



Editor's Column

History has repeated itself; only this time it is more brutal, more horrific and more heinous. A 23-year-old paramedic student was gang-raped and tortured inside a chartered bus as it was being driven around for more than an hour through one of the busiest stretches of south Delhi. She was later thrown out of the bus along with her badly-beaten friend, a software engineer. With several abdominal, stomach and intestinal injuries, she battled for survival for 13 long days. Doctors attending her claimed that they had never seen a victim of sexual assault subjected to "such brutality".

The incident has shaken and outraged the entire nation and protests have spilled into the streets. Braving lathi-charges, tear gas and water cannons, thousands of people, mainly boys and girls have turned up on the streets of Delhi to register their rage.

In Parliament, MPs cutting across party lines, have demanded death penalty for the culprits. But there is a strong fear that if such a law is enacted, the rapists will

certainly be tempted to kill the victims in order to stop them from giving evidence in courts. NCW Chairperson, Mamta Sharma, has on the other hand, suggested chemical castration for repeaters of such crimes, as a powerful deterrence. It is the certainty and not the severity of the punishment that will ultimately deter such criminals.

Instead of asking for death penalty for rapists, we must focus on long-term solutions. The rape cases

FOCUS

**DEATH OF A
BRAVEHEART**

should be tried in fast track courts in a time-bound manner and an example must be made of the present case by delivering an expeditious trial and action should be taken if lapses are found on the part of the police. The number of police force particularly, women police, should be augmented and gender sensitized. The police must ensure patrolling of crime-prone areas because high police visibility will be an immediate deterrent, as well as considerable increase of PCR vans spreading out more evenly to cover all

parts of the city. To ensure a strong law to deal with crimes of this nature, the government should take immediate steps for the amendment of the criminal law 'in the rarest of rare cases' of sexual assault".

But laws alone, however stringent, may not be able to combat such heinous crimes, unless there is an attitudinal change in the mindset of our patriarchal society. We need to inculcate the concept of gender equality and respect for women and their rights in our children from a very young age, starting from the family, the school and all educational institutions.

And finally, we need a responsible civil society, who must speak up or at least complain to the police every time a girl is harassed or molested by lumpen elements. If we take the easy way out and look the other way, when we spot trouble, as many bystanders did when a girl was molested in full public view at Guwahati, we would be doing a disservice to the braveheart, who went down heroically fighting for her life in a Singapore hospital.

Inquiry committees constituted by NCW

- Member Charu WaliKhanna inquired into a complaint regarding alleged sexual harassment of female post graduate students by professors of a medical college in Delhi.
- Member Shamina Shafiq enquired into atrocities committed on the wife of a man, resident of Badgharhi (Bulandshahr) U.P., who was earlier a victim of natal violence. The report was submitted within three days from the date of conducting the inquiry.
- Member Shamina Shafiq conducted an inquiry into an incident of gang-rape which occurred at village Raipur, Distt. Sitamarhi (Bihar).
- Member Shamina Shafiq alongwith Advocate Abhishek Gupta and Ms. Yogeeta, a social activist, inquired into an incident, which occurred at village Badshakpur, District Patiala (Punjab), wherein a girl committed suicide after being gang-raped.

- During her official visit, NCW Chairperson Ms. Mamta Sharma visited Jaipur, Kota and Bharatpur. She paid a visit to the Mahila jail at Bharatpur to find out about the living conditions of the women under-trials. She noted the poor living conditions of the inmates and the poor quality of food provided to them.

- NCW Chairperson Mamta Sharma was the chief guest at a National Seminar on 'Domestic Violence' organised by Dr. Sujata Chauhan, Head, Deptt. of Psychology at Bharatpur.

Coining a slogan 'save daughter, save water', she said that everyone should work against female foeticide. She said, in India, there are no dearth of laws to combat child marriage, Sati Pratha, Dowry system, foeticide infanticide but they are not vigorously implemented. She said there was also a need for attitudinal change in societal mindset against atrocities committed and medical counsellors must play an important role. Later, she inaugurated a poster exhibition on domestic violence.



