



Rashtra Mahila

FEBRUARY 2006

Published by the National Commission For Women

Editor's Column

The Supreme Court's directive to the Centre and the State governments to take steps to amend the rules and procedures within three months for making registration of marriages compulsory, irrespective of religion, is a welcome breakthrough in the right direction.

The court has asked the government to give wide publicity to the order and granted one month's time for public objections on the issue. The court made it clear that the new rules should incorporate the provisions for the consequences of non-registration and false declaration during the registration of a marriage. The rules should specifically contain the provision for the appointment of an officer for the purpose.

The Supreme Court has understood the urgency of this simple procedure that can help check gross violation of women's rights in the country. Proof of marriage can go a long way towards

controlling persistent social evils like child marriage, bigamy and trafficking of women.

The court delivered the judgement after taking into consideration the draft Bill prepared by the National Commission for Women on compulsory registration of marriages and its views which had favoured the

FOCUS

COMPULSORY
REGISTRATION
OF MARRIAGE

enactment of a Central legislation on registration of marriages to weed out the lacunae existing in the state laws.

Admittedly, a large number of marriages in India take place in violation of the existing provisions of the law. Despite the Child Marriage Restraint Act, which penalises under-age marriage, social sanction for such marriages persists, mainly in states like Rajasthan and Uttar Pradesh, and ceremonies are performed openly and in large number. In the case of bigamy

and trafficking, it often gets difficult for the complainant wife to prove her marital status in the absence of a proof of marriage. And this lacuna is also widely misused to deny marriage and, thus, escape from paying maintenance or to prevent women from inheriting their husband's property. Gender parity is still a distant goal in this country, but steps like registering marriages will go a long way in empowering women and helping them assert their rights.

In any case, the personal laws of the Christian and Parsi communities make registration of marriage mandatory while under Muslim law, the terms of marriage are recorded in the *nikahnamma*, a contract, which is handed over to the couple. Therefore, there is a similar need to insert a provision in the Hindu Marriage Act to make registration mandatory. Four state governments - Maharashtra, Gujarat, Karnataka and Himachal Pradesh - have already gone ahead with this legislation. It is now up to the Centre to make this a uniform rule.

NCW Writes to AMU V-C on T-shirt Row

Taking serious note of the alleged molestation of a woman student of Aligarh Muslim University by two students of the same institution for wearing jeans and T-shirt, the National Commission for Women has sought a report on the incident from the AMU vice-chancellor.

The V-C has been specifically asked to report to the Commission whether a complaints committee as per the Visakha guidelines laid down by Supreme Court to deal with cases of sexual harassment at the workplace exists in the university.

The NCW is also writing to all universities in the country to submit a report regarding implementation of the Visakha guidelines and to constitute a complaints committee as per the Supreme Court directive, if not already constituted.

The Visakha judgement prescribes setting up a complaints committee that is headed by a woman, comprising at least 50 percent women and having third party representation.

NCW's Women Empowerment Scheme Goes the Village Way

The National Commission for Women (NCW) recently launched an ambitious "Chalo Gaon Ke Ore" campaign aimed at empowering women in the villages.

The campaign, launched to coincide with the Commission's Foundation Day, was inaugurated by Union Human Resources Development Minister Arjun Singh. To begin with, it will cover the States of Punjab, Haryana and Delhi, where it will focus on the pressing problem of female foeticide and the missing girl child.

The objective of the campaign is to empower every rural woman by conducting a massive awareness campaign to enable them to become aware of their rights.

Speaking on the occasion, Mr. Singh said, "all the schemes formed post-Independence had the village as their focal point. But somewhere in the middle we lost



Dr. Girija Vyas, Chairperson NCW addressing the gathering



Shri Arjun Singh releasing a book prepared by NCW on the implementation of PC and PNDT Act. Ms. Renuka Chowdhury, Dr. Girija Vyas, Shri Mani Shankar Aiyar, Dr. Sayeeda Hameed look on.

Union Panchayati Raj Minister Mani Shankar Aiyar called for involving the 12 lakh women Panchayati leaders in the campaign. "These 12 lakh women can get organised and together with the Commission can ensure that the campaign is a success", he said.

In her opening remarks, NCW Chairperson Dr. Girija Vyas said the reason for starting the campaign in Punjab, Haryana and Delhi was the sharp decline noticed in the sex ratio in these States.

our way. We assumed what the situation was like in the villages, but did not know the reality."

Mr. Singh also said that women had a lot to contribute to the country's development and called for empowering them at the grassroot level. "It is not just the responsibility of the Commission but for all of us to see that the campaign is a success", he added.

Speaking on the occasion, Union Minister of State for Women and Child Welfare, Ms. Renuka Chowdhury said the campaign would make women in the villages aware about HIV/AIDS, finance schemes and will also sensitise them on how to take legal and police help.



A view of the audience

Dalit Woman to Address UN Meet on Women

Girija Devi, 59, a Dalit Mushar woman from Bhirkhia-Chipulia village, about 30 km from Motihari, the headquarters of Bihar's east Champaran district will journey to New York, where she will address the 15th session of the United Nations Division of Advancement of Women and Department of Economic and Social Affairs later this month - and that too in Bhojपुरi.

