



# Rashtra Mahila

DECEMBER 2007

Published by the National Commission For Women

## Editor's Column

The National Commission for Women again organized an interactive session to evolve strategies for getting the long-pending Reservation Bill ensuring 33% reservation for women in Parliament and State Assemblies passed.

The fact is not withstanding Prime Minister's repeated assurances and continued lip-service by all political parties to the cause of women's reservation, the Bill has not been tabled yet as the political parties failed to reach a 'consensus'.

However, it is quite obvious that no

population, there are less than 10% of the directly elected national representatives-only 45 members of the Lok Sabha's 542, are women. Even in the Rajya Sabha, where members are appointed and, therefore, can be more easily chosen to represent a wide

### WOMEN'S FOCUS RESERVATION BILL

spectrum of India, only 28 of the 242 seats are held by women.

Till now, the law ministry has prepared two drafts of the Bill. The first envisages reservation of 33.3% seats for

33% tickets to women by parties and perhaps even working for quotas in state assemblies before the Lok Sabha.

The Bill has been pending for more than a decade now, in spite of the fact that such reservation exists at the Panchayat level. The Panchayati Raj has shown that given a chance, women have proved themselves as better administrators, less corrupt and more efficient and motivated than their male counterparts.

The meeting, therefore, decided to move the Govt. to place the Bill in the Parliament in the forthcoming



At the interactive session on Women's Reservation Bill (from Left) Ms. Jaya Jaitley, Ms. Sumitra Mahajan, Ms. Brinda Karat, Dr. Girija Vyas, Ms. Margaret Alva, Dr. Mohini Giri, Dr. Ranjana Kumari

political party is keen to ensure the passage of the Bill and the men in the Parliament would always backtrack, refusing to surrender their seats of power. For, if the three major political parties - the Congress, the BJP and the Left had come together the Bill would have become a reality long ago.

The three parties together constitute the two thirds majority for passing any Bill and there was no need for support from other alliance partners to pass the Bill.

It is indeed a shame, that though women constitute nearly 50% of the

women within the existing strength of the two houses of Parliament. The second calls for increasing the strength of the two houses by 33.3%. But consensus has been elusive on either of the two.

Various strategies that emanated from the interactive session comprising women MPs and women groups, included rotation of seats, increasing their number by 33.3% without disturbing the existing seats, providing sub quotas and double member seats,

budget session and a discussion should be held in the Parliament on the Bill. Meanwhile, the MPs and the representatives of the women's groups would approach various political parties to come to a consensus to pass the Bill. Admittedly, the Bill would not only revolutionize electoral politics in India but would be a harbinger of social change, ending age-old gender-discrimination in the political system.



## Protests against clients' penalization

The health ministry has opposed the proposal to amend the Immoral Traffic Prevention Act (ITPA) to bring clients under its ambit, rendering them liable to imprisonment upto six months and a fine extending upto Rs. 50,000 saying that it would affect the AIDS control programme.

The Immoral Traffic Prevention (Amendment) Bill, moved by the women and child development ministry, proposes to enhance the punishment for those involved in human trafficking for sex, and includes clients among the offenders. The health ministry and National AIDS Control Organisation officials argued that if clients were punished, it would encourage underground sex work and that would act as a major stumbling block in checking AIDS.

At present, clients don't come under the purview of the Act. The proposed amendment defines the client as a person who visits or is found in a brothel. It has also attracted protests from NGOs, who have argued that the new amendments would drive sex work underground and criminalize clients.

## NCW intervention

The National Commission for Women took up the case of a woman, who was allegedly gangraped by the goons hired by her husband. The NCW has asked the Gautam Budh Nagar police to register a criminal case against a dozen accused. The woman, a resident of Dadri, was repeatedly raped for not paying a dowry of Rs. 2 lakh. She was confined to a house in Escort Colony and raped for fifteen days by the accused.

Six months ago her husband connived with the relatives and friends to get her raped. After being assaulted for around six months, she was shifted to house in Escort Colony where she was brutalized again.

## Underprivileged girls to get 30% scholarship share

The Government has decided to reserve 30 percent of all school scholarships for girls belonging to the minority community, scheduled castes and scheduled tribes. Preference would be given to students from below poverty line families, while awarding scholarships.

The eligibility criteria includes annual income of Rs two lakh and minimum 50 percent marks in the previous examination to avail of the scholarship scheme. The government has decided to give preference to families having lowest income in ascending order.

