



Rashtra Mahila

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Editor's Column

With the year 2005 coming to an end, the National Commission for Women has traversed yet another eventful year of its existence. At the end of the year, it would be worthwhile to mention to our readers the activities undertaken by the Commission during the past year, to fulfil its mandate to participate, advise on the planning process of socio-economic development of women and evaluate the progress and development of women under the Union and the State Govts.

In keeping with its mandate, the Commission till now has visited all the states and union territories, except Lakshadweep and prepared gender profiles to assess the status of women and the extent of their empowerment.

Another major task of the Commission is to entertain complaints and provide speedy justice to women victims. Admittedly, the Complaint and Investigation Cell is the nodal unit of the Commission. The Cell was accessed by a large number of women in distress for redressal of their grievances. Apart from dealing with complaints, the Commission took up investigation into 40 cases either taking suo moto cognizance, or based on complaints, of atrocities committed against women such as murder, rape, sexual assault, harassment at workplace, dowry death, eve-teasing, sale of minor girls to foreign nationals, police brutality, custodial death, etc. and sent recommendations to the

concerned authorities for necessary follow-up actions.

During the year 2005, the Commission received 11,214 complaints. The NCW has also started an online registration of complaints through its website www.ncw.nic.in so that the Commission can be accessed from the remotest corners of the country.

Further, deeply concerned about the prevalence of child marriage, particularly in the northern states, despite the Child Marriage Restraint Act, the Commission look up the issue on a priority basis and visited 6 states most affected by this obnoxious social custom. It also

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roped in the Directorate of Field publicity and the Song and Drama Division to show films, skits etc. in order to generate awareness against child marriage.

Another important task of the Commission is to sponsor legal awareness programmes to impart practical knowledge to women about their basic rights and remedies provided under various laws. In this context, the Commission also conducted various Parivarik Lok Adalats with the help of NGOs, State Commissions for Women, State District Services Authority, to provide speedy justice to women. It took initiatives to review laws relating to Dowry Prohibition Act 1961, PNDDT Act 1994, Indian Penal Code 1860

and the National Commission for Women Act 1992, to make them more stringent or effective.

The Commission also held workshops and consultations on gender based issues, such as sexual harassment, pending bills in the Parliament concerning women, Compulsory Registration of Marriage Act, laws relating to rape and sexual assault, legal aid for women, etc.

Further, the Commission realised at its earliest that economic independence was the key to women's empowerment. Therefore, it set up various expert committees on this issue, comprising economists, social activists and experts as its members. The Commission conducted state level workshops and seminars on Women Entrepreneurs, Women in Industry, Women and Land Rights, Availability of Micro Credit etc. with special emphasis on the North Eastern Region.

Moreover, to get first hand knowledge about women's problems and grievances, the Commission organised Public Hearings for the matweavers, handloom workers, women engaged in floriculture and agriculture, women and healthcare, Tsunami relief and rehabilitation, trafficking of women, child marriage, dowry, etc.

In view of the serious problem of falling female sex-ratio, due to infanticide and foeticide and to strengthen the Pre-Natal Diagnostic Act, the Commission held several

interactive meetings with the officers of WCD, Health Secretaries and the DGPs of different states. The Commission also organised Gender Awareness for school students to combat the recent alarming rise in the incidents of sexual violence, abduction, harassment against women.

Finally, taking a novel and aggressive approach for ending violence and crime against women, the Commission has recently started advertising their services in regional and national newspapers and placing publicity spots in the electronic media on female foeticide, violence against women, child marriage, etc., in order to generate awareness in the society and particularly, in women, against these social evils.

Contact numbers of the Chairperson and the Members of NCW

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Gender Awareness Programme for School Students

An Awareness Programme for school students under the Delhi School Board in the Najafgarh locality was held on 10th and 11th November, 2005. In this programme, conceptualized by Member Malini Bhattacharya, not only schools under the Delhi Government and a number of NGOs but also the Delhi Police collaborated with the National Commission for Women. NCW Chairperson and other Members were present at the inaugural session apart from the Secretary (Education), GNCT Delhi, DCP (South-West) and other eminent people. There were sessions on constitutional rights, rights of the girl child and child marriage, criminal abduction, child sexual abuse, etc. A short feature film "Aparajita" was shown. *Steps for Change* performed a street play and NCW Research Assistant, Neelam gave demonstration of self-defence techniques of Judo. Later, it was decided that for a month, the children would be engaged in various activities like painting posters, composing songs on the theme and then in the first week of January, a convention of parents, teachers, guardians, police, members of civil society and students will be held at the Najafgarh Stadium.



