

Press Release

Smt. Mamta Sharma, Chairperson, NCW takes lead in prohibition of atrocities against women.

In continuation to its efforts to eliminate violence against NCW under the able leadership of Hon'ble Chairperson organized a two-day National Consultation on 27th and 28th of February, 2014 at Jaipur, Rajasthan on "Prohibition of Atrocities against Women by Dehumanizing and Stigmatizing them in public" to finalize the NCW Draft Model Central Legislation. Dr. Charu WaliKhanna, Member and Ms. Hemlata Kheria, Member, NCW also participated from NCW.

The primary mandate of the National Commission for Women (NCW) is to study and monitor all matters relating to the Constitutional and legal safeguards provided for women, to review the existing legislations and suggest amendments as required, thereupon.

One of the forms of gender based violence that violates women's rights and undermines their dignity is to label or target a woman by parading her and disrobing her; or tonsuring her hair and blackening her face. Single women and widows with productive resources/ land have known to be most vulnerable to such targeting. Apart from economic reasons, such labelling is also invoked to punish caste, gender and sexual transgression. In a majority of the cases, it is difficult for the victim to reach out for help and she is forced to either abandon her home and family or driven to commit suicide. Most cases are not documented because it's difficult for poor and illiterate women to travel from isolated regions to file police reports, in addition to family and community pressure which do not encourage reporting.

Greater incidences of this form of violence have been generally reported in the Eastern and Central States like Assam, Bihar, Jharkhand, Madhya Pradesh, Orissa, Rajasthan and Chhattisgarh. Field studied indicate that such atrocities drawing upon on superstition is mostly rampant in the rural and tribal areas of the country, wherein there is a lack of affordable access to healthcare in addition to poor economic development, infrastructure and resources like education.

In the absence of a special central legislation, the only alternative for the victim is available in the Indian Penal Code, 1860 (IPC). The various sections invoked generally in such cases are Sec 302 IPC (murder), Sec 307 IPC

(attempt to murder), Sec 323 IPC (hurt), Sec 376 IPC (rape) and Sec 354 IPC (outraging a woman's modesty) among others. The lacunae, however, witnessed upon invoking these provisions are as follows:

Firstly, the victims in such cases have little or no access to law or police, mainly because of their social, geographical and educational background, which makes it difficult for them to attain justice.

Secondly, since this crime is socially manifested, out of either fear or acceptance of the practice, people prefer remaining silent, which makes it difficult to collect evidence for investigation.

Thirdly, the punishment granted mostly is for 'hurt', which merely extends up to 1 year, with a fine of Rs. 1000.

The two-day consultation was attended by the Chairpersons/Members of the State Commissions for Women, Government officials, NGOs, lawyers, academicians and other stakeholders from Maharashtra, Andhra Pradesh, Gujarat, Rajasthan, Madhya Pradesh, Tripura, Bihar, Jharkhand, Chhattisgarh, Kerala, Assam, Haryana and Himachal Pradesh. Detailed deliberations took place and the valuable suggestions by participants will be included in the Final Draft.