

**ENQUIRY REPORT ON THE ALLEGATIONS IN THE PETITION OF  
ARUNASHRI PRASAD AND HER SISTERS GIVEN TO THE NATIONAL HUMAN  
RIGHTS COMMISSION, NEW DELHI VIDE THEIR CASE NO.2/32/2005-2006-  
WC/UC DT. 12.04.2005**

This enquiry report relates to the allegations made to the National Human Rights Commission, New Delhi in her complaint dt.5.4.2005 by Ms.Arunaashri Prasad, D/o G. Prasad, Matri Nilayam, Pondicherry -1. The facts are as follows:

**(a) ALLEGATIONS IN THE PETITION**

2. Ms. Arunashri Prasad lodged a complaint to the National Human Rights Commission, New Delhi on 05.04.2005 stating that she is a devotee and disciple of Sri Aurobindo and the Divine Mother and is living in Sri Aurobindo Ashram, Pondicherry as a permanent member since 23 years. Her elder sister Jayashree Prasad and three younger sisters namely Rajyashree Prasad, Nivedita Prasad and Hemalata Prasad are also members of Sri Aurobindo Ashram. The petitioner alleges that in the Sri Aurobindo Ashram, the women's dignity is being trampled daily by the patriarchal feudal forces and that the woman members particularly unmarried girls are being harassed sexually through obscene language, comments and pornographic cartoons.

3. The petitioner alleges that she and her four sisters are facing such sexual harassment. On 13.06.2004, she received a pornographic drawings from one Chandramani Patel and subsequently all the five sisters received such drawings. They made complaints about this to various authorities, but in vain. The police had failed to act on and register their complaints dated 4.8.2004 and 11.10.2004. In the FIR registered by the police, it failed to report all harassments, threats, kidnapping, molestation etc. She also alleges that after the demise of the Divine Mother on 17.11.1973, the administration of the Ashram was taken over by the Trustees based on the Sri Aurobindo Ashram Trust Deed which was registered at Pondicherry on 31.3.1964. She alleges that there is no transparency in the dealings of the Trustees who act arbitrarily as they are having absolute power and control over the Ashram's funds, assets and the lives of the inmates. According to her, Sri Aurobindo Ashram is meant for spiritual upliftment and betterment of humanity. But today the Ashram's management has chosen to forget the ideals and teachings of Sri Aurobindo and the Mother and have sabotaged its sanctity and existence, and the Trustees have turned to be very influential persons.

4. The petitioner further alleges that she and her sisters have knocked every door for justice including that of the Trustees, which has no woman administrator, Police and lower judiciary, but to their agony, till date they have not received any justice. The petition requests that a team of NHRC officers may be deputed to investigate into the matter at the earliest to render justice to her, her sisters, devotees, disciples and other inmates of the Ashram.

5. The National Human Rights Commission, New Delhi which has taken cognizance of the matter on 11.04.2005, sent notice to the Inspector General of Police, Pondicherry calling for action taken report in four weeks. Based on the notice, the Senior Superintendent of Police (C&I), Pondicherry who is the nodal officer for NHRC related matters directed me to conduct re-enquiry into the allegations mentioned in the petition and submit a detailed report vide her Order No.139/SSP(L&O)/OW/2005 dt. 10.05.2005.

**(b) FACTS ADDUCED ON BEHALF OF THE PETITIONER**

6. I started the enquiry at All Woman Police Station on 18.05.2005 at 09.00 hours, when the petitioner and her sisters were summoned orally through the woman Inspector of Police of the All Woman Police Station to hear them and to record their statements. Based on the summon, the petitioner and her elder sister Jayashree Prasad only appeared and requested me to abstain from conducting the enquiry as a police report was already sent to NHRC in this matter and that they are waiting for a copy of the report and the appropriate directions from the Honourable Commission. On 19.05.2005 at 16.00 hours, the petitioner and all her four sisters appeared on summons at All Woman Police Station, when they gave

a joint petition to me (marked as Ex A1) in which they allege that on 09.05.2005, the petitioner and her elder sister Jayashree Prasad had met the SSP and that they were informed that a report to NHRC had been sent a few days ago and that they were shocked to hear it as to how a report was prepared without hearing them and they have sent a letter to the NHRC on 16.5.2005 requesting for a copy of the said report sent by the police for giving their view as they had not been enquired into and were deprived of giving their statements for the harassments faced by them and therefore they are waiting for a copy of the report from NHRC and for appropriate directions from the Honorable Commission.

7. In the EXA1, the five sisters also allege that, I am unduly trying to take advantage of their innocence first by giving a verbal summons for their presence for hearing on 18.05.2005 and serving the summon for appearance on 19.05.2005 at odd / late hours of the night, i.e about 10.30 p.m., and secondly by mentioning the address of the petitioner different from that was mentioned in the Case of NHRC and noting the correct names and addresses of her sisters which were not mentioned in the Case of the Commission. I explained to the petitioner and her sisters in the hearing held on 19.05.2005 that their aspersions against me were untrue and unwarranted because, firstly the portion where the address of the petitioner was given in the petition received from the Commission was smudged while taking photo-copy and therefore I had taken down the addresses of the petitioner and her four sisters as found in the enclosures which were also sent by the Commission along with the petition. In the hearing on 19.05.2005, the petitioner and her sisters were informed that they would be given another opportunity to give their statements or they would be at liberty to file separate signed statements along with documents to express their grievances and to substantiate the allegations freely, in case they do not like me to record their statements.

8. Accordingly, the petitioner and her four sisters were again summoned to the All Woman Police Station on 24.05.2005 at 10.00 hours by serving fresh summons when all five of them appeared in persons. In the hearing on 24.5.2005, the petitioner Arunashri Prasad gave a signed statement (marked as ExA2) mentioning her allegations and grievances. Her four sisters told that they would like to adopt the averments made by the petitioner in the ExA2 and therefore they did not file any statement on their behalf separately.

9. In ExA2, the petitioner states that she joined Sri Aurobindo Ashram in 1983. She was made a permanent member of Ashram on 01.01.1991 and was given "Prosperity Book". On 09.01.2001, her elder sister Jayashree Prasad was brutally beaten up by one Krishna Chandra at Ashram Dining Room kitchen at the sight of the in-charge of the premises as well as one of the Trustees namely Ved Prakash Johar and this opened up the plight of their harassment. The Trustee did not take any action against the assailant inspite of their complaint, and after that the cordiality between them and the trustees deteriorated in view of the pending litigations. There upon the petitioner was removed from her painting class, where she was teaching, her voluntary work on Darsan days and prevented from taking books from the school library at the instance of Mr. Manoj Das Gupta, the Managing Trustee.

10. In ExA2, the petitioner also alleges that since May 2004, a new form of harassment took place which is effecting her life both psychologically and physically, so that she will be forced to leave the Ashram because of indignity and this was carried out through one Nirmal C Swain, who is the inmate lawyer of Sri. Aurobindo Ashram and is representing Dr. Dilip Kumar Dutta and Mr. Manoj Das Gupta, the Managing Trustee of the Ashram. From 18.05.2004 urination and spitting began both inside and outside of her room and also her elder sisters's room on daily basis, sometimes 4 or 5 times in a day.

11. In Ex.A2, the petitioner also alleges that on 01.06.2004 at about 6 P.M., when she went to collect drinking water, Nirmal, Santosh (DR), Girish, Shankar and Chandramani surrounded and abused her in vulgar words in Oriya, and threatened her with physical assault. On 03.06.2004, Girish, Santosh (Electricity), Shanker, Chandramani and Ashok Kumar surrounded her and tried to physically touch her, but she escaped from the corridor

by pushing Chandramani and running out of the Block to her sister's room.

12. In Ex-A2, she also alleges that on 04.06.2004 at about 5 p.m., the lock- windows of her room were tied with thread. On 06.06.2004 Shankar, Santosh (DR) and Girish, with the support of Nirmal, removed wire mesh fixed on her door and splashed urine inside the room at about 10. p.m., and thereby dirtying the kitchen slab, fridge and the floor. On 06.07.04 in the afternoon, both the door - windows of her room were tied with plastic cloth line and the same day Kavitanjali, Girish and Santosh (DR) questioned her that till that time only boys had harassed her and what would she do, when girls start harassing her.

13. In Ex-A2, petitioner also alleges that on 08.06.2004, she found Santosh(Electricity) running out of her room zipping his pant and the front of her room was fully urinated. On 13.6.2004 at 5 A.M., her sister Jayashree found Girish urinating at her door and spitting on her slippers. On the same day 8 A.M. Shankar urinated on her door lock and shoe shelf. After more harassment was masterminded by Nirmal C Swain, who is an Ashramite lawyer, the lawyer of the petitioner arranged a meeting with Tvl. (1) Bhakthavatchalam and (2) Dhanu Baskaran who were the President and Secretary of the Bar Association of Pondicherry respectively who were also lawyers for the trustees. The meeting with the President and Secretary of the Association, took place in the house of her lawyer in which the petitioner and her three sisters attended. In the meeting, the office bearers of the Bar Association advised the petitioner and her sisters to give a complaint in writing to their Bar Association.

14. In Ex-A2 the petitioner also alleges that on 13.06.2004 at 07.15 a.m. Chandramani Patel was standing on water tank and shouting like a mad man in Oriya pointing at her room and sarcastically talking as to why she go to the lawyer and court, so come and satisfy him and later at 07.30 a.m. she got an obscene chit from him. The same day the petitioner and her sister, Jayashree lodged a complaint to the Bar Association, Pondicherry, but no relief was given to them. On 14.06.2004 at 2 p.m., Girish and Chandramani knocked at her door and threw another obscene chit at her face into her room and ran away. On 20.06.2004, at 04.45 a.m. Jayashree found Shanker urinating at her door and spilling at her door-step. On 05.07.2004, Girish came and told to Sudha Rai, Jahnavi R. and Manas Chand in front of the petitioner's room that Manoj Das Gupta and Dr. Dilip Kumar Datta had assured them that they would be protected in all respects if they were caught while carrying out the Trustees orders of harassment.

15. In Ex-A2, the petitioner also alleges that on 09.07.2004 at 5 a.m. Jayashree found Girish urinating at her door. On 10.07.2004 at 10 a.m. Hemalata saw Girish throwing the petitioners shoeshelf near the waste bin and the shelf was drenched in urine and the chappals torn. On 22.07.2004 at 04.45 a.m. the petitioner's room was dirtied with urine. Same day at 10.30 p.m., an obscene chit was thrown by Girish inside Nivedita's room, which was dirtied with urine and she saw Girish running down the stair-case. Hemalata and Nivedita complained about this to Manoj Das Gupta, who told them that they should not expect any help because they were in litigation with the trustees and management. When they returned, they found that the Hemalata's room was dirtied with urine, and her slipper spat upon. On 23.7.2004, Santosh(DR) told Rajashree that he can accomodate all the five sisters every night and she is most welcome and thereafter he sent chits to Nivedita and the petitioner. At 2.30 p.m., an obscene chit was thrown into Nivedita's room by Santosh (DR). At 7.30 p.m., an obscene chit was hung in a plastic bag on the petitioner's door latch by Santosh(DR) and was seen by Jayashree. At about 9.00 p.m., the petitioner and her sisters along with their lawyer went to Mr. Bhakthavatchalam's office and requested him to take some action to stop the inhuman harassment. On 24.7.2004 the petitioner's room was dirtied with urine. On 25.7.2004, Bhagavandas C.Swain, put his hand on the thigh of Jayashree at the Ashram Dining Room. At 4.30 p.m., Rajashree found urine in the room of both Nivedita and Hemalata. On 26.7.2004 at 11.00 a.m. the petitioner and her four sisters reported the harassment to the trustees, who declined to take any action.

16. In the Ex-A2 the petitioner also alleges that on 27.7.2004 Nivedita got a

complaint to the Human Rights Committee, Pondicherry through registered post. On the same day at 10.30 p.m., the petitioner found Santosh (Electricity) and Girish stealing her slippers and she also found urine in her room. On the next day, the petitioner sent a complaint to the Human Rights Committee, Pondicherry. On 03.08.2004 at 10 p.m., Chandramani blocked her way and tried to touch her at the corridor and she managed to escape by pushing him. On 04.08.2004, the petitioner gave a complaint to the trustees, and the next day she gave a complaint to the police. On 17.08.2004 or 18.08.2004 at 1.15 p.m., SIF - Muthialpet PS met the petitioner and enquired about the complaint given by her. On 21.08.2004 and 23.08.2004, the petitioner and her four sisters met SP (North) who did not take any action on the petitioner's petition dated 05.08.2004 even after regular meeting with him over a period of one month.

17. In the Ex.A2, the petitioner also alleges that on 26.08.2004 at 5.45 p.m., she found her door lock tied with torn cloth ribbon. He complained to SP (North) who refused to help. He reported the matters to others including the in-charge, who consoled her but did nothing. The petitioner did not remove the ribbon and that night at 08.30 p.m. when she went to Dining Room, Hemalata saw Girish trying to open the knotted ribbon and he looked frightened. On 16.09.2004 at 05.40 p.m., the petitioner again found urine in front of her room and her lock and the latches were tied with metal wire. She reported the matter to Muthialpet PS, and two policemen came and opened the door. The petitioner also informed to CI, Grand Bazar Circle about this over telephone and the officer inspected the spot at 07.15 p.m., For the incident on 16.09.2004, she gave a complaint on 17.09.2004 to SHO, Muthialpet, who refused to accept it and he dictated another complaint on which FIR was registered at 9 p.m., In spite of the FIR and investigation, the harassment did not stop. Instead, Matri Prasad and Panchabotam Kothari, the henchmen of the trustees, began tailoring them and pestering them to withdraw their complaints placed before various authorities. They also threatened to kidnap them forcibly, evict them from the A.B. House and subsequently expel them from the Ashram. Out of fear, they were constrained to sleep at their parental house at night from 07.10.2004 to 11.10.2004. It is also alleged that the above two persons were cooing other residents of A.B. House to give false complaints against them based on which the trustees planned to take some serious action against them.

18. In Ex.A2, the petitioner also alleges that on 11.10.2004 she along with her four sisters gave a complaint to the police, but no action was taken to grant relief to them. On 13.10.2004, when the petitioner went to her department (Navavihan) for work, she was shouted at, ill-treated and abused by the department in-charge Madhuri Dhandania, who threatened her to keep silence instead of going to police and other authorities for protection. On that day at 04.30 p.m., Rajyashree received an obscene chit when she opened her room. She warned her sisters Nivedita and Hemalata and when their rooms which were opened in the presence of the A.B. House-in-charge, Krishnakumar Pandiya, obscene chits were received from the rooms which were sent by the gang members of Nirmal C Swain, Girish Panda and Jaga (working at Electric workshop). They also spat and defecated in front of their rooms and their slippers and the photos of Mother which were stuck on the doors. The petitioner informed Muthialpet Police Station, and the police took the original obscene drawings after taking photographs and videograph. On the same evening, SHO Muthialpet PS served a summons to the petitioner to produce the original obscene chits and when she went to the police station on 14.10.2004, the SHO informed that he did not need her original obscene chits as he had already collected three original obscene chits on the previous day. The petitioner also alleges that the miscreants also damaged her cycle and that of her sisters' on a regular basis from May 2004. Finally on 22.07.2004, her sister Jayashree's cycle was stolen and when her conversation regarding proposal to complain to police was overheard by Girish and Kavitanjali, who were passing by, the cycle was kept back secretly. The police have received a letter dated 20.09.2004 from Chandramani saying that he wrote the chit to the petitioner and that Girish Panda drew the dirty pictures and Girish and Santosh were urinating and doing other dirty thing in their rooms.