At the programme on Gender Awareness (from left) Mr. Prem Singh, Mr. Ravindra Yadav, Ms. Reena Roy, Dr. Girija Vyas, Ms. Malini Bhattacharya, Ms. Neeva Konwar, Ms. Yasmeen Abrar. (Below) A view of the audience.

Rs. 1 Lakh for One-Girl Families

The Andhra Pradesh Chief Minister has announced Rs. 1 lakh for a couple who has only one female child during the last three years and have undergone sterilisation. The scheme will be implemented with retrospective effect from 2004. The Chief Minister also announced Rs. 1,000 for every poor woman, who delivers her baby in a government hospital. The amount the government gives till date is only Rs. 300.

Another objective of the scheme is to encourage women to come to government hospitals where they can deliver babies without incurring expenses and also take home some money.

Girl Scheme Under CBSE, UGC

The HRD Ministry has announced a string of incentives and scholarships to promote education for girls. If a girl is the only child in the family, she will receive education incentives up to post-graduate courses, including fee waiver and scholarships.

For now, the scheme will cover schools and institutions affiliated to the Central Board of Secondary Education (CBSE) or the University Grants Commission (UGC).

What the Scheme covers :

- If the girl is the only child, she gets free education from Class 6 to 12. All schools seeking CBSE affiliation will be bound by this norm.
- If the only two children in a family are girls, both get 50 percent fee waiver.
- The UGC will make similar provisions for all programmes approved by it. In addition to fee waiver, girls under the scheme will get a monthly scholarship of Rs. 500 in graduate studies; Rs. 1,000 in

medical and engineering courses and Rs. 2,000 for PG courses.

- All such single girl children at college-level will be called Indira Gandhi Scholars. Various public service providers will be requested to extend concessions to these scholars.
- The CBSE and the UGC will also institute 11,000 merit scholarships covering both boys and girls under the following categories :
- The CBSE will award Rs. 500 per month each to 550 students to pursue under-graduate study in non-engineering and non-medical streams. For engineering and medical, respectively, 350 and 150 students will get Rs. 1,000 per month. Selection will be based on Class 12 marks.
- The UGC will award first and second-rank holders in 18 Honours courses - in all universities and deemed universities- Rs. 2,000 per month for PG courses.

Right to Information Act, 2005

In terms of Section 5(1) of the Right to Information Act, 2005, Ms. Gurpreet Deo, Deputy Secretary, National Commission for Women has been designated as the appellate authority for the purpose of the implementation of the Right to Information Act, 2005.

The details of the Appellate Authority are : Phone : 011-23233450, Fax : 011-23236154, E-mail : deogurpreet@hotmail.com

In terms of Section 5(1) of the Right to Information Act, 2005, Ms. Romi Sharma, Under Secretary-cum-Public Relations Officer, National Commission for Women has been designated as the Central Public Information Officer.

The details of the Public Information Officer are : Phone : 011-23238502, Fax : 011-23236988, E-mail : pro_ncw@rediffmail.com

Important Decisions

Rape conviction can be based on sole evidence of victim

The Supreme Court has ruled that conviction in a rape case can be based on solitary evidence of the victim, with non-examination of doctor in court and non-production of medical report not being grounds to give benefit of the doubt to the accused.

Largesse, home for divorcee

In a landmark ruling that recognises the wife's right to her matrimonial home even after divorce, the Mumbai High Court awarded a package totalling Rs. 50 lakh to the wife and her two daughters after a 14-year legal battle.

On age, parent's claim is final

In a major ruling on determination of a rape victim's age to ascertain whether she could give consent to sex, the Supreme Court said her parents' statement regarding her date of birth carried more weight than medical evidence.

The Court said that the victim's parents had categorically said that she was born on November 29, 1964, which was supported by "unimpeachable documents", such as school-leaving and birth certificates.

"These are statements of facts. If the statements of facts are pitted against the so-called expert opinion of the doctor with regard to the determination of age based on ossification test scientifically conducted, the evidence of facts of the former will prevail over the expert opinion", explained the apex court.

Pay maintenance to ex-wife

Rejecting the husband's plea, the Delhi High Court on Monday upheld a trial court order granting a monthly interim matrimonial maintenance of Rs. 6,000 to his HIV-infected wife and minor daughter, irrespective of the circumstances that led to their contracting the deadly disease.

