



Figure 2: Sandeep Pandey and Ehtesham Hashmi along with Father of the victim and other members of the family.



Figure 3: Faisal Khan listening to the father and brother (at the left corner).



Figure 4: Medha Patkar talking with Mother and other members of the family.



Figure 5: Entrance of the victim's home.



Figure 6: Medha Patkar, Manimala, and Hansraj from the Fact-Finding team answering questions from Media persons.



Figure 7: Members of the Fact-Finding Team

4. Pictures of Akhil Bhartiya Kshatriya Mahasabha



Figure 1: Saffron turban clad Akhil Bhartiya Kshatriya Mahasabha (ABKM) activists near the police barricades outside the village.



Figure 2: The vehicles in the Akhil Bhartiya Kshatriya Mahasabha activists came



Figure 3: Poster stuck on the vehicles of ABKM



Figure 4: The flag and vehicle of Pragatisheel Samajwadi Party which was also one of the four vehicles in which the ABKM activists came to meet accused family.