Chairperson addressing the seminar

- The Chairperson attended a national seminar organized by the University of Puducherry on "Empowerment of Women in the Era of Globalization: Challenges and Opportunities." Addressing the gathering, she focused on the problems of tribals in the country, who were the most neglected lot. She informed the audience that NCW would bring out a booklet on the rights of women dealing with issues like domestic violence, self defense, etc. The booklet will be published in English, Tamil, Punjabi, Hindi



Chairperson addressing the seminar

and Urdu. She said that NCW had launched Mahila Adhikar Abhiyan with the help of NGOs to generate awareness among women, on issues of domestic violence, female foeticide, dowry menace etc.

- The Chairperson attended a programme organized by Bharatia Vikas Manch comprising Rajasthani community living in Puducherry. She discussed the problems that are being faced by women in the country. The participants demanded that a train be started from Puducherry to Jaipur or Jaipur to Puducherry to facilitate journeys of Indian tourists and general public and also requested that the Jaipur-Chennai train may be extended to Puducherry. The Chairperson assured them that their demand would be taken up with the Railway Minister for suitable action. Later, she visited Puducherry Mahila jail and interacted with the inmates, who said they had no problem with the jail authorities and were being looked after properly.

- Ms. Sharma visited the Mahila jail at Jaipur, where 207 women inmates were housed. Out of these, 128 had been awarded punishment and the rest were undertrials. 11 children were living with the prisoners. The women prisoners said that they were being looked after properly and the quality of food was good and their children were given proper education.

- The Chairperson inaugurated the seminar on Female Foeticide at Sriganganagar at Rajasthan. The women were made aware of the schemes of the Commission and also their rights in the society.

- A delegation from Republic of Ethiopia headed by H.E. Mrs. Zenebu Tadesse, Minister of Women and Children and Youth Affairs, recently visited NCW. Speaking on the occasion, Mrs. Zenebu Tadesse said that the objective of the visit was to exchange



Chairperson greeting Ms. Zenebu Tadesse

views on programmes and policies related to women issues. NCW made a presentation regarding the functioning of different cells of the Commission. Thereafter, an interactive session was held where the Members of NCW answered queries raised by the leader and other members of the delegation.

Interactive session with National Women Organisations

The Chairperson and all Members of NCW had an interactive session with representatives of the national women organizations for the way forward for joint action on issues like violence against women, especially, in view of the rising crime graph. Secretary of NFIW pressed on the need to review the NCW Act to make it more powerful. Ms. Aruna Roy, President NFIW suggested a separate women cell for the minorities and women belonging to tribal areas. Ms. Sudha Sundraraman, AIDWA suggested that women organizations and NCW should meet periodically for consultations on gender budgeting. Some of the members highlighted the issues connected with atrocities with dalit women and a special cell could be introduced to take up their cases. The Chairperson informed them that the Commission was already taking necessary action on such

cases with the Chief Ministers and DGPs of the concerned states.



Chairperson and NCW Members (top) at the Interactive session

Members' Visits

- NCW Member Nirmala Samant Prabhavalkar and NCW Chairperson visited Bundi jail in Rajasthan, which houses only 6 inmates. The inmates had no complaint about food, health services and cleanliness. They also visited Kota jail and met women inmates. Majority of them were accused of domestic violence, dowry death, murders and kidnapping. The inmates requested for speedy trial of their cases pending in courts.

- NCW Member Shamina Shafiq attended the 2nd ASN Yamuna Wealth Inter School Games and Cultural Fest, 2012 in New Delhi. The Member felt that promotion of sports among school children was very important to discipline the younger generation as they can act as catalysts in making social changes for creating a better society.