19. In Ex.A2, the petitioner also alleges that apart from defecating and spitting and drawing obscene chits, Nirmal and his group also use vulgar language and gestures such as (i) Nirmal C Swain sticks out his chest and shakes them at the petitioner and makes vulgar

signs when she go to attend the court cases (ii) Chandramani comes out of his room bare bodied and whenever he sees her, he squeezes and fiddles with his nipple (iii) Girish makes dirty signs with his mouth and tongue when he sees Nivedita in the housing complex and on the street and puts his hand on his fly (iv) Shankar who is staying in the third floor at Block-B hangs his underclothes in front of her room and also comes all the way to the ground floor to hang his underclothes in front of Jayashree's room. He also stays at the passage leading to Jayashree's room and says aloud in Bangali like what lovely sexy breeze is flowing. The petitioner also alleges that she and her sisters were facing such comments and indignity since May 2004 at the hands of Nirmal and his gang as well as other inmates. The Managing Trustee who has knowledge about the harassment did not take action against the aforementioned persons for obvious reasons. The petitioner states that it was based on this, a complaint was given to the Nation Human Rights Commission.

20. Along with her written statement (marked as Ex.A2), the petitioner has enclosed 10 documents which were marked as Ex.A3 to A12. The Ex.A3 is a copy of the letter which the petitioner gave to the President of Bar Association, Pondicherry on 13.06.2004. In the ExA3, the petitioner alleges that Mr. Nirmal C. Swain, who is representing on behalf of the trustees in the cases filed against them, has been harassing her with the aid of Chandramani Patel, Girish Panda, Shankar @ Sajal Mitra, Santosh, and others and she requests that appropriate action may be taken against him in order to avoid lodging of police complaint against him and the co-conspirators. She refers various incidents purported to have taken place on 18.05.2004, 12.05.2004, 13.06.2004, 06.06.2004, 03.06.2004, 01.06.2004 and 09.06.2004 and these harassments related to passing of urine, making obscene gestures, vulgar remarks sending obscene chits, damaging the doors, cycle and lock, attempt to touch, threatening with physical assault etc.

21. ExA4, is a copy of another letter given to the President of the Bar Association, Pondicherry by Jayashree Prasad on 13.06.2004 in which she alleges that Mr. Nirmal C. Swain, who is representing on behalf of the trustees in the court cases filed against the trustees, have been harassing her with the aid of his associates from Ashram by passing urine at the door of her room and in the door-latch and lock, by lifting their lungies at night when she goes out for collecting drinking water, by hanging under cloth near her room and damaging her cycle and the incidents were witnessed by the inmates of the A.B. House. Ex-A5 is a copy of a letter given to the Chairman of the State Human Rights Commission, Pondicherry by the petitioner's sister Nivedita Prasad, wherein she has alleged that there is a civil dispute pending between the Trustees and she along with her sisters. She alleges that she is facing harassment affecting her dignity from Mr. Manoj Das Gupta, Dr. Dilip Kumar Datta, Nirmal C. Swain, Girish Panda, Kavitanjali, Santosh, all inmates of Sri Aurobindo Ashram. She alleges that they have conspired to intimidate her by threatening her life, to drive out her from place of residence and also from the Ashram. She also alleges that Girish makes dirty signs with his mouth and tongue when he sees her in the housing complex and on the street and puts his hand on his pant zip. On 22.07.2004 at about 10.30 p.m., an obscene chit was thrown inside her room by Girish and she saw Girish running down towards Block D Stair case. On 23.07.2004 at 02.30 p.m., another chit was thrown into her room by Santosh (DR). On 22.07.2004 evening her room was dirtied with urine and spit by Girish and Santosh (DR). Her room was again dirtied with urine on 25.07.2004 at 04.30 p.m., She says that these harassments were caused out to her with the support and protection of Manoj Das Gupta, Dr. Dilip Kumar Datta and Nirmal C Swain. In ExA5, she requests that Human Rights Commission may take criminal action against the persons concerned and communicate her through her Advocate.

22. ExA6 is a copy of the complaint sent to the Chairman of the State Human Rights Commission on 28.07.2004 by the petitioner alleging that she and others have a court case against the trustees of Sri Aurobindo Ashram challenging their arbitrary action and false accusations. In Ex.A6, she also alleges that Mr. Manoj Das Gupta, Dr. Dilip Kumar Datta,



Nirmal C. Swain, Girish Panda, Kavitanjali, Santosh (Dining Room), Santosh (Electricity Dept.), Chandramani Patel and Sajal Mitra (@ Sankar, all inmates of the Ashram are harassing her by obscene gestures and pictures, urinating and spitting in her room. She refers the incidents alleged to have taken place on 03.06.2004, 13.06.2004, 14.06.2004, 23.07.2004, 18.05.2004, 06.06.2004, 08.06.2004, 12.06.2004, 22.07.2004, 01.06.2004, 07.06.2004 and 27.07.2004. She also alleges that she reported the harassment meted out to her and her sisters to the trustees and other committee members on 26.07.2004 at 11.00 a.m., and no action was taken for obvious reasons. She requests that Commission may take appropriate criminal action against the concerned persons for harassing her and affecting her dignity and communicate her through her Advocate.

23. Ex.A7 is a copy of the letter dt. 04.08.2004 written by the petitioner and her four sisters to Mr. Manoj Das Gupta, Managing trustee alleging that he has failed to take action against the culprits for their harassment, criminal intimidation, obscene gestures and the drawings directed against them in spite of informing him about it on 26.07.2004 and they also showed the obscene drawings received by them. In Ex.A7 they allege that on 03.08.2004 at about 10.00 p.m., when Arunaashri was returning to her room after fetching water from the common drinking water filter in the corridor, Chandramani blocked her path and tried to touch her and put arm around her. They also allege that had the Managing trustee taken serious action against Nirmal C. Swain, Girish Panda, Kavitanjali, Santosh (Dine), Santosh (Electricity), Chandramani Patel, and Sajal Mitra (@ Shankar when complained on 26.07.2004 this would not have happened and that he had complicity in the campaign of harassment and intimidation. As such, they inform that they are taking steps to lodge a complaint with the police against all the miscreants.

24. Ex.A8 is a copy of the complaint to the SHO, Muthialpet PS by the petitioner alleging that the inmates of the Ashram namely Nirmal C. Swain, Girish Panda, Kavitanjali, Santosh (DR), Santosh (Electricity Dept.), Chandhamani Patel and Mitra (@ Sankar are harassing her by sending obscene pictures and by obscene gestures, and also by urinating and spitting in her room as well tampering with her cycle. She informed about this to the trustees on 26.07.2004 about the various harassment and acts outraging her modesty to Mr. Manoj Das Gupta, the Managing Trustee and Dr. Dilip Kumar, the Trustee, and they declined to look into her complaint for obvious reasons, she also states that the harassment had increased because of the blessing and support of the above two persons. On 03.08.2004 at about 10.00 hours, when the petitioner was returning to her room after fetching water from the common drinking water filter in the corridor, Chandramani who was coming in the opposite direction, blocked her path and tried to touch her and put her arm around her. She also states that the details of the acts of outraging her modesty, harassment and intimidation were given in the enclosed letters. She also stated that the said Nirmal C Swain and his co-conspirators have no limits for harassing her since their game plan is blessed and approved by the Managing trustee and other trustees. As such, she requests that appropriate criminal action be taken against the said Chandramani Patel.

25. Ex.A9 is a copy of the letter of the petitioner and her sisters addressed to SHO, Muthialpet PS, alleging that subsequent to the filing of FIR No. 213/2004 by her, Mr. Matri Prasad and Mr. Purushottam Kothari were regularly coming to the A.E. House and harassing them to withdraw their complaint and compelling to give letters to that effect. They alleged that since they refused to withdraw the complaint, other inmates of the A.E. House were coerced to give false written complaint against them and Mr. Matri Prasad and Mr. Purushottam Kothari had already collected more than 100 such letters. They also alleges that the above two persons have threatened their safety and security because of which they are at the moment staying at their parents house for the night alone. They requests the SHO to take immediate action against the above two persons to stop harassment inflicted on them and to ensure safety and security.

26. Ex.A10 is a copy of the complaint given by the petitioner and her sister Jayashree to the President Bar Council of Tamil Nadu, High Court, Chennai alleging that on 13.06.2004,

they gave two complaints to the President of the Bar Association, Pondicherry against Mr. Nirmal C. Swaini, a practising inmate advocate appearing for the trustees of Sri Aurobindo Ashram along with copies of the two complaints. They allege that the President of Bar Association, Pondicherry, did not take any action in the matter despite several requests because he himself is appearing in the cases for the trustees of the Ashram. They request that he may intervene and help them by taking appropriate and immediate action against Mr. Nirmal C. Swain to prevent any further harassment to them.

27. Ex.A11 is a copy of the complaint dt. 29.01.2005 given to IGP by Hemalata Prasad alleging that inspite of the FIR, the harassment against her and her sisters is continued. She alleges that no action was taken on their complaint dated 11.10.2004 and out of fear, she and her sisters stayed in her parents' house for a week from 07.10.2004. She also allege that urination and spitting was done on 09.10.2004, 12.10.2004, 20.1.2004, 09.11.2004, 24.11.2004 and 05.12.2004 and is continued in front of Jayashree's room and on her slippers by Shankar @ Sajal Mitra and Santosh Nayak. She alleges that urination and spitting was done on 21.09.2004, 03.10.2004, 04.1.2004, 12.10.2004, 08.11.2004, 20.11.2004, 21.11.2004, 25.11.2004, 11.01.2005 and it is being continued in front of the petitioner's room, on her shoe-shelf and slippers by Girish Panda, Shankar @ Sajal Mitra, Santosh and Jagat. On 13.10.2004, Rajyashree Prasad, Nivedita Prasad and Hemalata Prasad received obscene chit from Santosh Naik, Girish Panda and Jagat and there were also urination and spitting in front of the rooms of Nivedita Prasad and Hemalata Prasad. She also complains about the damages to the cycle and other matters, and requests that action may be taken against the persons concerned to punish them.

28. Ex.A12 contains with photocopies of five obscene drawings and they were marked as ExP12 (i), 12(ii), 12(iii), 12(iv) and 12(v). According to the petitioner, ExP12(i) was received by her on 13.06.2004 at 07.30 a.m., which contains the letter purported to have written to the petitioner in English and signed by Chandramani. There are three sets of obscene pictures drawn below the letter, and each set contains obscene posture of a pair of man and woman. ExA12(ii) is a photo copy of an obscene drawing purported to have been received by the petitioner on 14.06.2004 at 2 p.m., containing two compromising postures of one pair of man and woman. Ex A12(iii) is a photocopy of an obscene drawing purported to have been received by Nivedita on 22.07.2004 at 10.30 p.m., containing two compromising postures of a pair of man and woman. Ex P12(iv) is a photo copy of an obscene drawing purported to have been received by Nivedita containing the picture of five nude women standing in a row with another picture of a nude man standing below it. Ex A12(v) is a photocopy of another obscene drawing purported to have been received by the petitioner on 23.07.2004 at 07.30 p.m., containing the picture of five nude women standing in a row with another picture of a nude man standing below.

29. The petitioner and other four sisters who appeared for the enquiry on 24.5.2005 stated that they wanted to file a written statement through the petitioner only and others did not like to file separate statement. However, the remaining four sisters concurred the facts mentioned in the written statement of the petitioner and wanted to adopt it for them also. All the five sisters told that they did not want any other witness to be examined and any other document to be produced on their behalf except a photocopy of the acknowledgement card for forwarding the complaint to the SHO, Muthialpet on 05.08.2004. The photo copy of the acknowledgment card was received on 25.05.2005 and it was marked as Ex A13.

### **(c) FACTS ADDUCED ON BEHALF OF THE COUNTER PETITIONERS**

30. After gathering the evidence of the petitioner's side, the evidence on behalf of the counter-petitioners was taken from 25.5.2005 to 31.5.2005 and 21 witnesses were examined and 47 exhibits were marked on behalf of the counter-petitioners. The examination of these witnesses were done in the office of Commandant, PAP at Gorimedu. Witness **B1**

**CHANDRAMANI PATEL (48)** states that he is settled in Sri Aurobindo Ashram since 1985. He is now staying in "Castellini" at Gingee Salai, Pondicherry from 18.10.2004. He was staying in A.B. House, previously. He states that quite a few times before Arunaashri Prasad used to casually tell him about the difficulties faced by her and her sisters with Ashram. He used to simply listen her since he had realized the quarrelsome nature of Arunaashri and her sisters. He also says that Arunaashri also told him about the several court cases against the Ashram and he simply heard it. In early 2004, he was having sympathy with them and used to give small helps like fetching fruits for Arunaashri when she used to be ill. He looked after the cleaning of the overhead water tank in "A" Block. Before, Arunaashri Prasad had requested a few times, if he could arrange cleaning of the overhead tank of "B" Block also. He used to do that because of her request. Once when, he was cleaning the tank for "A" Block, she asked the witness for doing cleaning of over-tank in Block "B". The witness agreed and organized for cleaning the tank on one Sunday. Arunaashri Prasad also wanted to do the cleaning. He did not see any problem and when he informed to other inmates who were going to help the cleaning work, they protested because she was quarrel-some without any provocation and she indulged in false propaganda against the Ashram and the trustees. Since the cleaning work was early the next day on Sunday and it was already late Saturday night, he did not wish to disturb Arunaashri Prasad and so left a small chit under her door telling her that she did not bother to come for the cleaning work as enough people were going to come. The chit was a small piece of paper written with blue ball-pointed pen. In the chit he addressed Arunaashri Prasad as "Aruna-di" which is a term of respect as if addressing to elder sister, and he also used the words like "Sorry" and "Thank you". He identified the writings on Ex. A12(i) as the photocopy of his chit written to Arunaashri, but added that the obscene drawings found on the chit was manipulated by the five sisters subsequently to incriminate him.

31. He also alleges that the motive of the Prasad sisters is also clear when after notice of the Ashram enquiry was put up in the Notice board of Ambabhikshu, a typed letter dated 20.9.2004 was sent to the enquiry officer which was allegedly sent by him that he had written the chit to Arunaashri Prasad on 13.6.2004, Girish Prasad drew the dirty pictures, and Girish and Santosh were urinating and doing other dirty things in the girl's rooms and that he was not involved. He states that the typed letter dated 20.09.04 was not written by him and the signature on it was forged by them or by some one on their behalf. Impossible thing is that though this fake letter was posted in Pondicherry, as can be seen on the envelope, he was not even in Pondicherry between 14.09.04 and 27.09.04 as he had gone to Orissa. He produced the photocopy of the above forged letter which was marked as Ex. B 1, the photocopy of the envelope marked as Ex. B 2, photocopy of his request for leave to the Trustees marked as Ex. B3, the extract of Departure Register maintained by the Ashram marked as Ex. B 4 and photocopy of his return train ticket marked as Ex. B 5. He reiterates that he never spoke rudely to any of the sisters, let alone acted indecently in any manner and he claims that the allegations of the sisters are totally false and baseless, and it was lodged with ulterior motive. He strongly denies the allegations cast upon him by the Prasad sisters. He deposed before A.V. Nagarajan, the Enquiry Officer appointed by the Ashram. He states that it was strange that when the Prasad sisters filed complaint with the police on the first day, they told only Girish's name and the next day they added names of other four persons including himself to Police. He says that fortunately, truth is strong and they were discharged from the court. He alleges that the Prasad sisters are terrorising and therefore all the inmates including women inmates are worried. He clarifies that the allegation against him and others that they abused and threatened Arunaashri while she had gone for fetching drinking water on 1.6.2004 at 6 p.m., is false and motivated. He also denies the allegations that himself along with others harassed her 13.6.2004 and 14.6.2004 by shouting at her with obscene words and putting obscene chits. He also states that himself, Girish, Santosh(DR), Santosh (Electricity) and Shankar voluntarily moved to different accommodations on 18.10.2004 away from A.B. House as a temporary measure and they were not frequenting to A.B. House thereafter.