Students from BPL families will get first preference for the scholarship. Not more than two students in a family will get the scholarship. However, the government will not allow migration of students from one institution to another except in exceptional circumstances.

The scholarship would be awarded to students studying in government higher secondary schools and colleges, including residential schools and private institutions recognized by the government. For conventional courses, the annual scholarship amount would be Rs. 7,000 whereas for technical and vocational courses, it would be Rs. 10,000. Students will also get some money for buying books.

Smt. Renuka Chowdhury Union Minister for Women and Child Development released an NCW study entitled 'Shattered Lives', on women in custody at the ITPO Exhibition at Pragati Maidan.



Dr. Girija Vyas (right) presenting the book as Mr. Anil Kumar, Secretary WCD looks on

## Law panel against death for dowry death cases

The law Commission has recommended to the government not to prescribe capital punishment in dowry death cases. However, it favoured increasing the minimum sentence from seven years to 10 years in such cases under Section 304-B of the Indian Penal Code.

The Law Commission said: "The offence of murder is not the same thing as the offence of dowry deaths. Though death of a bride may be common element in both the offences, the absence of direct connection between the husband and the death of wife distinguished the dowry death from the offence of murder."

However, the Commission said where a case of dowry death also fell within the ambit of the offence of murder, awarding death sentence might be legally permissible. NCW, which wanted death penalty in extreme cases, welcomed the increase of minimum sentence for dowry death from 7 to 10 years.

## Do you know?

According to a recent UNESCO report India is among the bottom five countries in South and West Asia, when it comes to female literacy rate. With a mere 47.8 per cent female literacy rate, India sits at the bottom fifth position with countries like Pakistan, Nepal, Bangladesh and Afghanistan at more dismal positions.

According to the data presented in the report for the period between 1995-2005, Bangladesh's female literacy rate is 40.8 percent, Pakistan's is 35.4 percent, Nepal's is 34.9, and Afghanistan's female literacy rate is just 12.6 percent.



## Workshop on Domestic Violence

A two-day regional workshop on Protection of Women under Domestic Violence Act 2005 was organized by the NCW in collaboration with Women's Resource and Advocacy Centre, Chandigarh and the Lawyers Collective, at the Punjab University.

Speaking on the occasion, NCW Chairperson Dr. Girija Vyas said that there was a need to spread more awareness about Domestic Violence Act, which was aimed at preventing homes from breaking up.

She said it was too early to ascertain the success of the Act. "As many as 8,000 cases were registered since the Act came into existence. Of these, the highest 3,444 have been in Rajasthan followed by 1,077 in Kerala. The awareness in Punjab is less. Since it is a civil Act, it leaves more scope that families are not broken up. The couples are instead counselled."

Talking about NRI marriages, she said steps were needed to be taken at the earliest to prevent exploitation of girls and it was important that the Indian Government signed a protocol with the governments of the US, the UK and Canada, which would make it easier to fight for the rights of girls. She said that NCW has suggested certain measures to the government for helping girls, who are duped and abandoned by the NRIs after marriage. Enumerating these, Dr. Vyas said, "There should be agencies, particularly in the US, the UK and Canada, from where the parents can enquire about the grooms. Embassies should have a list of newly married couples and should enquire regularly about the well being of girls. Passports should have fingerprints. Priority should be given to grant visa to the newly married girls."

Dr. Vyas further informed that 34 new laws for the protection of women were being introduced this year. These laws included protection of the mentally sick women, old-age women, Devdasis, etc.

She stressed that there was need for strict execution of laws, sensitization of the police and awareness among society to prevent exploitation of girls.

Addressing the workshop, NCW Member Yasmeen Abrar spoke about the activities and programmes of NCW and its role for safeguarding the rights for women,

## 5th Asian Women Parliamentarians' and Minister's Conference

NCW Chairperson, Dr. Girija Vyas recently visited Beijing in China to deliver the keynote address at the Asian Women Parliamentarians' and Ministers' Conference. She spoke on 'violence against women and trafficking of girls and women in the region-how education can make a difference.'

Later, she had a lecture meeting with the members of the civil society, and the professors of the Universities. She also discussed issues regarding violence against women with Ms. Nirupama Rao, Indian Ambassador to China and Shri Vishnu Prakash, Consul General at Shanghai.



Dr. Girija Vyas (top right) at the seminar and (below) with other delegates.