"In my view there is no finding as yet as to how the HIV positive status was acquired by the wife and minor daughter. Coupled with the fact that the respondent/wife asserted the cause of HIV status to be blood transfusion, the denial of interim maintenance to the two will be wholly unconscionable", the presiding judge said.

Members' Visits

- Member Yasmeen Abrar attended a public hearing on women organised by Stree Adhar Kendra at Chembur in Mumbai. During discussions, she said that if the relief provided to women by the Central or State govts. did not reach the affected persons, the Kendra could complain to the NCW for necessary further action.
- Member Sushila Tiriya attended Legal Awareness Programmes at Baripada and Rairangpur respectively. She also attended a public hearing on women handloom workers and discussed ways to make them economically independent. Ms. Tiriya attended a health camp at Baripada organised for the Adivasi and Backward women. Later, she attended another health camp for women organised by Kalyani Mahila Samiti in which awareness was generated on HIV/AIDS and blood tests were also undertaken.
- Member Malini Bhattacharya attended a workshop organised by the National University of Juridical Sciences at Kolkata in which IPS officers from Orissa, Madhya Pradesh, Manipur, West Bengal and Bihar were present. Ms. Bhattacharya spoke on Police and Civil society. She also attended a meeting at the Deptt. of Health, Govt. of West Bengal on the research project on PNDDT in the Kolkata Municipal Area. Later, she visited the Women Cell in Kiddirpur College to discuss their projects on awareness generation.
Ms. Bhattacharya also enquired into the alleged rape and murder of a minor girl at Faridabad. She suggested transfer of the case to CBCID as there were many anomalies in the police investigation and medical reports.
- Member Neeva Konwar attended a conference on HIV/AIDS at Guwahati. Most of the speakers felt that awareness of AIDS should be taught at the school and grassroot level. Ms. Konwar also visited the Centre for Women Studies Cell at Dibrugarh. The centre would be organising a regional workshop on Economic Empowerment of rural women in North-East region. Ms. Konwar attended the legal awareness programme sponsored by NCW at Sibsagar. About 700 women participated in the camp.
- Member Nirmala Venkatesh visited Jhajjar district in Haryana to enquire into the death of Ashalata, who died allegedly due to dowry harassment. She recommended that the culprits should be arrested forthwith and stringent punishment should be meted out to them. Ms. Venkatesh addressed the Regional Consultation on Declining Sex Ratio at Chandigarh. Later, she inaugurated and addressed the Convention of All-India Women Bank Employees and Officers there.

Seven Years in Jail for Stalking a Woman

An amendment bill seeking to revamp laws pertaining to sexual assault drafted by the National Commission for Women for the first time defines "stalking" for the statute book and incorporates it as a punishable offence.

The draft bill proposes to add a new section 509B, in continuation of section 509 of the Indian Penal Code (IPC), that deals with eve-teasing, to create a new offence of "stalking a woman" and defines it in detail.

As per the amendment proposed by the National Commission for Women, a person shall be taken into custody if he follows or approaches a woman, loiters around her unnecessarily, watches, approaches or enters a place where she resides, works or visits, keeps her under surveillance, etc. The Bill makes it an offence punishable by up to seven years imprisonment plus fine.

From the Complaint Cell

- The NCW took cognizance of a complaint filed by Ms. Veena to the Commission against her husband D.K. Panda, a former IG of Police, who proclaims himself as the 'Doosri Radha'. After the intervention of NCW Chairperson Dr. Girija Vyas, Panda has agreed to give Ms. Veena, a monthly allowance of Rs. 7,000 and also Rs. 15 lakh for construction/purchase of a house. Ms. Vyas was accompanied by NCW Deputy Secretary Ms. Gurpreet Deo.



*Courtesy UNI
NCW Chairperson Girija Vyas flanked by
Panda and his wife*

- Ms. Usha (name changed), resident of Najafgarh, Delhi, had said to the Commission that she had been married in November, 1999 to Shri Amarjeet (name changed). She was being harassed for dowry after 6-7 months of her marriage. Her one-year child had also been taken away by her in-laws. Due to the intervention of the Commission, the child was returned to the mother. Following subsequent counselling sessions, the husband and wife have agreed to live together. However, they have been directed to visit the Commission every month till the Commission was satisfied that she would not be harassed again.

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