**Girish Panda(38)** says that he is an inmate of Sri Aurobindo Ashram since 1988. He has been working in the Dining Room all these years. Arunaashri is staying nearby his room for about five years. He did not have any acquaintance with her. He did not know why the Prasad sisters are fostering allegations against him. His working hours in the



dinning hall are from 5 00 a.m., to 10 00 a.m., 11 30 a.m., to 1 00 p.m., 3 00 p.m. to 05 00 p.m., and thereafter he goes for his physical exercises. After dinner in the dinning Hall at 09 00 p.m., he goes to meet his own sister residing nearby and return back around 10 30 p.m., and goes to sleep. As such he has hardly left any free time. He denies the allegations against him. In fact, it is she who harasses him and many others in A.B. House. One day, they banged doors of many inmates woke up everybody and shouted loudly using bad language. Whole night, she kept the Balcony/corridor light in front of his room on. She puts phenyl water in front of his room. While taking drinking water from common tap, she spills water in front of his room purposely and the whole place becomes slippery. Often she is singing loudly about 12:45 a.m. and projecting herself in badly-dressed pose. Many people told her to stop such things, but she continued. While going up and down stairs, always she jostles by and not letting him come down. Many times, when she sees him alone, suddenly she stops him and scolds him in vulgar language. When he is on cycle, often she would try to stop him, and when he slow down, she speaks bad language. She is spreading very bad rumour to everybody that he is passing urine in front of her room and this is not true at all. Then she makes dirty drawings and says he has done. He deposed about the same facts to Thiru. A.V. Nagarajan, Enquiry Officer appointed by Ashram. She even complained to Police on 17.09.2004 against him alone and next day on 18.9.2004 she complained to the Police that 4 more inmates were also involved. She gave the excuse that she had forgotten the names of other accused on the previous day. The case against him and others was discharged. He produced a copy of the order of discharge and it was marked as Ex.B6. He states that Jahnvi Ravikanti (38) stays very close to his room and she would tell how much problems Prasad sisters are giving to her. He also says that Subhashri Mohanty also told him about the serious problems faced by her from Prasad sisters on daily basis. He also alleges that Arunaashri and her sisters are not sparing anybody and lodging many false complaints and that all are afraid. He denies the allegations made against him by Arunaashri that he had harassed her by putting obscene pictures, urinating etc. on 1.6.04, 3.6.04, 6.6.04, 7.6.04, 14.6.04 and 22.7.04

33. In his statement, witness **B3 Sajjal Mitra @ Shankar ( 40 )** states that he is an inmate of Sri Arabindo Ashram since 1983. He denies the charges put against him such as conspiring with others for troubling Jayashree Prasad and her sisters. He has deposed about these things to Enquiry Officer of Ashram. He has never damaged their properties in any way nor insulted the Prasad sisters in any way. He states that Prasad sisters are a great nuisance to the everybody and they trouble him often by throwing water into his room from side. He alleges that they shout loudly at night, switch on corridor lights and make false complaints. One of her sisters also damaged his cycle by cutting the seat, puncturing the tyres etc. He is massager and one Dilip Aggarwal use to take massage from him for his back pain. He used to always complain to him about Ashram and the Trustees, but he never made any comment. He was also pestering him to join his anti-Ashram Association. The Prasad sisters are part of this Association because when the police came to Ambabhikshu House to probe the complaint by Prasad sisters, Dilip Agarwal was with them. He feels that bogus allegations have been leveled against him because he refused to join their Association. He states that regarding police complaint, there is a strange fact that on 17.09.2004 Arunaashri Prasad mentioned only Girish Panda's name and the next day she went back to Police and mentioned his name and 3 others too. He expresses surprise that how can they forget to mention his and other's names on the first day. He claims that many people will agree with him about the harassment given to them by the Prasad sisters, even among women. He knows that Ila Joshi, and Roma Barik have told him that they are facing such harassments from the Prasad sisters. He denies allegations made by Arunaashri that he urinated near her room, damaged her cycle etc. on 3.6.2004, 6.6.04, 12.6.04 and 20.6.04.

34. In his statement, the witness **B4 SANTOSH SAHOO (34 )** states that he is an inmate of Aurobindo Ashram and have been living in the Ashram since 1989. He serves in Garden Guest House. He states that in all these years, this is the first time that false allegations are flying about him. He denies the allegations. He alleges that in fact, Jayashree Prasad, Arunaashri Prasad, Rajyashree Prasad, Nivedita Prasad and Hemlata Prasad have been causing troubles to other inmates. He denies totally all happenings alleged by them such as sexually harassing women, dirty drawings, urination and spitting at their doors etc. On the contrary, it is the Prasad sisters who are a major cause of worry and concern. They unnecessarily switch on and off the passage lights disturbing his sleep. They throw water in

their rooms and complain that people are urinating there. They use the filtered drinking water from the tap to wash their legs and dirty the whole area. They gossip with each other late at night very loudly and disturb everybody else in the building. When they use stairs they come up and down leaving no space for others, so that no one else can use the stairs at that time. They cause such disturbances to all inmates including women. He told about this to Ashram Enquiry Officer Thiru. A.V.Nagarajan. He states that Jahnvi Ravikanti is his neighbour and she too has undergone much trouble. Even Prashant Choudhury, who is the caretaker of Ambabhikshu House can confirm about the troublesome nature of these girls. He claims that the complaint given by the Prasad sisters against them to the police cannot be believed. He claims that the allegations that he tried to touch Arunaashri on 3.6.2004 and urinated near her room on 8.6.2004, are false.

35. In her statement the witness **B5 Kabitanjali Behra (34)** states that she is an inmate of Sri Aurobindo Ashram and has been in the Ashram since 1987. She serves in the Ashram Dining Hall. Jayashree Prasad used to work in the Dining Hall with her for some time. She is residing in A.B.House, where Jajashree Prasad and her sisters also reside. She alleges that once very late at night, the Prasad sisters disturbed everybody by knocking doors, shouting at her and others, and abusing in filthy language. Both men and women are the victims of such harassments by the Prasad sisters. Because they are women, they take advantage and do what they like. She and other women inmates are ashamed of the Prasad sisters' behaviour. She also alleges that once the drinking water from the overhead tank in the complex was found contaminated and some people were also taken to hospital. She strongly suspects that the contamination has been done by the Prasad sisters because they always fight and are harmful in nature. Another occasion, as she entered Ambabhikshu complex, Arunaashri Prasad ran towards her so rashly that she was about to fall on the ground and got injury. She claims that there is absolutely no harassment of women in the Ashram as there is an Advisory Committee which looks after the problems of all inmates. It is headed by Ms. Chitra Sen, a senior teacher called as captain. She also states that whenever they have a problem they go to her. She deposed facts before Ashram Enquiry Officer Mr. Nagarajan. She claims that Prasad sisters are terrorizing all of them and there was no such problem before and this will be confirmed by any woman in the Ashram. She denies the allegation of Arunaashri that she had threatened to harass her.

36. In his statement, the witness **B6 SANTOSH NAYAK ( 37 )** alleges that he is an inmate and has been in the Ashram since 1987. He serves in the Ashram Dining Hall. He denies all the allegations made against him by the Prasad sisters such as damaging the locks of the rooms, tampering with cycles, conspiring to send dirty chits, or using bad and vulgar words. On the contrary, she alleges that all the Prasad sisters are doing all sorts of disturbances to the other inmates. When he is crossing them the Prasad sisters try to bang against him. They talk next to his room very loudly during night upto midnight. They are switching on lights late at night, using filthy language, and making false complaints against so many people including himself. He has deposed about this to Thiru. A.V. Nagarajan, the Ashram Enquiry Officer. He states that on the false allegation made against him by Arunaashri, he was arrested by the police, who released him on station bail later. The case finally ended in discharge by the Judicial Magistrate. But, as a result of these events he is still suffering from severe mental depression and distress. He has temporarily shifted his residence from A.B. House to Gingee Salai on 18.10.2004 in order to escape from the harassment of Arunaashri. He denies the allegation made against him by Arunaashri. that he had harassed her on 6.6.04, 7.6.2004, 23.7.04 by urinating, passing over obscene drawings etc.

37. In her statement, the witness **B7 Ms. SAROJINI PANIGRAHI ( 39 )** states that she is an inmate of Sri Aurobindo Ashram since 1994. She is serving in the Ashram Dispensary. All the five Prasad sisters have been causing lot of harassment to all the inmates in Ambabhikshu House. One day, in July 2004, Nivedita Prasad banged her door, woke her up from sleep after 11:15 p.m., and dragged her out forcibly from her room to see what she claimed to be urine. She found nothing near the door, not even any odour, and was very upset by her abusive behaviour disturbing her around midnight. She claims that Nivedita Prasad and her sisters are arrogant, quarrelsome, and always disturbing others by shouting, making noises in the night. They have even used abusive language against her and also threatened her by saying that they would call the police and take her as a witness by force.

The behaviour of the Prasad sisters have been dangerous to the life of other inmates. She also states that after the above incident at night, the Prasad sisters disturbed many other inmates by making lot of noise, and mixing chemicals in the drinking water, which was found dark yellowish-green. This caused a lot of panic and tension in the entire housing complex. Some people who drank the water had to be admitted to the Nursing Home for severe vomiting. Almost everyday, these sisters put on the lights in corridors late at night, shouting, laughing, singing, and causing much disturbance to other inmates. Sometimes it becomes very difficult to read or sleep due to their loud collective discussion and laugh even long after 10:30 p.m., They have also been bringing strangers in their building. She has also seen one of them walking up and down the common corridor wearing a long black dress around 5 a.m. in the morning. Since she gave complaint against them to the Trustees, the Prasad sisters started intimidating her openly by howling and obstructing her path whenever she goes in and out of Ambabhikshu House. These days, whenever she sees them, she avoids going near to them so as to avoid any physical pushing or verbal abuses. She says that the Prasad sisters think that they can hide past and future bad deeds by bringing fear into others. She claims that she knows the boys namely Chandramani, Girish, Santosh(DR), Santosh(Electricity) and Shankar against whom the Prasad sisters have complained and that they are very decent and have never misbehaved or ill-treated her or anybody else. She states that all women inmates are very safe in Ashram and in the A.B. House. But that was before the Prasad sisters came and started living and harassing them. She states that sometime in October 2004, very bad news came out in newspapers that there is sexual harassment in the Ashram as complained by Prasad sisters to the National Commission for Women. She and some other women inmates jointly wrote a letter to the Chairperson of the National Commission for Woman making their stand very clear that there has never been any such kind of things in the Ashram. She produced a copy of this letter which was marked as Ex B.7. She also states that then few months back the NCW took statements from many of them, and in January 2005 finally cleared all these charges. She has been staying in Ashram as permanent member since March, 1994 for spiritual upliftment. All the members of the Ashram are supposed to follow certain virtues in life like no alcohol, no sex, no smoking and no politics and they have willingly accepted it. There is no policing in Ashram and if any member wants to lead a material life, he or she is free to quit the Ashram and there is no compulsion from any source against such quitting. The witness states that the women inmates are staying in the Ashram with their volition and they are safe in all respects. She claims that the allegation against the fellow inmates made by the Prasad sisters like urination and spitting near their rooms are false because she stays near their rooms.

38. In her statement, the witness **B8 MS. SUBHASHINEE MOHANTY (31)** says that she is an inmate of the Sri Aurobindo Ashram since 1992. She is staying in A.B. House and doing work in the laundry. She says that the behaviour of Jayashree Prasad, Rajyashree Prasad, Arunaashri Prasad, Nivedita Prasad and Hemlata Prasad is very hostile and arrogant. Quite a few times, on the road, when she was on her cycle, Arunaashri Prasad would suddenly change her direction and try to dash her so that she lose balance and fall. Same thing happened at very critical turning when she was coming back and turned into busy Ashram Road. Some months back, the witness was in Dining Room to collect Tiffin Carrier. In the passage, Arunaashri Prasad was rushing. She stepped aside so that she could go easily, but she purposely banged into her face to face shamelessly. In the Dining Room courtyard on rainy days, she would keep swinging and circling around her umbrella with the intention of hitting people. All of Ashramites would take care to keep away. One night around 11:30 p.m., when she and others were sleeping, the five Prasad sisters suddenly started banging hard their doors one after the other causing panic in the whole building. The Prasad sisters were screaming, abusing and shouting in very dirty language. This harassment continued almost for an hour. One day, at about 5 p.m., just after collecting laundry clothes from her at the Laundry, Rajyashree Prasad cunningly but casually asked her about the filter tank and its filtering system etc. of A.B. House. The witness usually look after maintenance of the drinking water system and she knows fully its workings. She explained to her about the working of the system without thinking of any perverse motive of Rajashree. 30 minutes later, when she went to A.B. house, she found out that the whole drinking water tank containing thousands of litres of filtered water had turned dark yellow. Those who had already drunk that water started vomiting and became very sick and few people had to be

admitted to the Nursing Home. She strongly believes that Rajyashree Prasad and her sisters were responsible for the water pollution. She also says that a few days before the Prasad sisters had caused lot of disturbance in the night, they were challenging other inmates saying that they will teach lessons to all inmates of A.B. House. Just as they had threatened the water was poisoned. After the water pollution incident, the presence of the sisters is very dangerous to the lives of all inmates. She also alleges that all the inmates live in great fear of on account of the five sisters. Jayashree Prasad and her sisters had falsely said that there is sexual harassment and other such things going on in the Ashram and it was reported in all newspapers. Whole Ashram was in shame. She and others deposed in front of the National Commission for Women and later in January they saw in the newspapers that the National Commission for Women had said that all charges are false and that these Prasad sisters have bad thinking behind their complaints. She says that she and other women inmates of the Ashram have been safe in Ashram and it is the safest place on earth. She also clarifies that the boys against whom allegations were made by the Prasad sisters, could never have done such things and that the peace and harmony have gone only after the coming of the five sisters to A.B. House.

39. In his statement, the witness **B9 PRASHANT CHOUDHURY ( 51 )** states that he is in an inmate of the Sri Aurobindo Ashram since 1971. He is the in-charge of the soap factory which supplies soaps only for use in the Ashram. The Soap Factory is located in one corner of Ambabhikshu House for decades. The witness is staying in Ambabhikshu Garden (as it was called at that time) from 1971. After the construction of A.B. House, he got a room in the complex. Being the longest resident of Ambabhikshu and because he is always available either in his room or in the factory which is located in the same campus, he functions as caretaker of Ambabhikshu House also. Generally all complaints are brought to his notice. Jayashree Prasad stays in the room next to his. He says that he is certain that the complaints against the residents namely Chandramani, Girish, Santosh and Shankar and others are utterly false to his knowledge. In all these years, The witness did not receive any specific complaint of harassment as stated by the Prasad sisters. He says that he did not know about the incident of putting obscene pictures in the rooms of the Prasad sisters. The persons staying in the A.B. House are behaving like brothers and sisters. No harassment is given to any female member of the Ashram. He also says that allegations made by the Prasad sisters regarding incidents of urination and spitting by certain members of the residents are false.