Girija Devi, a mother of four was communicated the invitation by Action Aid, an NGO, with which her Mushar Vikas Manch formed six years ago, works in close cooperation in the fight against alcoholism.

Girija Devi and the lathi-wielding members of her Mushar Vikas Manch cracks down on liquor shops around Bhirkhia-Chipulia and anybody caught drinking has his head tonsured and garlanded with shoes.

Do You Know?

There were 633 rapes in the Capital till December 15, 2005. That's 100 cases up from 2004 and highest-ever in a year for an Indian metro.

Next on this list is Mumbai, which has reported 181 cases this year till November 30, 2005. Delhi Police records point to 34 incidents of gangrape this year. Last year's figure was 21.

In fact, rape cases in the Capital have shot up since 2001 when 401 cases were reported. While 2002 saw 403 rapes in Delhi, the figure swelled to 490 in 2003, 551 in 2004 and touched an all-time high of 633 in 2005.

Members' Visits

- Member Malini Bhattacharya visited Khanakul, in Hoogly district and attended a Mothers' meeting organised by the anganwadi workers and later spoke on Anti-Dowry Act and Protection Against Domestic Violence Act at the legal awareness camp organised by the local people. She also visited Uttar Bena district of North 24 Parganas, where Jayanti Bala Das, victim of BSF personnel's atrocity, released from Presidency Jail was staying with her brother. Later, at a joint hearing of NCW and WBSCW, it was decided that she would be offered shelter at All Bengal Women Union for her safety. Ms. Bhattacharya attended an International (Indo-Bangladesh) seminar organised by Saanlap on Unsafe Migration and Trafficking and a Mahila Lok Adalat organised by West Bengal Commission for Women within its premises, where 71 cases were dealt with by 4 benches.

Ms. Bhattacharya enquired into the alleged kidney removal case of Asha Devi of Asansol, West Bengal and also investigated the case of Ms. Sangeeta, who had alleged sexual harassment by the police while being held at Bhabhuna police station in Kaimur district in Bihar. She visited Nur Sarai in Nalanda district to inaugurate a Legal Awareness camp, where 65 women were present.

Ms. Bhattacharya attended a workshop for trainers organised by NAWO for implementation of CEDAW. Later, she addressed a convention by Life Insurance Corporation of India workers on the problems of women's employment in the era of globalisation and also attended a public hearing of rural working women sponsored by NCW. She also visited Bankura, where a social survey on women and media was being organised by IDSK.

- Member Sushila Tiriya attended a state level workshop on the declining sex-ratio, sponsored by NCW at Agra. In her address, she emphasised that it was not enough to have a law on foeticide, but there was need to change the mindset of the people and also empower women by making them aware of their legal rights.



Ms. Sushila Tiriya addressing the workshop on 'Declining Sex Ratio'

- Member Nirmala Venkatesh visited Bommanally slum women on their request and discussed with them their problems. Later, she visited the Mahila Police station at Ulsoor.

The women police officers said that they were having no problems while investigating cases allotted to them. She also attended a meeting with Dalit Mahila Organisation, Karnataka, in which Dalit women complained that they were being harassed by forward caste employees. Ms. Venkatesh visited Anantpur and had a meeting with Avoid Wilderness and Yeasteners organisation and other women organisations. In a meeting to rehabilitate rape victims, the Member said that Centre would soon give consent to the guidelines submitted by NCW for relief and rehabilitation of rape victims.

Chairperson Dr. Girija Vyas visited Ajmer to address a rally on the 'Role of women in women's co-operative movement'



Dr. Girija Vyas addressing the rally. (Below) a view of the audience.

Profile in Courage

In an incident at Bulandshahr, bride, Godhulika, sent the bridegroom and his parents off to jail when they demanded an Esteem car as dowry on the occasion of her marriage.

The bridegroom Bhavesh Aggarwal, a mechanical engineer, refused to garland the bride during the Jaimala ceremony, till his demand was met. After the bride's father agreed to their demand he garlanded the bride.

However, within minutes, the groom's side asked for a guarantor, which made the bride furious. She stood up and refused to marry the bridegroom asking her father to call the police.

The Kotwali police, on the bride's complaint, lodged an FIR and put Bhavesh, his father, sisters, brother-in-law and maternal uncle behind bars.

Important Decisions

Directions on Workplace Harassment

Expressing concerns over the States not taking adequate steps to stop sexual harassment at workplace, the Supreme Court has issued some additional directions in this regard.

A bench comprising two judges directed the States to appoint an officer in order to coordinate the steps taken in this regard. The officer should be either the secretary of the women and child welfare department or any other suitable officer, who is in-charge and concerned with the welfare of women and children in the State.

The chief secretaries of each State shall see that an officer is appointed as a nodal agent to collect the details and give suitable directions whenever necessary, the bench added.

No Quota for Child if Father in Non-tribal

The Supreme Court has held that the child of a tribal woman married to a non-tribal man cannot claim ST status. However, off-spring of a marriage between a tribal father and non-tribal mother will be entitled to such benefits, it held.

Women Can Now Become Patwaris in Uttaranchal

For the first time, the Uttaranchal Government has opened doors for women for the posts of patwaris in the state.

The patwaris in the state are part of revenue police system, who check malfunctioning in rural and far-flung areas.

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