



Editor's Column

In the Indian psyche, rape within marriage is not an offence. Many find it hard to believe that a husband can rape his wife. After all, he is asserting his conjugal right and hence, there rises a sense of entitlement. Therefore, though marital rape is one of the worst forms of abuse a wife is confronted with, yet, the criminality of the act is hidden behind the sacrosanct veil of marriage.

It is ironical that a woman has been given the right to fight for protection when the violators are outside entities, but when the violator of her bodily integrity is her own husband, such protection has been withdrawn by the law. Not surprisingly, therefore, married women are never the subject of rape laws.

Unfortunately, even the victim herself, often silently suffers the humiliation because the

perpetrator is someone the wife knows and trusts. The close personal nature of marital relationship makes it harder for the victim to see herself as a victim, let alone report the offence to the concerned authorities. Even those, who realize the criminality of the act, continue to live with their abusers, often due to family loyalty, fear of abuser's retribution or financial dependence.

FOCUS Marital Rape

Today, out of around 200 countries in the world, 104 accept marital rape as a punishable offence (2006 data). Even Malaysia and Turkey, with strong patriarchal cultures, are ahead of India in this curve.

The Justice Verma committee set up after the Delhi gangrape of 2012, also recommended that

marital rape should not be an exception in criminal justice. Not doing so, would tantamount to a missed opportunity in modernising the rape laws.

Of course, there could be some misgivings that the law could be misused to settle personal scores; but to overcome such lacuna, legitimate safeguards need to be incorporated against the abuse of rape laws.

The National Commission for Women has been demanding deletion of the exception clause in Section 375 of the Indian Penal Code and now that the Central government is considering criminalising marital rape, enactment of such law could provide relief to a number of women, violated and abused in the name of marriage.

If 104 countries can figure a way out to implement it, we in India, should be able to do it, too.

Important Decisions

- In a verdict with wide ramifications, especially, where the accused in rape cases are seeking leniency on the ground that their intimacy was consensual, the Punjab and Haryana High Court has made it clear that if a girl is below 16 years of age, the partner in the act will be considered as a criminal.
- Is a significant push towards women safety, old mobile manufacturers will produce handsets with a panic button from January, 2017. This facility will allow a person to long press a button which will send out an alert to the user's family or friends besides giving information on the location.
- The airforce has advised three trainees, who are to become India's first female fighter pilots to put off motherhood for at least four years after admission into the course in June. Undisturbed training is required for a minimum of five years for fighter pilots to become combat ready. The women are about to complete a year's training. However, it was an advisory and not a new pregnancy clause.
- As surrogacy brings hope to many childless couples, the government proposes to sync its service rules with the changing times and allow its women employees, whether surrogates or commissioning mothers, to avail of 180 days of maternity leave. Not only this, even male govt. employees may be allowed to avail of paternity leave in case of surrogacy.

Women Managers Convention

NCW Chairperson Lalitha Kumaramangalam attended the Women Managers Convention 2016, organised by the Madras Management Association at Chennai. Delivering the valedictory address, NCW Chairperson said that increasingly across the board, across all professions, it is accepted that women are as good as men in



The Chairperson addressing the Convention

almost every field of work. She urged women to believe in themselves and to stand firm without making compromises. She said women must be ambitious and should recognise their own ability to go to the top. Most importantly, women must be aware of their legal rights to deal with sexual violence, harassment at work place, deprivation of property, cyber crimes, etc.

- Ms Lalitha Kumaramangalam attended the National Women Farmers Convention organised by Mahila Kisan Adhikar Manch at Bapatla in Andhra Pradesh.

Young Indians National Summit

12th Young Indians National Summit, Take Pride 2016, was held in New Delhi, with 700 participants from 37 cities, including Young India members and international delegates from European and Asian countries. NCW Chairperson Lalitha Kumaramangalam addressed the gathering on "Has political interest taken over people's interest"?



The Chairperson addressing the Summit

Suo moto Cognizance

- The National Commission for Women has taken cognizance of the report that appeared in various print and electronic media dated 11th April, 2016, captioned "expect more rapes with women allowed into Shani temple," says Shankaracharya Swaroopanand. The statement came in the wake of lifting of the ban by the Bombay High Court that allowed entry of women into the Shani Singapur temple in Maharashtra. When women activists tried to force their way into the temple, he had also remarked that "the effect of Shani is harmful on women." NCW strongly deprecates the offensive and irresponsible comment that lowers the dignity of women. In view of the utmost gravity of the matter, the Commission has called for an explanation from Shankaracharya within five days of the receipt of the notice or else he will be summoned by the Commission.

- The Commission took suo moto cognizance of a media report titled "rainbasera ke supervisor ne yuwati se dushkram kiya" which appeared in "Hindustan", New Delhi, regarding the rape of a young woman inmate of Rainbasera, by its supervisor. Member Rekha Sharma, as Chairperson of the Inquiry Committee visited Rainbasera to inquire into the matter. The girl had lodged a complaint with the Police, who arrested the accused u/s 376 IPC. After investigation, it was found that the accused was married with two children. The Commission sent a letter to the Delhi Commissioner of Police asking for an Action Taken Report into the matter.