40. In her statement **WITNESS B10 CHITRA SEN (77 )** states that she is an inmate of Sri Aurobindo Ashram since 1943. She teaches in the Sri Aurobindo International Centre of Education. She is also an instructor of physical education in the Department of Physical Education in Sri Aurobindo Ashram. She is also a member of the Advisory Committee that assists the trustees of Sri Aurobindo Ashram Trust. Often she is asked by the trustees to look into any difficulty or problem that any aged person or any other inmate may face so that proper co-ordination may be ensured between the different services of the Ashram. She also assists the trustees in the allocation of work to the inmates and other volunteers in the different departments of the Ashram. She is also a trustee of a charitable trust named Swasthya Trust which is associated with the vision of Sri Aurobindo and the Mother to provide good integrated medical facility to the public at large at an affordable cost. This unit of Swasthya Trust is known as Treasure Nursing Home which is at No.9, Saint Louis Street, Pondicherry. In January 2001, she was asked by the trustees to look into a complaint made by Jayashree Prasad who had alleged that she was assaulted by Krishna Chandra while on work in the Dining hall of the Ashram. She had gone to the Dining Room and interviewed the persons working there specially those who were present when the alleged incident had taken place. She came to know that the incident was quite different from the manner that it had been reported by Jayashree Prasad to the trustees. It was found that in fact it was Jayashree Prasad who had first banged into Krishna Chandra with the trolley that she was rolling, in a manner that must have been quite painful to him. Thereafter Jayashree Prasad had started abusing and also hitting Krishna Chandra. As a reaction and in his defence, Krishna Chandra had reacted. The witness says that she came to know that the whole scuffle was started by Jayashree Prasad and sisters. She also informed by the other men and women workers in the Dining Room, that Jayashree Prasad often imagines that young men are interested in looking at her and that she is generally abusive in her language, quarrelsome and disturbance to others. She also says that since she is looking after the allocation of work to



the inmates she knows that wherever Arunaashri had worked earlier, other inmates found her to be a very difficult and quarrelsome colleague. Accordingly, she informed the trustees about her findings. In February 2001, she was also asked by the trustees to talk to Hemlata Prasad as she was showing some strange behavior. She had known Hemlata as a teacher in the school where she had studied and also a physical education instructor for the physical education activities in which she had participated. She interviewed Hemlata in confidence and she confessed that she had gone to Chennai and her pregnancy was terminated some time before. She also named the boy regarding this incident but later she denied ever having met her or having confessed to her. She also came to know from some other sources that Hemlata Prasad had visited Treasure Nursing Home also in connection with the physical problems faced by her due to her indiscretion. But the witness was shocked to find that her case-sheet was missing. Circumstantial evidence showed that Hemlata had indeed visited Treasure Nursing Home. It was only after interviewing the doctor concerned that she could corroborate what Hemlata had confessed to her. She also came to know from the doctor concerned that though Hemlata Prasad and her sister Nivedita Prasad had asked for the case-sheet to be given to them, the doctor had refused to do so as no case-sheet should go out of the Nursing Home. It was found that an attempt had been made to tamper evidence where the name of Hemlata Prasad had been noted down in the Patients' Register which was accessible to Nivedita Prasad as she used to work there. Thereafter she informed Nivedita Prasad that she would not be able to work in the Treasure Nursing Home. About an year and half, the witness was informed that the High Court at Chennai had appointed an Enquiry Officer by name Mr. N.P.K. Menon to enquire into this matter. Among others, she was also a witness for purpose of that enquiry. She knew that the Enquiry officer appointed by the High Court had found Hemlata Prasad guilty of misconduct as alleged against her. She meet regularly large number of inmates and most of them complained against Prasad sisters. In fact about 9 months ago, these five sisters had complained to the National Commission for Women that there is sexual harassment of women in the Ashram and that they have been subjected to sexual harassment. She says that it is a most shocking lie and large number of women inmates had protested against this lie and written to the National Commission for Women, which later conducted an enquiry. Finally she came to know from newspaper reports that the National Commission for Women had found that those allegations were false and that there seemed to be malicious design in the manner in which they were made. She also knows that the complaint made by Arunaashri Prasad on similar grounds against some inmates of the Ashram and the police case registered on the complaint of Arunaashri was discharged. She clarifies that Jayashree Prasad is not working anywhere, Arunaashri Prasad is working only for a few hours, Nivedita and Hemlata are also not working anywhere and Rajashree Prasad is now working in Perfect Eye Sight. She clarifies that the presence of Prasad sisters in the Ashram is a source of serious nuisance to other inmates of the Ashram.

41. In her statement, B 11 ILA JOSHI ( 42 ) states that she is an inmate of the Sri Aurobindo Ashram since 1983. She is working in the Reception Service and she is also a teacher. Jayashree Prasad stays on the same floor and Block where she lives. She has heard that the Prasad sisters had complained against some boys that they had harassed her. She is a resident of the same complex and she would say the complaint of Jayashree is a lie. In fact the inmates of A.B. House always felt very safe until they started being harassed by the Prasad sisters. She alleges that once around 5 p.m., the witness was stitching in her doorway which faces the corridor. While passing through the corridor, Nivedita Prasad purposely came close to her and kicked her leg. Not that there was not enough place, there was plenty of place on the other side. As she is elder to her, the witness asked her how she could do something so indecent like that Nivedita shouted rudely and screamed for her eldest sister Jayashree Prasad to come and then said that she was troubling her. Then, a few months back, when Jayashree Prasad was passing by, she suddenly lifted her elbow and tried to hit her cheek. She also alleges that Jayashree Prasad herself throws water and dirty things just outside her room and then blames the residents of A.B. House that they have done this mischief to trouble her. One day in early October 2004, when she returned home at 8:30 p.m. after seeing an exhibition, she was crossing the corridor of Jayashree Prasad's door, when she happened to see that there was no water or anything else for that matter. At that time nobody was around. But after she entered her room, just in a half a minute, she heard Jayashree's screaming, "Look everyone, someone has thrown water here". There has never been any problem amongst the rest of inmates of A.B. House except for these sisters. The

men have always been very polite and well-mannered. As Jayashree Prasad lives so close to her room, the nuisance from these sisters has become intolerable and inconducive for harmonious living. The findings of the National Commission for Women, which had investigated these charges after the Prasad girls had complained to it, further corroborates what she is saying. The newspaper reports clearly states that the Commission has cleared the Ashram of all charges of sexual harassment. She was examined by Thiru. A.V. Nagarajan, who was appointed as Enquiry Officer relating to the complaints made by the Prasad sisters and against them.

42. In her statement, witness B12 MS. JAHNAVI RAVIKANTI (38) says that she is an inmate of the Sri Aurobindo Ashram. She came to Pondicherry from her native place in 1971 and graduated in Bio-Chemistry at the Sri Aurobindo Ashram International Centre of Education. She works in Cottage Restaurant since 1987. Her house is next to the petitioner Arunaashri in the A.B. House, Kuruchikuppam. She clarifies that the counter petitioners Girish, Chandramani, Santosh and Shankar are good type of persons and allegations raised by Prasad sisters against them that they urinated and spitted near their rooms are false. She also states that their complex is very big and cats enter some times and they urinate and defecate on the corridors, which even happen before her room also. She alleges that Prasad sisters are in the habit of giving false charges against others without any ground. The petitioner Arunaashri worked in Cottage Restaurant along with her for one year in 1987 and she is always under the imagination that boys are after her which is not true. She also alleges that the Prasad sisters are making false complaints and they are trying to terrorize all inmates in the campus. She states that in A.B. House, both men and women inmates are friendly and helpful and exception being the Prasad sisters. She also alleges that ever since one of the Prasad sisters came to her floor, there has been a lot of tension in the atmosphere because the sisters cannot be at peace with anyone and are spoiling the harmony of the place. Even walking up and down the stairs is a trial for fear of encountering the misbehaviour of these sisters. Jayashree Prasad, Arunaashri Prasad, Rajyashree Prasad, Nivedita Prasad and Hemlata Prasad have been a continuous source of nuisance to all of inmates both male and female, due to their rude behaviour, foisting false complaints, making noises and disturbing all the inmates with their tantrums. They except one don't seem to do any work for the Ashram for several years but they take all the facilities and privileges from the Ashram. They are known to use vulgar language, speak lies, tease inmates, and bang doors. They have entangled many Ashramites in Court Cases. They have not followed many of the Ashram guidelines. They are anti-Ashram and by such lies, harassment and false complaints, they wish to cover up their own falsehood. She states that since in general, people tend to be more sympathetic towards women, it would be very dangerous if these Prasad sisters, just because they are women, were to exploit and hold the Ashram to ransom. She states that the National Commission for Women has cleared the boys and the Ashram of charges leveled at the instant of the above sisters. She also states that she was examined by Thiru. A.V. Nagarajan, the Enquiry Officer of Ashram and recorded her statement.

43. In her statement, the witness B13 LATA JAUHAR (73) states that she is an inmates of Sri Aurobindo Ashram and has been residing in the Ashram since 1944. She is a teacher and works in the Batik section. Her sister Tara Jauhar is a Trustee of Sri Aurobindo Ashram, Delhi Branch, which is the first and only branch of the Ashram sanctioned by the Mother. She saw Jayashree Prasad and Arunaashri Prasad in the Delhi Branch around 15-20 years ago. At that time they tried hard to impress her and flatter her by all sorts of ways and right from that time their insincerity was exposed. She alleges that Hemlata was known to her even as a student, and she behaves at times in an odd and unusual manner even with teachers. She alleges that Prasad sisters were known to conjure up stories about themselves that they were special and they had hallucinations, and try to be different from everybody else. They were notorious all over the Ashram for their terrible misconduct and rude manner of speaking. Therefore they kept shifting from department to department because they have not been working anywhere and in addition have been very quarrelsome, offensive, and unable to get along with anybody. Everybody in the Ashram avoids them because they are known to pick up fights. She strongly feel that there is a possibility of psychological disorders in them. She says that she has grown up in the Ashram right from childhood and she can say confidently that never has there been any kind of harassment of women in the

Ashram. She has gone all over the world and I can say with full certainty that the Ashram is one of the finest and safest institutions for all individuals whether women or men. She firmly believes that the complaints made by Prasad sisters against certain individuals are totally false, fabricated and motivated.

44. In his statement, the witness B14 Purushottam Kothari (73) states that he is an inmate of Sri Aurobindo Ashram since 1967. He works in the Sports ground. He denies totally the allegation cast on him that he threatened and tried to kidnap the Prasad sisters and that he tried to force them to withdraw their complaint given to the police. He claims that the allegations are totally false. He knew Rajyashree Prasad and Arunaashri Prasad in the late 80's when they were working in the Ashram Cottage Complex of which he was the Manager. Right from the beginning he had complaints about them that they were not working properly and used to behave very badly with co-inmates, co-workers, and especially visitors to the Ashram. Their language was foul, and their behaviour was crude. After many petitions to the authorities, finally the two Prasad sisters were asked to leave Cottage Complex and were allotted work elsewhere. Even after this, they continued to jump from work to work on similar grounds. He knows that they had complained to the NCW in 2004. A few weeks later, he was happy to read about this in the papers that the NCW has cleared the Ashram from all charges made by the Prasad sisters and noted that a malafide intent seemed to be behind the complaints. He claims that the entire family of Prasad sisters has become a nuisance to the Ashram and the inmates are all eagerly hoping that they get rid of the problems which the Prasad sisters are giving to them continuously.

45. In his statement, the witness B15 Munisamy Mark (64) states that he is working as a watchman in A.B. House, Kuruchikuppam for the last 11 years. He says that about 250 persons are residing in the residential complex in which half of them are women. He says that 5 sisters are also residing in the campus. He claims that the inmates of the campus are behaving like brothers and sisters. He knows Santhos, Chandamani, Girish and another Santosh against whom allegations were made. According to him all of them are good people. He says that the allegations made by the five sisters that the above four male persons used to urinate and spit near the rooms of the ladies are not correct. He did not witness such harassments.

46. In his statement, the witness B16 Nirmal Chandra Swain says that he is inmate of Sri Aurobindo Ashram since 1986. He is a registered advocate and he is co-ordinating and assisting the senior advocates of the Ashram in the litigations filed against the Ashram. He alleges that the Prasad sisters have been litigating against Ashram since 2001. He clarifies that since he is involved in the legal work, the Prasad sisters perhaps developed ill-will towards him. He denies all the allegations leveled against him by them. He says that in the year 2000-2001, Hemalata Prasad indulged in absolutely unacceptable act as per Ashram rules. On 24.3.2001, she filed a suit vide O.S.No.215 of 2001 on the file of I Additional District Munsif at Pondicherry asking an injunction against Sri Aurobindo Ashram and its Trustees from removing her from the Ashram. Immediately, after that she had also filed a criminal complaint for defamation against the Trustees of Sri Aurobindo Ashram Trust and some members of the Ashram which was numbered as STR No.864/2001 on the file of Judicial Magistrate-I at Pondicherry. The criminal complaint filed by Hemalata Prasad was dismissed on 23.11.04 and all the accused were acquitted. The suit OS.No.215 of 2001 by Hemalata was terminated by High Court at Madras. Further, High Court appointed an enquiry officer to enquire into the charges leveled against Hemalalatha by the management of Sri Aurobindo Ashram. Hemalata participated in the enquiry with the assistance of her advocate and marked 36 documents. She also examined herself and two witnesses namely Jayashri Prasad and Nivedita Prasad. She availed opportunity of cross-examining all witnesses of the management of Sri Aurobindo Ashram. The enquiry officer finally came to the conclusion that Hemalata Prasad is guilty of misconduct as alleged by the management of Sri Aurobindo Ashram and accordingly filed his report before High Court at Madras. Subsequent to the report of the enquiry officer, when the Ashram trust wanted to take action against Hemalata Prasad, she avoided the service of the Show Cause Notice and

filed a preemptive a suit numbered as O.S.668 of 2002 on the file of I Additional District Munsif at Pondicherry. Steps have taken to effectively defend the said suit, which is in the final stage of disposal. It is possible that Jayashri Prasad and Arunashri Prasad have foisted false accusations against him in order to frighten him from effectively assisting the lawyers who are defending the Ashram against Prasad sisters. Further Jayashree Prasad, Arunashri Prasad, Jayashri Prasad and Nivedita Prasad have also filed O.S.No. 253 of 2001 on the file of I Additional District Munsif at Pondicherry against management of Sri Aurobindo Ashram. In 2001, when the management of Shri Aurobindo Ashram wanted to hold an enquiry into certain alleged acts of indiscipline, these sisters had filed said suit seeking to prevent the Ashram from even to hold an enquiry against them. However, during a Civil Revision arising out of the said suit, the High Court at Chennai has clearly permitted the Ashram to hold the proposed enquiry against them. Under the circumstances, Ashram had filed application before I Additional District Munsif at Pondicherry that the suit filed by Jayashri, Arunashri, Rajyashri and Nivedita Prasad be dismissed on the ground that the High Court has already pronounced itself on the issue involved in the suit by permitting the Ashram to hold an enquiry and hence nothing survive in the suit which would have to be adjudicated. This application is also in the final stage of disposal. He also alleges that since he has been assisting the senior advocates of the Ashram, the Prasad sisters have developed a feeling of enmity towards him, and this is the reason why they foisted allegations against him, and his father. He alleges that his father is an elderly man to be older enough to be their father and he even does not know these girls. He denies all the allegations raised against him by the Prasad sisters.

47. In her statement, the witness B17 Vadivel(62) states that he is working as watch man in A.B. House for the past 20 years and he looks after night duty from 6 p.m. to next day 6 a.m. He says that about 250 Ashram inmates are residing in the above residential complex in which half of them are ladies. According to him, the persons living in the campus behave like brothers and sisters. They behave properly and their conducts are good. He knows Shankar and says that he is good person. He also knows the five sisters who are residing in the same complex. He does not know anything about the complaint of urination and spitting taking place in the campus as alleged by the Prasad sisters, and he further adds that the inmates are not persons to indulge in such activities.