The Member attended a legal awareness programme at Sitapur at village Sakran. The Member stressed upon the fact that women should know their rights to deal with the day-to-day problems faced by them. She visited Raipur jail along with social activist Ms. Annie Raja and NCW PRO Ms. Kareena Thengamam and met women prisoners and later held a meeting with the State Commission for Women at Chattisgarh. She attended a sammelan on "Beti Bachao" organized by Gram Panchayat Chiriya and Betiya Desh ki Shann Foundation at village Chiriya, Haryana. She also inaugurated a Nishulk Motiabind Shivir at Civil Lines, Sitapur.

Ms. Shafiq was conferred "Delhi Ratan" award by Shri H.S. Brahma, Election Commissioner of India, during a conference on "Challenges of the Democracy Today and Role of intellectuals".

The Member attended a legal awareness programme at Leharpur in UP. Besides, local social activists and villagers, many BDC Members and Pradhans were present.



Ms. Shafiq with rural women at the legal awareness programme

- NCW Member Dr. Charu WaliKhanna attended the National Tripartite Workshop on "Pay Equity on Gender Based Gap in India: Causes and Concerns" organized by ILO in New Delhi. Addressing the participants, Dr. WaliKhanna said that though equality is enshrined in the Constitution of India, yet women equally competent as men continue to earn less than men. She lamented that almost 40 years post Equal Remuneration Act, 1976, unequal pay for women is still prevalent in India due to gender discrimination as well as discrimination in hiring, promotion and pay scale.

Dr. WaliKhanna, the only advocate of the Supreme Court, has been honoured for the 8th time on Law Day by Hon'ble Mr. Justice Altamas Kabir, the Chief Justice of India

and Union Minister for Law and Justice, Mr. Ashwini Kumar, for her book titled "Haunted" co-authored with Rashmi Anand, which tells the story of a survivor of domestic violence and also provides legal inputs regarding maintenance, visitation, succession, child abuse etc., Dr. WaliKhanna also attended the national meeting for a comprehensive legislation for domestic workers.



Dr. Charu WaliKhanna being honoured by the Law Minister and the Chief Justice of India

- NCW Member Hemlata Kheria attended a legal awareness programme organized by Mercy Welfare Society in collaboration with the National Commission for Women at Vijaynagar in Ghaziabad. Speaking on the occasion, Ms. Kheria expressed concern over the pitiable condition of women in the country, specially, in the rural and backward belts. She lamented that although several schemes were available for women welfare, yet the same were not known to a large chunk of the society; that is why atrocities against women were increasing many-fold. She added that these awareness programmes would benefit the social activists of

the area, who, in turn, will generate awareness among the rural and backward people of the country.



Member Hemlata Kheria being greeted with flowers

- NCW Member Wansuk Syiem visited Manipur Central Jail where 37 women inmates are being housed. She found the condition of the jail neat and clean and the food was of very good quality. Inmates were being provided vocational training as part of their rehabilitation.



Member Wansuk Syiem (centre) at the Imphal Central Jail

Important Decisions

- **Unmarried girls entitled to maintenance.**

The Delhi High Court, relying on a combined reading of a section of the Hindu Adoption and Maintenance Act, and Section 125 CrPC, concluded that an unmarried daughter, who is a major, can seek maintenance from her father even though she does not suffer any physical or mental abnormality or injury or unable to maintain herself.

- The Kerala High Court has ruled that marriage between a Muslim man and a Hindu woman preceded by conversion – as a means to facilitate the marriage – will be deemed invalid before the law. It also controversially ordered the woman to stay with her parents until their marriage were solemnized in accordance with the Special Marriage Act, considering, she is not a minor.

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

Published by the National Commission for Women, 4 Deen Dayal Upadhyaya Marg, New Delhi-110002. Editor : Gouri Sen. Printed at Akanksha Impression, 18/36, Street No. 5, Railway Line Side, Anand Parbat Indl. Area, New Rohtak Road, New Delhi-5