## Important Decisions

- **HC relief for 2nd wife even if 1st not divorced** : A woman married to a man, who did not legally divorce his first wife is entitled to get maintenance from her husband, the Delhi High Court has said. The court in a recent judgment held, "Such a woman should get all the benefits that a legally-wedded second wife is entitled to under the Hindu Marriage Act.
- **Girls above 18 have right to elope SC** : the Supreme Court in a judgement said there is nothing wrong in a girl eloping to get married according to her choice if she has attained 18 years - the legal age of marriage. As for parents with daughters of marriageable age, the court said, they cannot threaten, coerce or keep in illegal confinement their daughters who have crossed 18 years of age.
- **Ensure maternity benefit 3 months before delivery SC** : While directing the Union Government and all states to continue with the National Maternity Benefit Scheme (NMBS), the Supreme Court has asked the authorities to ensure that all BPL pregnant women get cash assistance 8-12 weeks prior to the delivery. It also asked the Centre to ensure that money earmarked for the scheme was not utilized for any other purpose.

## NCW team visits Nandigram

A four-member team of the National Commission for Women visited a relief camp at Nandigram and spoke to affected women from the troubled areas, who narrated their woes to the team.

The delegation, comprising Member Malini Bhattacharya, Member Neeva Konwar and others began its tour with a stopover at CRPF's makeshift office at Nandigram police station and spoke to the paramilitary force's DIG to have an "exact idea" of the ground situation.

The NCW members then went to the relief camp at Brajamohan Tiwari Sikhshayatan and spoke to the women, whose husbands had died during the earlier disturbances or were missing after the recent violence.

## Members' Visits

- Member Malini Bhattacharya visited All Bengal Women's Union, Kolkata, where a large number of rescued girls reside, including Jayantibala Das from north 24 Parganas and Naina khatun from Farbesung, Bihar. Both the cases are being monitored by NCW. The problems of other rescued girls were also discussed and it was decided to write a letter to the Minister, Social Welfare. Later, she attended a meeting of women from the Panchayats at Thakurpukur. Ms Bhattacharya also visited Tamluk and spoke to the DM, SP and the IO regarding the rape of a woman in Nandigram. She also visited the half-way home for the mental patients, being maintained by Sevac at Somali in South 24 Parganas. There were about 25 patients and apart from treatment they were also being involved in various productive and cultural activities. In Kolkata, Ms. Bhattacharya met the Law Minister to discuss the progress made in the implementation of compulsory registration of marriage in West Bengal. She was accompanied by the Chairperson and the members of the West Bengal Commission for Women. The Minister told them that some changes were being made in the rules and regulations of the existing Act in West Bengal to be followed by a comprehensive Marriage Bill. The next day, she inaugurated a five-day workshop for the leaders of the self-help groups in the district of Nadia attended by about 120 delegates.
- Member Neeva Konwar went to Sibsagar to attend an awareness camp organised by Saptarshi Circle, a local NGO, which was attended by about 500 people. She spoke about the Prevention of the Domestic Violence Act and the Right to Information Act. Later, she attended a meeting of the self-help groups organised at Guwahati. She spoke about the economic upliftment of women through micro credit scheme and various schemes of the Central govt, through National Rural Employment Guarantee Act. At Nagaland, Ms Konwar attended a two-day national seminar on women on the theme "Towards New Horizon". She appealed to the Naga women to create awareness in the villages about women's rights and various schemes available for their welfare. She also launched the "Chalo Gaon Ke Ore" programme and released the book "Meera didi se pucho".



Ms. Konwar (third from left) at the empowerment seminar.

- Member Nirmala Venkatesh, visited the ING Vysya Financial Services' office at Basavanagudi following suicide of Shailaja Praveen, a retail and sales team leader. Mrs. Venkatesh was not satisfied with the Bank's statements and demanded that the accused involved in her suicide be handed over to the police. She said that the Commission would summon the Chairman and MD for further questioning.



Mrs. Venkatesh talking to the Bank Staff

Mr. Paul Hunt, the UN special rapporteur along with a delegation of three officials visited the Commission and interacted with the Chairperson, the Members and officers of NCW on the right of everyone to enjoyment of the highest attainable standard of physical and mental health.



The UN delegation interacting with the NCW Chairperson and the Member-Secretary.

for further information visit our website at : [www.ncw.nic.in](http://www.ncw.nic.in)

Published by the National Commission for Women, 4 Deen Dayal Upadhyaya Marg, New Delhi-110002. Printed at Sub-Urban Press, 244/5, Gali No. 13, Than Singh Nagar, Anand Parbat, New Delhi-110 005 • Editor : Gouri Sen