48. In his statement, the witness B-18 Shri Matri Prasad(50) says that he came to Pondicherry in 1963 and studied in Sri Aurobindo International Centre of Education. He completed his studies in the year 1975 and became an inmate of the Ashram. Since then, he teaches in the Ashram School and is assisting the Trustees in their administrative duties. He says that Sri Aurobindo Ashram is administered by Shri. Aurobindo Ashram Trust which was settled in 1955 and the copy of the Trust deed was marked as Ex B8. The inmates of the Ashram are governed by some basic simple rules which have been collected in a booklet form. A copy of the booklet was marked as Ex B9. He alleges that Hemalata Prasad violated rule No.7(C) given on page No.20 of Ex B9. In or around 1997, certain disgruntled individuals formed an association and named it as "Sri Aurobindo Ashram Inmates' Association" and filed several litigations against the management of Sri Aurobindo Ashram Trust. He produced a copy of the suit in OS No.57/99 filed by the Inmates' Association in the court of I Additional District Mansif, Pondicherry and it was marked as Ex B10 and another copy of the complaint filed by them before JM I, Pondicherry was marked as Ex B11. Both these cases were since been dismissed. Jayashree Prasad is an office bearer of the above Inmates' Association as was evident in order of JM-I in STR No. 864/2001 on page No.13. He produced a copy of the order which was marked as Ex B1. The same Dilip Agarwal who had filed EX B11 noted above, is the only other witness apart from her sister who has claimed to be a witness for some alleged illegal acts as referred to in the complaint dated 17.9.2004 made by Arunashree Prasad to the SIO, Muthialpet PS. The same Dilip Agarwal along with some other members of the Association was a witness in STR No. 864/2001 as evident in Ex B14. In Ex B14, at page No.13, it is stated that Dilip Agarwal was not speaking the truth even when he ws under oath. In February, 2001, Jayashree Prasad had complained that one Krishna Chandra, who is working in Ashram Dining Room had assaulted her. The management of the Trust had asked an elderly lady teacher named Chitra Sen who is also a member of the Advisory Committee to the Trustees, to look into this complaint and to report the result of her findings. Chitra Sen had reported to the Trust that



she had investigated the matter and had come to the conclusion that it was Jayashree Prasad herself who was responsible for the scuffle. Later, Hemalata indulged in an act of indiscipline and thereby violated the rule No.7 (C) on Page No.20 of Ex B9 as can be seen from the report submitted by N.P.K. Menon. He produced a copy of the said Enquiry report which was marked as Ex B15. Subsequently, Hemalata was advised to withdraw from the Ashram community. She challenged her expulsion in the court and the final outcome of the suit was that the High Court at Chennai appointed a retired District and Session Judge Mr. N.P.K. Menon to conduct an inquiry into the subject matter that had led to the filing of the suit. He produced the copies of the plaint of Hemalata which was marked as Ex B16 and the consequential order passed by the High Court appointing Mr. N.P.K. Menon as the enquiry officer which was marked as Ex B17. The witness is the presenting officer for the Ashram management in the Enquiry conducted by Mr. N.P.K. Menon and Hemalata was assisted by her advocate Cyril Mathias Vincent. In this enquiry, Hemalata could not produce any witness except her two sisters namely Jayashree Prasad and Nivedita Prasad, but 30 documents were marked on her behalf. The Enquiry Officer after considering all the evidence furnished a findings to the High Court with conclusion that Hemalata was guilty of indiscipline as alleged and recommended that it was not proper to condone her lapse. In Ex B15, on pages Nos. 20 to 22, the Enquiry Officer has referred to the alleged incident of Jayashree Prasad being assaulted by Krishna Chandra and has come to the conclusion that although Hemalata Prasad was claiming that she was being victimized because of her sister had complained to the Trustees, there was no connection between the two events. The management thereafter sent a final show cause notice to Hemalata Prasad based on the report of the Enquiry Officer appointed by the High Court. After avoiding to receive the notice, Hemalata Prasad sought an injunction from the Munsif Court to prevent the Ashram from acting up on the Enquiry Report. The Management of the Ashram moved an application in the suit to the effect that the suit was not maintainable. He produced a copy of the plaint of Hemalata Prasad which was marked as Ex B18 and a copy of the application moved by the management which was marked as Ex B19. In the meanwhile, Hemalata Prasad also filed a Criminal complaint against the trustees and some other inmates alleging that she has been defamed. The complaint was marked as Ex B20. The JM has also dismissed the complaint and acquitted all the accused as can be seen in from the Ex B14 L which the Judicial Magistrate on Page No.13 has stated that Hemalata Prasad was not speaking truth she even denied that there was an enquiry against her which was conducted by the Enquiry Officer appointed by the High Court.

49. In his statement, the witness B18 also says that while the litigation with Hemalata Prasad was going on, her other four sisters disrupted the functioning of the Dining Room of the Ashram where thousands of visitors use to come to have their daily meals. They also sought to prevent an enquiry into this act of indiscipline by the management of the Ashram by filing a suit in OS No.253 of 2001, and a copy of the suit was marked as Ex B21, and the consequential order of the High Court permitting the Ashram to hold an Enquiry was marked as Ex B22. The Ashram management has now filed an application that OS No.253 of 2001 needs to be dismissed as the issue involved has already been decided by the High Court and a copy of this application was marked as Ex B23. The witness further produced copies of the correspondences between the Advocates of Hemalata Prasad and the Ashram and they were marked as Ex 24 series (i) to (iv). In July 2004, all the Prasad sisters barged into the weekly meeting of the Trustees and complained that some individuals living in the A.B. House were harassing them and they were asked to give the complaint in writing, but they did not do so despite being reminded. The copies of the letters of the management of the Ashram addressed to all the five sisters separately were marked as Ex B25 series (i) to (v). On the other hand, they informed the Trustees that they have complained to the Police and the copy of the said letter was marked as Ex B26. Many other inmates of the A.B. House who were subjected to harassment by the five Prasad sisters complained to the trustees in writing. Therefore, the management of the Ashram appointed an Enquiry officer namely A.V. Nagarajan, a retired Deputy Secretary to the Government of Pondicherry to find out the veracity of various complaints and the copy of the appointment order given to the Enquiry Officer was marked as Ex B 27. The witness also produced copies of the complaints to the Bar Association President given by Jayashree Prasad and Arunashree Prasad which were marked as Ex B28 and 29 respectively. The President of the Bar Association after receiving the said complaints passed it on to the management of the Ashram for necessary action. The said complaints to the Bar Association President were also placed as documents before the

enquiry Officer, Mr. A.V. Nagarajan. All the five Prasad sisters failed to participate in the enquiry conducted by Mr. A.V. Nagarajan despite several opportunities extended to them. A copy of the enquiry report of Mr. A.V. Nagarajan was marked as Ex B 30. In the Ex B 30, the allegations of the Prasad sisters were not substantiated, but the complaints against the five sisters could be sustained. Based on Ex B30, the management of the Ashram issued final show cause notices to Jayashree Prasad, Arunashree Prasad, Rajyashree Prasad and Nivedita Prasad, but these four inmates along with their sister Hemalata Prasad have filed a suit to injunct the Ashram from acting on the basis of the report submitted by the Enquiry Officer and a copy of the plaint was marked as Ex B31. The witness produced paper report cuttings relating to the complaint lodged by the Prasad sisters before the National Commission for Women alleging that they were subjected to sexual harassment in the Ashram and the copies were marked as Ex B32 series (i) to (iv). Several inmates of the Ashram were summoned for the purpose of Enquiry instituted by the NCW. The witness also produced copies of the paper reports published in newspapers that the NCW had come to the conclusion that the complaint made by the Prasad sisters was false and that there existed malicious design in the manner in which the complaint had been made and they were marked as Ex B33 series (i) to (vi). The witness also states that Prasad sisters have been continuously harassing the inmates of the Ashram and therefore the inmates do not feel a sense of security as long as the five sisters continue to remain in the Ashram. He also states that there are 1300 inmates in the Ashram and the details given was marked as Ex B 34. He also gave the details of the occupancy in the A.B. House, and it was marked as Ex B35. He denies the allegation against him made by the Prasad Sisters in their complaint dated 11.10.04, which was marked as Ex A3. He has not been visiting A. B. House for last many months.

30. In his statement, witness A.V. Nagarajan says that he was appointed as Enquiry Officer by the Managing Trustee of the Aurobindo Ashram, Pondicherry vide their order dated 11.09.2004 to enquire into the oral complaint of harassment including criminal intimidation, obscene gestures and drawings alleged by Mr. Jayashree Prasad, Arunashree Prasad, Rajyashree Prasad and Nivedita Prasad who are all residing at Ambabikshu, No.33, Dr. Ambedkar Street, Kurichukuppam to the trustees on 26.07.2004 against certain occupants of the said complex and certain other inmates and the counter allegations by a few inmates of Ambabikshu House against the Prasad sisters. He commenced enquiry on 28.10.2004. Though notices were sent, Jayashree Prasad and her sisters did not choose to attend the enquiry. Therefore with the available material and after enquiry of all others who participated in the enquiry. He submitted his report to the Managing Trustee of the Ashram on 10.01.2005 which was marked as Ex B30. In his enquiry, he found that the charges leveled by the Prasad sisters of harassment, criminal intimidation, obscene gestures/drawings etc. against some co-ashramites were not proved. The complaint made by a few inmates against Prasad sisters alleging arrogant behaviours, anti-Ashram activities were established. The details of his findings have been explained in his report marked as Ex B30. In his assignment of fact finding exercise, he did not come across any violation of human rights against Prasad sisters by the co-inmates and other Ashramites.

31. In her statement, witness B20 Roma Biswas (56), states that she is an inmate of Sri Aurobindo Ashram since 1970 and residing in Room No.8, A Block, A.B. House, Kurichukuppam. Jayashree Prasad is staying in Room No.10 which is next to her room. She also clarifies that she knows the accused inmates who are really well behaved and helpful to all. She alleges that very often the Prasad sisters switch on the corridor lights late at night to disturb co-inmates. Their language is most abusive and foul. They pass perverse comments and make rude remarks. They also questioned her modesty in public on a particular occasion, and because of this her sentiment and dignity was hurt particularly because she is a senior woman with some dignity. She says that a few months back, when she was passing the room of Jayashree Prasad at about 4 a.m. a liquid was coming out of the room. There was no body in the corridor and it was absolutely clear that the liquid was coming out from inside the room. Later that day, they again made some noise of someone having urinated in front of their room. She clarifies that she saw with her eyes the truth that the liquid was coming from inside the room. She firmly believes that all such complaints lodged by the girls against the co-sadhaks are totally false. She has also deposed before the NCW and reported to them what she saw. She claims that the women inmates are doing herself feel perfectly safe in the Ashram. They behave with co-inmates as brothers and sisters. It is the Prasad sisters who are disturbing the sanctity of the place and instilling a lot of fear in them. She

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and questions that if Prasad sisters are unhappy, why don't they go some where else and leave this Ashram in peace.

52. In his statement witness B 21, K. Varadarajan (38), S.I of Police states that he has been the SHO, Muthialpet PS from 05.05.2003. On 17.09.2004, the petitioner gave a hand written complaint to him alleging that one Girish Panda (38) staying in A. B. House passed vulgar Comments, dirty gestures, clapping, whistling and attempt to touch her with intent to insult her modesty and that he had sent hand written obscene drawings to her. On the basis of the complaint, an FIR case in Cr.No.213/2003 u/s 294, 509 IPC was registered by him and taken up for investigation. He examined and recorded the statement of the petitioner and her sisters. The petitioner did not produce any obscene drawing along with the complaint. He asked the petitioner to produce the obscene drawings several times, but did not do so. On 18.09.2004 at 11.00 hours, the petitioner again went to the PS and gave a further statement orally alleging that four more persons namely (1) Santosh (Dining Room) (2) Chandramani (3) Sajaj Mitra @ Sankar and (4) Santosh (Ashram Electricity Dept.,) residing in the same complex, were involved in the incident and that she forgot their names when the complaint was lodged on 17.09.2004. He recorded the statements and further statements of the petitioner and her sisters as deposed by them. On 13.10.2004, the petitioner contacted him over phone and informed that papers containing obscene drawings were found in the rooms of her sisters (1) Hemalata Prasad (2) Nivedita Prasad and (3) Rajyashree Prasad residing in the same complex. He went to the complex and recovered the drawings under Mahazar in the presence of two witnesses. He adds that no one saw the person who had put the obscene drawings in the above room and the petitioner and her sisters only alleged based on suspicion. On 15.10.2004, he sent section alteration report to Hon'ble JM-I adding section 34 IPC along with the list of additional accused persons. On 22.09.2004 and 16.10.2004, he arrested all the five accused persons when they surrendered in the PS and released them on station bail on the respective days of their arrest. He says that when he enquired all the accused persons had denied the charges. He took sample signatures from all the accused persons. On 13.10.2004, he issued a notice to the petitioner to produce the original obscene drawings but she did not produce them. As such, he could not use the sample signatures of the accused persons for comparison with the original drawings. He filed charge sheet in this case on 15.11.2004. The case was discharged by JM-II on 16.05.2005 in STR No.7919/04. He produced photocopies of the statements recorded by him of the petitioner dt. 18.09.04, Jayashree Prasad dt. 19.09.04, Nivedita Prasad dt. 12.10.04, and Hemalata Prasad dt. 19.09.04, which were marked as Ex B36 to 39 respectively. He also produced the further statements of the petitioner Jayashree Prasad, Nivedita Prasad, and Rajyashree Prasad all dated 13.10.04 and they were marked as Ex B40 to 44 respectively. He produced a copy of the notice issued to the petitioner on 13.10.04 directing to produce the original obscene drawings mentioned in the FIR and it was marked as Ex B45 and also a copy of the final report submitted to the court which was marked as Ex B46. He received a letter dated 14.10.2004 addressed to SP (N) sent by the residents of A.B. House complaining against the five sisters and a copy of it was marked as Ex B47. He was present in the office of SP(N) when SP called Prasad sisters to hear their complaints. When SP suggested to them that he would make arrangement with the Ashram authorities to allot them separate accommodations to take care of all their grievances and further allegations, all the Prasad sisters refused from moving to other accommodations and insisted for continued stay in A.B. House. He received the complaint of the petitioner dt. 05.08.2004, a copy of which was already marked as Ex A8. He made enquiry into the allegations and met the petitioner in person, who told him to enquire the matter secretly without knowing that she had lodged the complaint. Further, her allegations were not substantiated. Since no cognizable offence was made out from the averments in the complaint, and also the allegations were not substantiated from the enquiry, he did not register a case, but directed the petitioner to seek remedy in the court, if she wants to pursue the matter further. He did not receive the complaint dated 11.10.2004 from the above sisters, which was already marked as Ex A9. He also states that one day, after the discharge of the above police case, one Gopal Bhattacharya, who claims to be a devotee of Ashram enquired him over phone as to why the case ended in discharge and he replied him that he could obtain a copy of the judgment to know the details.

53. During the enquiry, 21 witnesses were examined and 47 documents were produced on behalf of the counter petitioners. Ex.B1 is a photocopy of the letter produced by the witness



23. The letter was purported to have been signed by the witness B1 and sent to witness B19 Thiru A.V. Nagarajan, the Enquiry Officer appointed by Sri Aurobindo Ashram Trustees. In the letter, it is stated that the letter was written by the witness B1 to the petitioner on 13.6.2004, witness B2 Girish Panda drew the dirty pictures and witness B2 Girish and witness B4 or B6 Santosh were urinating and doing other dirty things in the girls' rooms and that the witness B1 was not involved. The witness B1 in his statement has alleged that the letter was forged by the Prasad sisters or by someone on their behalf. Ex.B2 is the photocopy of the cover in which the letter mentioned in Ex.B1 was sent to the witness B19 and the address mentioned on the cover is "Sri A.V. Nagarajan, "Ashwarya", No.40(Old No.74) 9<sup>th</sup> cross, Brihadavan Colony, Pondicherry-13, Pin 605013" and it was stamped with Nallinope Post Office seal dated 27.9.2004. Ex.B3 is a photocopy of the letter in the handwriting of witness B1 in English addressed to Vedaprakasiji dt.9.9.2004 in which it is stated that "Dear Sir, I am going to Orissa on 14.9.2004 and will be back by end of this month. Kindly sanction & oblige. Yours truly, Sd/- Chandramani, Dining Room. The signature found in the Ex.B3 and Ex.B1 are dissimilar. Ex.B4 is a photocopy of the Extract from the Departure Register maintained in the Ashram in which there is entry of Chandramani's name against date 14.9.2004 for his absence for 2 weeks and arrival column ticked. Ex.B5 is a photocopy of the Railway Journey-cum- Reservation chart for PNR No.634-1621533 for journey of a male person aged 40 years by Train No.3351 DHN ALP. Express for journey from Mumbaipur to Chennai central.