- The Commission took suo moto cognizance of the media report titled "Girl Found Pregnant, Home Staff Suspended," which appeared in the Times of India, pertaining to the pregnancy of an inmate in a state run Bal Grih at Motinagar in Lucknow. Member Rekha Sharma, heading the inquiry Committee visited Motinagar Bal Grih in Lucknow along with another member of the Committee to investigate into the matter.

Complaints received for the month of March, 2016

Month	Complaints received	Number of complaints on which action taken	Closed
March, 2016	1851	1732	971

NCW took : Suo-moto Cognizance of 7 cases in March, 2016

Legal Awareness Programme

In view of the escalating crimes against women, belonging to the North East, the National Commission for Women organised a two-day legal awareness programme at its new complex at Jasola, to sensitise women and students of the north east, who reside in Delhi, about laws pertaining to their safety and security.

The inaugural session was graced by Shri Kiren Rijiju, Minister for State, Ministry of Home Affairs, Dr. T.Meinya, MP, NCW Chairperson Lalitha Kumaramangalam and NCW members.



At the Legal awareness programme standing from (left) Members Sushma Sahu, Laldingliani Sailo, Chairperson Lalitha Kumaramangalam, Shri Kiren Rijiju, Dr. T. Meinya, Member Alok Rawat

Delivering the welcome address, Member Laldingliani Sailo said that since its inception, NCW has played a pivotal role in investigating and examining the legal safeguards for protection of women. In view of rising crimes against women belonging to the north east, the Commission organised this programme to apprise them about their legal rights.

In her key-note address, the Chairperson said that the awareness programme was organised to educate the people of north east about the laws they can resort to, to mitigate their grievances. Speaking on the occasion, Shri

Rijiju said that the govt. of India is doing everything to ensure women's safety and security and added that since the Nirbhaya gangrape, laws have been strengthened and sale of acid regulated. He urged the victims to be aware of laws and inform the police whenever crimes take place. Sharing his thoughts, Dr Meinya said that the Indian laws need to be further amended and also urged that jobs should be given to the deserving candidates and not to the reserved candidates.

The inaugural session was followed by a session on "Cyber Crimes and Women", wherein the participants were apprised about the vulnerabilities in the cyber world. On day-2, the different sessions discussed "Criminal Laws and Women", Sexual Harassment of Women at Workplace, and the "Modus Operandi of Handling Complaints at NCW".



A view of the participants

Profile in Courage

A 14 year girl from Simdega's Kullukera village in Ranchi, showed exemplary courage to stop her forced marriage fixed to be held on 21st April. The thought of discontinuing studies, losing friends and her childhood forever helped her to decide that under no circumstances she would go through this marriage. On the last day of her school, she narrated her ordeal to her teacher, who took her to the police superintendent, Rajiv Ranjan Singh.

What followed created history in Simdega. Never before in this tribal district had a school girl protested against her parents' decision and used the law against them. Highly impressed with Sakina's courage, the police decided to adopt her. The SP said, "despite hailing from a remote village, where children are clandestinely married off early, Sakina showed tremendous courage of conviction. We hail her bravado and pledge to help her in her studies till she finds a career of her own. We will be her guardians now."

Later, a police team went to Sakina's house and arrested her parents. Sakina now dreams of becoming a police officer one day.

Members' Visits



Member Rekha Sharma visiting Women Helpline Call Centre

B.N. Gangadhar, Head of the Institution and Registrar, Dr. V. Ravi and had a discussion on how NCW and NIMHANS could work together in future to improve the condition of other mental hospitals. ● The Member went to Mysore to visit Shaktidhama Women Rehabilitation & Development Centre and Shelter Home run by an NGO funded by the Government of Karnataka and private donations. She also conducted hearing of 2 cases. ● Ms. Sharma visited a 24 hours call centre named **1090 – Women Power Line**, which receives complaints from women. This is an initiative of UP Police started in 2012.

❖ Member, Sushma Sahu visited Kerala along with Counsellor, Ms. Neha Mahajan. The Team met the DGP and enquired about the suo-moto cases of the State and apprised the DGP that as the Action Taken Reports were not received in time, the complainants were not getting any relief. The DGP agreed with the Member's suggestion that in future all communications regarding cases would be sent to through E-mail to overcome delay. ● In response to the Member's query, about awareness programmes organised by the police for women, the DGP informed that they were conducting various programmes at state level to educate women about their legal rights. ● The team also visited the Sports Authority of India (SAI) at Alapuzhha and met Shri Kishan and police officials to discuss the case in which four girls attempted suicide fearing removal from SAI. The police officials reported that out of four victims, who took poison, one died and three others had recovered. However, the SAI authority said that the real reason for taking poison was the spreading news of consumption of beer by the four girls. Shri Kishan also informed that one victim was being given a government job and the other three girls would continue to remain in SAI. ● Later, the team visited Ernakulam to inquire into a complaint received in the NCW regarding a girl trying to commit suicide by consuming sleeping pills, due to harassment by the local college students leaders. According to police, the matter has been settled and the girls is continuing her education in the same college. ● Next day, the team visited Munnar, where women tea workers were agitating for higher wages and fixed working hours. The police informed the Member that after police mediation, the wages of women workers have been slightly increased and working hours have also been fixed.



Member Sushma Sahu talking to students at SAI

for further information visit our website at : www.ncw.nic.in