24. Ex.B6 which was produced by witness B2 is a photocopy of the order passed dt.2.10.02 Cr.PC on 16.3.2005 in Cr.M.P.No.1315.2005 in S.I.R No.7919/2004 passed by Hon'ble Jm-II, Pondicherry discharging the accused persons namely (1) Girish Panda (witness B2) (2) Santosh S/o K.K.Nayak (witness B6) (3) Chandramani (witness B1) (4) Rajal Ashu. (witness B3) and (5) Santosh S/o Sahoo (witness B4) from the criminal case S.I.R No 7919/2004 for offences u/s 294 & 509 IPC in Cr.No.213/2004 of Muthialpet PS. In the order, the Hon'ble Magistrate states that on perusal of the statements and documents annexed to the charge-sheet, it cannot be found that whether the uttered words are obscene enough to attract section 294 IPC or the place of occurrence is a public place and that there are only bald allegations bereft of material particulars and hence the charge u/s 294 IPC against the accused is groundless. In it, the Hon'ble Magistrate also point out that on perusal of the entire records, it could not be seen that the complainant or other witness did not say that the accused had an intention to insult female modesty, that the defector complainant and her sisters have made complaints before every authority against Ashram but in vain, that therefore this complaint may also be one among them, that the delay in lodging the FIR, the non-mentioning of the obscene words uttered or place of such occurrence casts doubt on the genuineness of the very allegation and that the necessary ingredients are lacking to attract an offence u/s 509 IPC. As such, the Hon'ble Magistrate holds that the charges appear to be groundless and not supported by necessary evidences and hence the accused are discharged from the case.

25. Ex.B7 which was produced by witness B7, is a photocopy of the letter dt.1.10.2004 addressed to Poomima Advani, Chairperson, National Commission of Women, New Delhi by some woman inmates of Sri Aurobindo Ashram in which it is stated that the senders of the letter were indeed shocked to hear that the chairperson has been informed that the women inmates of Sri Aurobindo Ashram are being subjected to sexual harassment in the Ashram, that she might have received some complaints from the five sisters, that all these five sisters have pending litigations against the management of the Ashram and that not succeeding in the litigations filed by them, they seem to have adopted the crude method of concocting false allegations to divert the attention from the real issues. The letter has been signed by 32 persons.

26. Ex.B8 to B 35 were produced by witness B18 and all these exhibits except Ex.B34 and Ex.B35 are photocopies while the two documents mentioned above are computer print-outs. Ex.B8 is copy of the Trust Deed of Sri Aurobindo Ashram registered on 7<sup>th</sup> October 1955 at the Sub-Registrar's office, Vanur, Cuddalore District as No 1824 of 1955 of Book Vol.485, Pages 340 to 347 and registered at Pondicherry on 31.3.1964 vide R.V. 219 FO dt No.682. According to the clause 2 of the Trust Deed executed by the Holy Mother, Mata Amrita, "the Trustees or Trustee for the time being shall have the absolute management and entire control of the trust properties of the Sri Aurobindo Ashram and

may from time to time make, rescind and alter such regulation (not being inconsistent with these presents or the aims and objects of the Ashram) as they or he may think fit with respect to the purpose for which, the manner in which, the persons by whom, the terms and conditions on which the said Ashram and its various departments and activities and the said university and the trust properties shall be conducted, managed, used, utilized and otherwise as the Trustees or Trustee shall think necessary for the purposes of these presents or for the execution of the Trust. As per clause No.6 of the Trust Deed "The Mother shall be the permanent President of the Board of Trustees and she, as such President shall have full and supreme control over the Trust Fund and open and operate all accounts in banks and other institution and sign cheques and bills of exchange or other negotiable instruments and make all such disbursements and expenses for and on account of the said Ashram and University and all the other departments connected therewith as she may think proper". "According to clause 7", the Mother shall also, in Her absolute discretion, be entitled to allow any person or persons to stay in the Ashram as a permanent inmate thereof or otherwise, and/or withdraw Her permission from any person or persons, already resident in the Ashram, to continue their further stay therein, in any capacity whatsoever, and Her decision in this respect shall be final". According to clause 8 "All or any of the power vested in or exercisable by the Trustees or Trustee, under these presents, shall so long as there shall not be less than three Trustees, be capable of being performed or exercised by a majority of the Trustees for the time being. Provided always that in case any difference of opinion on any matter or decision, the opinion of the Mother shall prevail and shall be binding on the Board of Trustees". According to clause 9, "the Mother shall appoint such number of Trustees as She may, in Her absolute discretion, think fit and proper and shall, if She thinks proper, vest the trust properties or any of them in the new Trustees or Trustee. If and whenever the number of trustees shall be reduced below the number of five, the Mother, in Her absolute discretion, shall appoint any other person or persons as Trustees with a view to make up the total number of Trustees to Five, and in case of Her retirement, for any reason, whatsoever, the continuing Trustees shall appoint such number of new Trustees as shall be required to make up the total number of Trustees to five"

57. Ex.B9 is a booklet containing Rules of the Sri Aurobindo Ashram published in August 2003 by the Sri Aurobindo Ashram Trust. As per the condition for admission to the Ashram given in Page No.20, "one who practice the Yoga is strictly advised to abstain from (a) smoking (b) alcoholic drinks and (c) sex life". The Rules and Regulations for inmates of Sri Aurobindo Ashram 2003, states as follows: Rule 2: All sexual relations are prohibited. Rule 11: An inmate should not directly write to or contact any Govt. agency or department or the Press (Newspapers, Journals, Television etc.) in any manner connected with the Ashram, except with the specific and express consent of the Board of Trustees. Rule 13: An inmate should not conduct himself or herself in a manner prejudicial to the interest or image of the Sri Aurobindo Ashram or affecting its smooth and proper functioning. The decision of the Board of Trustees as to whether an inmate has conducted himself or herself in a manner prejudicial to the interest of the Ashram shall be final and binding on the inmate. Rule 16: All internal problem of the Ashram or conflicts or differences of opinion among the inmates should be sorted out within the community. If an inmate has a grievance in respect to any other inmate or a complaint of any nature, the grievance or complaint should be expressed either to the person in charge of one's department or residence or to the Internal Advisory Committee constituted for this purpose. Under no circumstances should an inmate bring in any outside agency for intervention in that matters. After due discussion, if necessary the Board of Trustees may be approached for appropriate action and the decision of the Board of Trustees in this regard shall be final and binding.

58. Ex. B10, is a copy of the plaint filed on 4.1.1999 filed by Sri Aurobindo Ashram Inmates Association represented by its General Secretary against the Sri Aurobindo Ashram Trust, Pondicherry represented by its Board of Trustees on the file of the 1 Additional District Munsif at Pondicherry in O.S.No.57/99 for mandatory injunction directing the defendants, their successors in office and their representatives to furnish a copy of the audit statement of accounts for the year 1995-96, 1996-97, and 1997-98 pertaining to the income and expenditure of the first defendant trust and for costs of the suit. As per the plaint, the General Secretary of the Association is Mr. Dilip Agarwal Ex.B11, is a criminal complaint filed on 21.8.2001 by the Sri Aurobindo Ashram Inmates Association represented by Dilip Agarwal, the General Secretary, against the Trustees of Sri Aurobindo

Ashram on the file of the JM-I, Pondicherry in CC No.610/2001 praying to punish the accused under sections 420 and 499 of IPC R/W 34 IPC for having published the reprinted copy of the book namely "Sri Aurobindo and His Ashram" several times and as recently as the year 2000 with false information for the purpose of cheating. Ex.B12 is a copy of the judgement dismissing the suit on ground of no jurisdiction by the I Additional District Munsif at Pondicherry for the suit mentioned in Ex.B10. Ex.B13 is the order u/s 245(1) Cr.PC discharging the accused persons from the criminal complaint mentioned in Ex.B11.

59. Ex B-14, is a copy of the judgment in STR No. 864/2001 in the private complaint filed by the petitioner Hemalata Prasad, against the Trustees of the Sri Aurobindo Ashram and 2 other persons for an offence of defamation punishable u/s 500 IPC. As per the complaint, the Hemalata Prasad alleges that on 09.01.2001, one Krishna Chandra, a non ashramite, in the presence of A2 Ved Prakash Johar, assaulted her sister Jayashree Prasad, a member of Ashram in the kitchen. No action was taken against the assailant in spite of several requests. Since Hemalata Prasad was insisting A1 to A5 to take action against him, and also that she informed them that she would complain to the police, she was arbitrarily expelled and prevented from participating in the activities of the Ashram and forcibly expelled from the Ashram with effect from 01.04.2001. On 19.03.2001, she sent a letter to A5 (Dr. Dilip Kumar Datta) objecting her expulsion and A5 gave a reply on 22.03.2001 to the effect that A5 made scandalous and disparaging remarks affecting the modesty of the Hemalata Prasad accusing her "illicit sexual conduct" with A6 Krishna Belliappa. She filed a suit in O.S. No. 215/2001 before I additional District Munsif at Pondicherry challenging the validity of her expulsion and an 1A No.812/2001 for interim injunction. On 28.03.2001 the counsel on behalf of Trustees while praying time to file counter in the 1A, represented in the open court that she was expelled for "illicit sexual conduct" and "since she became pregnant leading to expulsion" and thereby causing defamation, mental agony and shock to her. The defamatory statement in the reply dated 22.03.2001 was circulated by the trustees in the Ashram from 23.03.2001 with intention of bringing down her reputation and causing harm to her character. In Ex B14, on page No.13 and Sl.No.19, it is mentioned that the defence Counsel has also elicited that the sister of PW1 (Jayashree Prasad) was the secretary of the Ashram Inmates Association", that "PW 3 is not speaking truth" and that "the witness PW-1 (Hemalata Prasad) is also not speaking truth as during cross examination, she has denied having knowledge about the commission enquiry and denied participating in the enquiry". The Hon'ble JMI acquitted all the accused persons in this case u/s 225(1) Cr.P.C. holding that the petitioner had failed to prove the ingredients constituting the offence u/s 500 IPC or the common intention of the accused persons.

60. Ex B15 is a copy of the report of the enquiry conducted by Shri N.P.K. Memon, a retired District Judge and a practicing High Court Advocate as per the order dated 13.09.2002 of the High Court of Judicature at Madras in C.R.P. (PD) No.732/2002. On page Nos. 20 and 21 at serial No 35 of the Report, it is mentioned that "the allegations made by DW3 Jayashree against Krishna Chandran about the incident which took place on 09.01.2001 was in fact enquired into by PW2 (witnesses B10) and she submitted a report namely Ex A15 dated 14.1.2001 that is within 5 days of the alleged incident, PW2 found that a scuffle had taken place. According to PW2 at the time of the scuffle, some persons had intervened and there was shouting. She also found that DW3 (Jayashree Prasad) took a trolley and hit Krishna Chandran from behind, and therefore Krishna Chandra reacted violently. It is also found by PW2 that DW3 had slapped Krishna Chandran who is a boy and therefore he retaliated. PW2 recommended that DW3 should be shifted to some other place of work and Krishna Chandran should be reprimanded. It is therefore clear that action was taken by the Trustees. I am not prepared, to believe the evidence of DW1 (Hemalata Prasad) and DW3, that because no action was taken against Krishna Chandran, they complained and to counter it, the Trustees fabricated a story of misconduct against DW1". On page No.21 at Serial No.37, it is mentioned that "on consideration of the entire evidence and the supporting documents, I have absolutely no doubt to come to the conclusion that DW1 Hemalata Prasad became pregnant during the end of 2000 and thereby violated the mandatory rule in the Prosperity Book prohibitory sex. I also hold that the Trustees have got all powers to expel an inmate for misconduct. I also hold that the allegations against DW1 are quite serious, and if such misconduct is ignored and no action is taken that would be a bad precedent and it would jeopardize the noble principles on which the Ashram is established and it would definitely encourage indiscipline".

61. Ex B16 is a copy of the plaint filed by Hemalata Prasad in the Court of I Additional District Munsif at Pondicherry on 23.03.2001 to declare the removal and expulsion of the plaintiff from the Ashram and restrain the defendants who were trustees of the Ashram and their agents from stopping the facilities of food, work and shelter of the plaintiff in the Ashram. Ex B17 is the copy of the order of the High Court of Judicature at Madras dated 13.09.2003 CRP (PD) No.787 of 2002 appointing Shri H.P.E. Menon as the Enquiry Officer Ex B18 is a copy of the plaint vide Oa No.688/2002 filed by Hemalata Prasad on 14.11.2002 in the Court of I ADM at Pondicherry against the Trustees of the Ashram to declare the report in Ex B15 as perverse, biased and illegal and to restrain the defendants and their agents from initiating any further action against the plaintiff on the basis of this report. Ex B19 is a copy of the affidavit filed on 26.12.2002 by the petitioner in IA No.73/2003 in OS No.668/2002. Ex B20 is a copy of the private complaint in STR No.864 filed on 03.04.2001 by the complainant Hemalata Prasad against the Trustees of the Ashram and others for punishing the accused persons for an offence of defamation punishable u/s 500 CrPC and awarding compensation to her. Ex P21 is a copy of the plaint in OS No.253/2001 filed on 09.04.2001 by Jayashree Prasad, Arunashree Prasad, Rajyasree Prasad and Nivedita Prasad against the Trustees of Ashram to declare the SCN dated 2.4.2001 issued to the plaintiffs by the defendants as illegal in the eye of law and restrain the defendants and their agents from initiating any action under the impugned SCN. Ex B22 is a copy of the order dt. 29.10.2001 in C.R.P Nos. 2230 and 2534 of 2001 filed by the Trustees of the Ashram and Jayashree Prasad, Aruna Shree Prasad, Rajyasree Prasad and Nivedita Prasad each party against the other party in which the Hon'ble High Court has ordered that "the plaintiff-members are permitted to submit their explanation to the impugned SCN within two weeks from the date of receipt of a copy of this order, if they are so advised, apart from the explanation already submitted by them and on expiry of the said period, the defendant trustees should proceed with the impugned disciplinary action against the plaintiffs members and take appropriate decision in the matter, after giving a fair and reasonable opportunity to the plaintiff members".

62. Ex B23 is a copy of the affidavit filed on 12.09.2002 by Dr. Dilip Kumar Dutta in OS No. 253 of 2001. Ex B24 series (i) to (iv) are the copies of the correspondences between the counsels of the Trustees of the Ashram and the Prasad sisters in connection with the contempt petition No.718 of 2002. Ex B 25 series (i) to (v) are the copies of the letters given on 31.07.2004 by Registered Post to all the five Prasad sisters informing their intention to lodge complaint with the police against the miscreants for their harassment, criminal intimidation, obscene gestures and drawings caused to them. Ex B 27 is the copy of the order appointing Thiru. A.V. Nagarajan, a PCS Grade-I Officer (Rtd) of the Government of Pondicherry as Enquiry Officer to conduct enquiry into the complaints of Prasad sisters against certain inmates and also the complaints of some inmates of the Ashram against the sisters

63. Ex.B 28 is a copy of letter addressed to the President Bar Association, Pondicherry by Jayashree Prasad on 13.6.2004 complaining against Mr.Nirmal C Swain, a member of Pondicherry Bar Association with a request to take appropriate action against him for avoiding lodging of a Police complaint.Ex.B29 is a copy of the complaint of Arunaashri Prasad addressed to the President of Bar Association, Pondicherry against the same person for taking necessary action. Ex.B 30 is the copy of the enquiry report of Thiru.A.V. Nagarajan appointed by the Trustees of the Ashram who conducted the enquiry on the complaints of certain residents of A.B. House against Prasad sisters and also the complaint of Prasad sisters against certain Ashramites. Ex.B31 is a copy of plaint in O.S.No.409/05 filed on 25.4.2005 by all five Prasad sisters against the Managing Trustee of the Ashram to declare that the impugned report dated 10.1.05 submitted to the Managing Trust as perverse and ill-legal, to declare that the expulsion of plaintiffs from Sri Aurobindo Ashram based on the impugned report as ill-legal and to restrain the dependents and their agents from denying food, clothing, shelter and other necessities to the plaintiffs due to the arbitrary and ill-legal act of expulsion by the dependent based on the impugned report by way of permanent injunction.



64. Ex.B32 series (i) to (vi) are photocopies of the newspaper report cuttings pertaining to October 2004 regarding allegations of sexual harassment (i) the inmates of Sri Aurobindo Ashram based on the complaint of the Prasad sisters and about the starting of enquiry by the National Commission for Women. Ex.B33 series (i) to (vi) are the newspaper cuttings pertaining to January 2005 relating to the absolvment of Sri Aurobindo Ashram from the charges of sexual harassments complained by the Prasad sisters to the National Commission for Women. Ex.B34 is a computer print out containing the gender-wise break up of the Ashram in graphic form. According to this, there are 557 males and 638 females in the Ashram. Ex.B35 is another computer paper print - out regarding the gender-wise break up of the inmates in A.B. House in graphic form. According to this, there are 77 males and 90 females in A.B. House. Ex.B 36 is a copy of statement of the petitioner recorded by the SHO of Muthialpet PS on 18.9.04 during investigation in Cr.No.213/04. As per the statement, the petitioner complained against Girish Panda only on 17.9.04 and she implicated four other the accused persons namely (1) Santosh (DR) (2) Chandramani Patel (3) Sajjal Mira (@) Shanakar and (4) Santosh (Electricity Department) on the next day. Ex.B37,38 & 39 are the copies of the statements of Jayashree Prasad, Nivedita Prasad and Hemalata Prasad respectively recorded by the SHO of Muthialpet PS on 19.9.2004 in the above case. Ex.B 41, 42 and 43 are the copies of the further statements of the petitioner, Jayashree Prasad, Nivedita Prasad and Hemalata Prasad recorded by the SHO on 13.10.04 in connection with the above case. Ex.B 44 is a copy of statement of Rajyashree Prasad recorded by the SHO of Muthialpet PS on 13.10.04 in the above case.

65. Ex.B 45 is a copy of summon u/s 161 Cr.PC dt.13.10.04 given to the petitioner by the SHO to produce the original letter and the original obscene pictures concerned in Cr.No. 213/04 to him 14.10.04 at 11.00 hrs. for further investigation in the matter. In this exhibit, there is endorsement of the petitioner on 13.10.04 at 05.30 p.m. for having received the original summon. Ex.B 46 is a copy of the final report submitted by the SHO in the JM-II Court, Pondicherry in the above case wherein charges u/s 294, 509 IPC r/w 34 IPC were laid against all the five accused persons. In the memo of evidence appended, SHO cited 10 witnesses for proving the offences against the accused persons including all the five Prasad sisters, Mahazar witnesses Krishna Kumar and Birabhadra Rout, Dilip Agarwal, Photographer Kannan and the SHO. Ex.B47 is a copy of the complaint addressed to the Supdt. of Police (North) by 31 inmates of A.B. House raising allegations against the Prasad sisters for misconduct like banging on their doors, shouting with insulting words and making threatening gestures, preventing others from using the staircase whenever one of them is going up or coming down, attempting to bang into any passer-by in order to provoke them for reacting, and attempting to ram their cycles into the vehicles of other inmates.

#### 6. SPOT INSPECTION/ENQUIRY

66. In order to find out the veracity and to have an on the spot study of the situation, I visited the A.B. housing complex at No.33, Dr. Ambedkar Street, Kuruchikuppam, Pondicherry on 28.5.2005 at 11.15 hrs. The above residential complex belongs to Sri Aurobindo Ashram Trust, which houses about 170 inmates. I visited the rooms of Hemalata Prasad, Nivedita Prasad and Rajyashri Prasad, which are located on the second floor of 'E' Block in the complex and they live in rooms numbers 32,33, and 43 respectively. These rooms are in a cluster located close by. The corridor and entrances of the above rooms are found to be clean and kept clean and tidy and there was no smell of urine or any other foul odour. Apart from these three rooms, there are 8 other rooms in a row on both sides of the corridor and disturbance to any one of these rooms will be a nuisance to others also. I also visited the rooms of Jayashree Prasad and Arunaashri Prasad, which are in the same complex in Block 'A' assigned with Room Nos.10 and 16 respectively. The corridors of these two rooms were also found neat and clean and there was no smell of urine or any foul odour. I also enquired with some of the inmates of these campus residing close to the rooms of the above five sisters namely Dilip Kumar Sharma, Madan Mohan, Geetha, Jahabhu Kheria etc and the women workers and watchman working in the premises. They all stated that the inmates residing there are behaving like brothers and sisters, and that the allegations of passing urine, spitting and defecation as reported by the petitioner were not witnessed by them and the chance for such incidents are naught because all the inmates behave decently. During the spot inspection, it was seen that on the sides and bottom portion of

doors of the rooms occupied by all the five Prasad Sisters are pasted with small paper photos of Sri Aurobindo and the Mother.

#### (c) ANALYSIS AND ASSESSMENT OF EVIDENCE

67. During enquiry, no witness was produced for examination on behalf of the petitioner. The petitioner and her sisters did not come forward to give statements. As such, a suggestion was given to them to file at least signed statements on behalf of them so that they could ventilate their grievances. Accordingly, the petitioner gave a signed statement which was marked as Ex.A2. This statement was adopted by the remaining 4 sisters of the petitioner when they appeared for the enquiry on 24.5.2005, at All Women PS, Pondicherry. The petitioner produced Ex.A1 to A12 on their behalf to substantiate the charges given in the petition. On the other hand, 21 witnesses were examined and 46 Exhibits being numbered as B1 to B 47, were marked on behalf of the Counter petitioners to disprove the allegations.

68. The re-enquiry was ordered by SSP(C&I) to find out the facts relating to the allegations made by the petitioner in her complaint dt.5.4.2004 to the National Human Rights Commission, New Delhi which has taken cognizance of this matter vide their case No 2/32/2005 – 2006-WC/UC, On 12.4.2005. The NHRC has directed the Inspector General of Police, Pondicherry to send the action taken report relating to the allegations made in the complaint. The allegations are as follows:

- (a) Women's dignity is being trampled daily by the patriarchal feudal forces in Sri Aurobindo Ashram, Pondicherry. In a consistent basis, women members are being harassed sexually through obscene language, comments and pornographic cartoons.
- (b) The petitioner and her five sisters are also facing such sexual harassment. They are harassed by Chandramani, a co-inmate of the Ashram by sending phonographic drawings on 13.6.2004.
- (c) The petitioner and her sisters have made complaints before various authorities but in vain. The police had failed to act on and register their complaints dt.4.8.2004 and 11.10.04. In FIR registered by the Police on 17.9.2004, it failed to report all their harassments, threats, kidnapping, molestation etc.

69. It is a fact that petitioner as well as her four sisters did not come forward to give statements during the enquiry. The petitioner only gave a prepared signed statement (Ex.A2) which appears to have tailored by a legal brain. The averments made by the petitioner and her sisters in their various complaints were incorporated in Ex.A2. Initially they did not co-operate with the enquiry and even questioned the propriety of the enquiry officer on flimsy grounds. It appears that they did not want to give statements to the enquiry officer in person to avoid contradictions, if any, that may arise when their statements are recorded separately.

70. As regards the allegations that the women members are being harassed sexually through obscene languages, comments and pornographic cartoons in the Sri Aurobindo Ashram, Pondicherry, it is seen that National Commission for Women conducted a thorough enquiry about these allegations through the State Women Commission, Pondicherry in October 2004 based on similar complaint given to the NCW by the petitioner and her four sisters. I spoke to Mrs. Kamalini, Chairperson, of the State Women Commission, Pondicherry, who is also a practicing lawyer. She confirmed me that she had conducted a detailed enquiry about similar allegations based on the request of the NCW, New Delhi. During her enquiry she interviewed at least all the women inmates of the Sri

Aurobindo Ashram and they all denied the allegations and expressed shock and surprise over such false allegations perpetrated by the Prasad sisters and they also gave a counter allegations to N.C.W., New Delhi against the five sisters alleging that the five sisters were causing a lot of problems to them including banging on their doors during odd hours, putting on corridor lights at late night, shouting by using abusive and insulting words, raising false allegations at co-inmates etc. After enquiry, she sent a report on the above line to the Chairperson, National Commission for Women, New Delhi in January 2005. The findings of the Chairperson of the State Women Commission, Pondicherry has been corroborated by the contents of the paper reports vide Ex.B33 series (i) to (vi).

71. It is strange to note that the fact of enquiry by the State Women Commission, Pondicherry on the instruction of the National Commission for Women into the same allegations raised by the petitioner and her sisters was suppressed by the Prasad sisters in their complaint to NHRC or in the signed statement of the petitioner marked as Ex.A2, for the reasons best known to them. The omission by the petitioner and her sisters to mention this important fact cast doubt on their sincerity. Further they also suppressed a similar enquiry conducted by Thiru. A.V. Nagarajan, a retired Deputy Secretary to the Govt. of Pondicherry on similar allegations made by Jayashree Prasad and the petitioner vide Ex.No.B28 and B29 respectively given on 13.6.2004 to the President Bar Association, Pondicherry, who sent them to the Managing Trustee of Sri Aurobindo Ashram for necessary action. The allegations in these complaints were also subjected for the enquiry by Mr.A.V. Nagarajan who was appointed as Enquiry Officer by the Managing Trustee of the Sri Aurobindo Ashram Trust. The petitioner and her sisters did not take part in the enquiry though opportunities were extended to them by the Enquiry Officer on several occasions. The Enquiry Officer submitted his report vide Ex.B30 to the Managing Trustee. As per the concluding paragraph of Ex.B30, the Enquiry Officer has stated that “ (i) the complaint of harassment, criminal intimidation obscene gestures and drawings alleged by Jayashree Prasad, Arunaashri Prasad, Rajyashri Prasad, Nivedita Prasad and Hemalata Prasad against Sarvashri Nirmal C Swain, Krishna Chander, Girish Panda, Kabitanjali Behra, Prashant Choudhary, Nitish Banerji, Santosh(DR), Santosh (Electricity Department), Chandramani Patel, Sajal Mitra alias Shankar, Bhagwan Das Swain, Ashok Kumar are not true. (ii) the complaint made against the Jayashri Prasad Nivedita Prasad and Hamalathia Prasad by other inmates of A.B. House namely Itishree Bal, Bhabani Mousoumi, Simachal, Sunil Patnaik, Sarojini Panigrahi, Gethanjali, Padhy, Jaiyanti, Tripathy and Sri Pati Das in different petitions have been duly established and are true: (iii) the veracity of the complaints in the form of presentations and statements from the inhabitants of A.B. House, which were received by me directly in the above matter has been established, which has proved the undesirable demeanour of the five sisters rendering them unsuitable for being inmates of the Ashram. on account of which most of the deponents have expressed that the five sisters should be sent out of the Ashram if possible, or at least shifted out of A.B. House in order to ensure peace and harmony in the Ashram and or A.B. House” The petitioner and her sisters conveniently omitted this fact of conducting this enquiry by Shri.A.V.Nagarajan (Witness B19), which again strengthened the base in the general attitude of the five sisters.

72. As per the statement of witnesses B1 to B14, B16, B18, 19 and B20 it is seen that the Prasad sisters have not been behaving properly with other inmates of A.B. House. As per Ex.B33, it shows that 167 inmates are staying in the Ambabikshu residential complex in which 77 are females. In the complex, each inmate is provided with a room with furniture and attached with bathroom/ toilet facility. While all the residents are staying peacefully, only these five sisters are reporting the problem. None of other residents have any complaint of harassments like urination, spitting and defecation in and around their rooms. The alleged miscreants namely Chandramani Patel, Santosh(DR), Santosh(Electricity Department), Girish Panda, Ashok Kumar, Nirmal C Swain are also residents of the same complex. They have long years of standing as inmates in the Aurobindo Ashram and they denied the allegations leveled against them by the five sisters. Somehow, Prasad sisters are having previous enmity with these persons right from the year 2001. Therefore, there is chance for the sisters to foist allegations against those persons. As such, the complaints of Prasad sisters require examination with caution and corroboration by independent witnesses. Surprisingly no independent witness has come forwarded to give evidence in support of Prasad sisters. In fact, all the independent witnesses including witnesses

B7, B8, B10, B11, B13 and B20 have deposed during the enquiry that the Prasad sisters are arrogant, trouble makers and incompatible. As such, the averments made in the Ex.A2 on behalf of the petitioner can not be believed. Further, the manner in which Ex.A2 is drafted, gives a reasonable suspicion that someone else with legal back ground would have framed the petition on behalf of the Prasad sisters.

73. In this context, it is worth to mention that in his statement witness B21 has stated that Thiru. Feroz Zia Hussain, then SP(North) had even suggested to the Prasad sisters that he would request the Ashram authorities for providing another suitable safe accommodation for them if they were willing for that. However, the Prasad sisters rejected that offer as they did not like to move out from A.B. residential complex. At the same time, they raise allegations that they were facing threats and hence they were forced to stay in their parental house for some days. If the Prasad sisters really scared of their safety and security, they should have accepted the proposal to move to another suitable and safe accommodation. As such there is reason to believe that the Prasad sisters did not face real threat and harassment and they have some other reasons behind their allegations.

74. As regards the obscene drawings, it is pointed out that the allegations surfaced with the passing of a chit to the petitioner by Chandramani Patel in her room which in all probability happened on 12.6.04, which is a Saturday. Chandramani Patel has stated that he passed it in the petitioner's room on a Saturday night. He and others cleaned the water tank on the next day, i.e. 13.6.2004. In Ex.A2, the petitioner alleges that the obscene drawings on the chit was received by her from Chandramani on 13.6.2004 at 7.30 a.m. Chandramani Patel admits that the message in Ex.A12(i) is a photocopy of his chit. However, he denies that the three obscene drawings found in the Ex.B12(i) were drawn by him. He alleges that the drawings were made by the Prasad Sisters or any other persons having interests on them. I have no suspicion over Chandramani Patel in this matter because he is forth-right in admitting the message in Ex.A12 (i) and that there is no direct evidence to link Chandramani Patel for having given the obscene drawings except the allegation made by the petitioner in the Ex.A2 and in the petitions given by the Prasad sisters. In order to establish the guilt of a person in a criminal case, it is necessary that there should be a direct evidence to link the accused with the offence which is lacking in the case of Chandramani Patel. The allegations are tainted and it is based on supposition and not on actual facts. In this context, it is pertinent to mention that the petitioner did not produce the original chit passed on to her by Chandramani Patel and other obscene drawings mentioned in her complaint to the police dated 5.8.2004 for the purpose of investigation in Cr.No.213/2004 u/s294, 509 IPC r/w34IPC in spite of receiving summon issued by the witness B21. However, the petitioner in Ex. A2 has come up with explanation that he took the original chit and the obscene drawings to witness B21, who told that he had already received the original copies which cannot be believed at all. During the hearing held on 24.5.2005, the petitioner and her other sisters showed me the original chit of Chandramani Patel which was on the back portion of a sheet torn from a calendar. On examination, I could find that there was possibility for manipulation of the obscene drawings on the chit because the message was written by Chandramani Patel in dark blue colour ink and the drawings below were in light blue colour ink. This was pointed to the Prasad sisters by me and they did not respond anything for that. Admittedly, the petitioner is a painter and she can draw any type of pictures. In view of the above, the allegations that the obscene drawings vide Ex.B.12(i) was received by the petitioners from Chandramani Patel is not substantiated.

75. As regards the allegation that Chandramani Patel and some other inmates caused harassments to the petitioner and her sisters, it is stated that none of the independent witnesses who were examined during the enquiry, corroborated the allegations raised by the Prasad sisters. While the petitioner is residing in room No.16, III Floor, Block A, her elder sister Jayashree is residing in Room No.10, Ground Floor, B Block in the Ambabhiikshu Residential Complex, Kuruchikuppam. Her three younger sisters namely Hemalata, Nivedita and Rajyashree are staying in Room Nos. 32,33 & 43 respectively in II Floor, Block E in the same complex. While the petitioner and Jayashree are residing in separate blocks, the rooms of the remaining sisters are located in the same floor very closely. All the sisters have immediate neighbours who are both male and female inmates who are staying in adjacent rooms and none of them has allegations of urination, spitting and defecation against any co-

inmates. In fact they expressed surprise of such false allegations and some of them even pointed fingers at the Prasad sisters for having manipulated a scene by dropping water and accusing co-inmates for the reasons best known to them. Even some of the inmates said that the urination and defecation of the corridors by the cats were common at times and it happened near their rooms also. However, none of the co-inmates other than the Prasad sisters aspersed against the counter petitioners and in fact they all certified that the counter petitioners are decent and well-mannered. When I visited the complex for spot inspection, it was found that the corridors attached with the rooms of all the Prasad sisters were clean and well maintained and no trace of such mischief was found on the doors and in front of the rooms of all the sisters. Had such mischief acts were committed in front of the rooms of Prasad sisters, it could have been a nuisance to other inmates residing adjacent to the rooms of Prasad sisters and they would have lodged complaints against the counter-petitioners.

16. The petitioner and her sisters have personal grievance against the Trustees of the Sri Aurobindo Ashram. It was alleged that on 9.1.2001 at 6. A.M., when Jayashree Prasad was working in the Dining Room, one Krishna Chandra brutally assaulted her allegedly in the presence of Shree Vedprakash Jonai, a Trustee of the Ashram. This matter was reported to the Trustees of the Ashram, who caused to conduct an enquiry into the matter through Ms.Chitra Sen (Witness B10). According to witness B10, the incident was quite different from the manner that had been reported by Jayashree Prasad to the trustees. It was Jayashree Prasad who had first banged on Krishna Chandra with the trolley she was rolling and also abused and assaulted him. As a counter to this, Krishna Chandra reacted in his defence. This shows that the management of the Ashram was fair enough to conduct an enquiry, but the management did not take any follow-up action, because the arrogant behaviour of Jayashree was the cause for the incident.

17. In her statement, witness B10, Ms Chitra Sen says that during February 2001, she was asked by the trustees to talk to Hemalata Prasad as she was showing some strange behaviour. As such, the witness interviewed Hemalata in confidence and the girl confessed that she had gone to Chennai and her pregnancy was terminated some time before. She also named the boy regarding the incident but later she denied even having met the witness or having confessed to her. Since it was an act of indiscipline on the part of Hemalata Prasad as per rule No.7 (c) given on page No.20 of Ex.B9, she was advised by the management of the Ashram to withdraw from the Ashram Community. She challenged her expulsion in the Court of 1 Additional ADM, Pondicherry on 23.3.2001 vide OS No.215/2002. The 1A No.2672/2001 in OS.No.215/2001 filed by the Management of the Ashram to dismiss the suit was dismissed by the Hon'ble Court and hence the management went to Hon'ble High Court at Madras for Civil Revision Petition vide CRP(P.D) No.787of 2002. The Hon'ble High Court passed final order in this matter on 13.9.2002 terminating the suit in OS.No.215/2005 and appointing Enquiry Officer vide Ex.B17. Subsequently, as per the order of the High Court Mr. N.P. K.Menon, a retired District Judge enquired into the matter and the Management of Ashram and all the Prasad Sisters participated in the enquiry. In his Enquiry Report vide Ex B15, the Enquiry Officer has concluded that Hemalata Prasad became pregnant during the end of 2000 and thereby violated the mandatory rule in the Prosperity Book prohibiting sex. He has also held that the allegation against Hemalata was quite serious, and if such misconduct is ignored and no action is taken, it would be a bad precedent and it would jeopardize the noble principles on which the Ashram is established, and it would definitely encourage indiscipline.

18. In the mean-while, the petitioner filed a criminal complaint in the court of JM-1, Pondicherry on 3.4.2001 against the Trustees of Ashram and some other inmates alleging that she had been defamed. The Hon'ble court has dismissed this complaint on 23.11.2004 and acquitted all the accused persons vide Ex.B14. In his order of dismissal, on page No.13, the Hon'ble JM-1 has observed that the petitioner was not speaking truth and that she even denied having knowledge about the commission of enquiry and participating in the enquiry. On 14.11.2002 the petitioner also filed a suit in OS.No.668/2002 vide Ex.B18 in the 1 ADM, Pondicherry to declare that the report submitted by N.P.K. Menon vide Ex.B15 is perverse, biased and illegal and to restrain the defendants from taking any action against the petitioner based on the report. In this connection the defendants have already



tioned in 1A in Ex.B19 to reject the suit. But final order in this suit is yet to be passed by the Court.

79. While the litigation with the petitioner was going on, her other 4 sisters disrupted the functioning of dining room of Ashram where thousands of visitors coming from different parts of India and abroad have their daily meals. The management of the Ashram issued Show Cause Notice to Jayashree Prasad, Arunaashri Prasad, Rajyashree Prasad and Nivedita Prasad on 2.4.2001 calling explanation for their misconduct. Aggrieved by this Show Cause Notice, the above four sisters filed a suit in the Court of J ADM at Pondicherry on 9.4.2001 vide OS No.253/2001 vide Ex.B21. The 1A No.935 of 2001 filed by the petitioner was dismissed by the Court. As such the Management of the Ashram and the four Prasad sisters went for Civil Revision Applications vide CRP No.2330/01 and CRP No.2234/01 respectively. The High Court vide their common order dt.29.10.2001 in above Civil Revision Petitions has permitted the Ashram to hold an enquiry. Subsequent to this, the management of the Ashram has filed an application vide Ex.B23 that OS.253/2001 needs to be dismissed as the issue involved has already been decided by the High Court and nothing survives in that suit and the order for this 1A is yet to be passed by the Court. Based on the order of High Court, the management of Ashram appointed Thiru.A.V.Nagarajan, a retired Deputy Secretary to Govt. of Pondicherry to enquire into the allegations against all the Prasad sisters. Thiru. A.V.Nagarajan conducted this enquiry and submitted his findings vide Ex.B30 stating that the allegations against all Prasad sisters were proved and the allegations made in Ex.28 and Ex.29 by the Jayashree Prasad and Arunaashri Prasad and in other similar complaints of the sisters against the co-inmates were not substantiated. The management of the Ashram did not take any follow up action on the enquiry report as the suit in OS.No.253/2001 is still pending.

80. It is seen that there is already a dispute between the Prasad sisters and the management of the Ashram with regard to the continuance of their inmateship in the Sri Aurobindo Ashram consequent to their alleged misconduct/misbehaviour. The matter is subjudice, and hence the management of the Ashram did not take further action against the Prasad sisters based on the enquiry report. It is in this context that the Prasad sisters had sent complaints of threats and harassment against the management of the Ashram and some co-inmates to the Police, the Human Rights Committee at Pondicherry, Pondicherry Bar Association, Chennai Bar Association and the National Commission for Women, New Delhi and finally to the National Human Rights Commission, New Delhi. All these complaints were similar in contents. As regard the police complaint dated 5.8.2004, a case was registered at Muthialpet PS vide Cr.No.213/2004, which was discharged and the accused persons acquitted u/s 245 (2) Cr PC by the Hon'ble JM-I, Pondicherry on 16.3.2005 in STR No.7919/2004. The fate of the complaint to the Human Rights Committee, Pondicherry vide Ex.A6 is not known. The complaints vide Ex.28 and Ex.29 to the President of the Bar Association, Pondicherry was forwarded to the Management of the Ashram for necessary action and these complaints were subjected as issues in the enquiry conducted by Thiru. A.V. Nagarajan, who arrived at the conclusion after due enquiry that none of the allegations alleged made in Ex.28 and Ex.29 as well the allegations made by the Prasad sisters in their complaint to the Trustees of the Ashram dt.4.8.2004 vide Ex.A7 were not substantiated. The fate of the complaint to the President of Bar Association, Chennai is not known, but it has no jurisdiction in the matter. The National Commission for Women, New Delhi already conducted a detailed enquiry through the Station Commission for Women, Pondicherry in which it was found that allegations were not true. The Prasad sisters have now chosen the intervention of the National Human Rights Commission New Delhi by giving a complaint on 5.4.2005 with the same allegations which were proved to be untrue by all the above agencies. It is pertinent here to mention that the petitioner did not mention about the complaints made by them earlier to various agencies including the National Commission for Women, New Delhi which is the competent agency for dealing with the complaint based on gender issue.

81. It is out of my scope of enquiry but it is constrained to mention here that the petitioner and her sisters have voluntarily become members of the Sri Aurobindo Ashram as sadhans in pursuit of integral Yoga propounded by the Great Yogi, Sri Aurobindo. The Ashram has been kind enough to provide accommodation, food, clothing and other basic necessities including medical treatment on free of cost for all these years. Nivedita Prasad and

Harekrishna Prasad were given education upto to the graduation level at the Sri Aurobindo Ashram International Center of Education without spending any pie. They are supposed to live in the Ashram abiding by the rules and regulations stipulated by the Board of Trustees with regard to discipline and conduct and lead a yogic way of life and gain spiritual upliftment by melting away ego in pursuit of the inner world. From their conducts, it is clear that they devoted more time for litigating their rights with the Ashram than to lead a spiritual life.

32. As regards the allegations against the SHO, Madhavpet PS, it is stated that the SHO registered a case in Cr.No.213/2004 u/s 294.509w/34-IPC on receipt of the complaint from the petitioner on 17.9.2004, but the Hon'ble JM-L, Pondicherry discharged the case acquittal the accused persons u/s 245(2) Cr.PC on 16.3.2005 in STR No.7919/2004. SHO, Madhavpet PS also received the complaint from the petitioner dated 5.8.2004 through registered post and a copy of the complainant was marked as Ex.A8. The contents of the complaint did not disclose a cognizable offence. As such, the SHO visited the spot and also made enquiry with the petitioner. He also informed the petitioner about his inability to take legal action on her complaint dt. 5.8.2004 and the petitioner was advised to seek remedy in the court, if she wanted to pursue the matter further as contemplated by section 155 (i) of Cr.PC. The SHO, however, did not receive the complaint dated 11.10.2004 (Ex.A9) from the petitioner. However, a plain reading of the petition dt. 11.10.2004 shows that the complaint was non-cognizable in nature, in which police could not take any legal action suo-motu. SP(North) was kind enough to use his good office to find out another safe and suitable accommodation for the Prasad Sisters, but the Prasad Sisters turned down the proposal as they did not want to move from the Ambabikshu Housing Complex. The above initiatives taken by the police point out that the Police have discharged their statutory duties in a fair and proper manner and the allegation cast upon it is baseless.

#### (C) FINDINGS:

33. In view of the above discussions, I conclude that the allegations raised by the petitioner in her complaint dt.5.4.05 given to the National Human Rights Commission, New Delhi against the management of Sri Aurobindo Ashram Trust, Pondicherry and the co-inmates are baseless. Sri Aurobindo Ashram is a Center for practicing Integral Yoga and it was established by Sri Aurobindo and the Divine Mother. Presently, there are 1195 inmates in the Ashram and the Ashram has devotees all over the world. The inmates are living in the Ashram at their will and if any one wants to leave the Ashram life at any time he or she is free to do so. As such, there is no ground for such Human Rights violations to take place in Sri Aurobindo Ashram, Pondicherry.

(N.T.SIVADASAN)

COMMANDANT

PONDICHERRY ARMED POLICE  
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Ex-B-23	Copy of the Affidavit of Dr.Dilip Kumar Dutta filed on 12-09-2002 in I ANo.2292 of 2002 in the Court of I, Addl. DM, Pondicherry.	<b>181-186</b>
Ex-B-24	Copies of the correspondences of the Advocates of the Prasad Sisters and the Trustees in connection with the Contempt. Series (I) to (V) petition No.718 of 2002.	<b>187-194</b>
Ex-B-25	Copies of the letter dt. 31-07-2004 addressed individually to all the five Prasad sisters by the managing trustee of the Ashram. Series (I) to (V)	<b>195-199</b>
Ex-B-26	Copy of the letter dt. 04-08-2004 of the Prasad Sisters addressed to the Managing Trustee of the Ashram.	<b>200</b>
Ex-B-27	Copy of the order appointing Thiru. A.V. Nagarajan as Enquiry Officer by the Managing Trustee of the Ashram.	<b>201-202</b>
Ex-B-28	Copy of the letter dt.13-06-2004 addressed to the President of Bar Association, Pondicherry by Jayashree Prasad	<b>203-205</b>
Ex-B-29	Copy of the letter dt. 13-06-2004 addressed to the President of Bar Association, Pondicherry by the Petitioner.	<b>206-210</b>
Ex-B-30	Copy of the Enquiring Report dt. 10-01-2005 given to the managing Trustee of the Ashram by Thiru. A.V. Nagarajan, Enquiry Officer.	<b>211-294</b>
Ex-B-31	Copy of the plaint filed by the Prasad Sisters on 25-04-2005 in OS No. 409/2005 in the court of PDM, Pondicherry.	<b>295 -303</b>
Ex-B-32	Copies of the News Paper reports regarding the alleged sexual harassment in the Sri Aurobindo Ashram, Pondicherry reported during October-2004. Series (i) to( vi)	<b>304-309</b>
Ex-B-33	Copies of the News Paper reports absolvment of Sri Aurobi -ndo Ashram, Pondicherry in the charges of Sexual harassment reported during January -2005. Series (i) to vi)	<b>310-315</b>
Ex-B-34	Computer print-out regarding the Gender-wise Break up of the Ashram.	<b>316</b>
Ex-B-35	Computer print-out regarding the Gender-wise Brake-up of Inmates in AB House.	<b>317</b>
Ex-B-36	Copy of the statement of the petitioner dt.18-09-2004 recorded by SHO, Muthialpet PS.	<b>318</b>
Ex-B-37	Copy of the statement of Jayashree Prasad dt. 19-09-2004 recorded by SHO, Muthialpet PS.	<b>319</b>
Ex-B-38	Copy of the statement of Nivedita Prasad recorded by SHO, Muthialpet PS.	<b>320</b>
Ex-B-39	Copy of the statement of Hemalata dt.19-09-2004 recorded by SHO, Muthialpet PS.	<b>321</b>
Ex-B-40	Copy of the further statement of the petitioner dt. 13-10 2004 recorded by SHO, Muthialpet PS	<b>322</b>

Ex-B-41	Copy of the further statement of Jayashree Prasad dt.13.10.04 recorded by SHO Muthialpet PS.	<b>323</b>
Ex-B-42	Copy of the further statement of Nivedita Prasad dt. 13-10-04 recorded by SHO Muthialpet PS.	<b>324</b>
Ex-B-43	Copy of the further statement of Hemalata Prasad dt.13.10.04 recorded by SHO Muthialpet PS.	<b>325</b>
Ex-B-44	Copy of the Statement of Rajyashree Prasad dt.13-10-2004 recorded by SHO, Muthialpet PS.	<b>326</b>
Ex-B-45	Copy of the Summon dt.13-10-2004 issued by SHO, Muthialpet PS to the petition directing to produce the original letter and obscene drawings.	<b>327</b>
Ex-B-46	Copy of the Final Report dt. 15-11-2004 in Cr.No. 213/2004 of Muthialpet PS.	<b>328-335</b>
Ex-B-47	Copy of the letter dt. 14-10-2004 addressed to SP (North) by the residents of A.B. House	<b>336-338</b>



(N.T. SIVADASAN)  
COMMANDANT  
PONDICHERRY ARMED POLICE  
PONDICHERRY