



Editor's Column

Dismissing an appeal of a person convicted to life sentence for the brutal murder of a sex-worker in Kolkata's red light area, a Supreme Court bench noted that "a woman is compelled to indulge in prostitution not because for pleasure but because of abject poverty". The bench further opined that "sex workers" are also human beings and no one has a right to assault or murder them. Society must have sympathy towards sex workers and must not look down upon them. They are also entitled to a life of dignity in view of article 21 of the Constitution".

The court further directed the Central and State Governments to prepare schemes for giving technical or vocational training to sex-workers and sexually-abused women in all cities across India to earn their livelihood.

FOCUS

Living with dignity

The bench also asked the Governments to ensure that goods produced by the sex-workers had a market so that these women could become economically self-reliant.

Issuing notices to the Centre and State Governments, the Supreme Court directed them to file compliance

reports on the schemes initiated by them and mention in detail as to who would impart the technical and vocational training and in what manner they could be rehabilitated and settled by offering them employment.

The National Commission for Women, which had organised various consultations and seminars to highlight the plight of sex workers hails the laudable judgement of the Apex Court and strongly urges the Central and State Governments to implement the recommendations of the Supreme Court in order to eliminate commercial sexual exploitation of women.

Bihar leads in wife-beating

According to the latest National Family Health Survey-III, covering the period 2005-2006 for the entire country and 2006-2007 for Bihar, the state of Bihar has the distinction of being the state with the highest number of women having been beaten by their husbands.

According to the survey, 59% of women in Bihar have been beaten by their husbands and 32% of women find such abuse justified if a woman argues with her spouse, shows disrespect to her in-laws or is suspected of having an extra-marital relationship.

More than half the surveyed adults in the age group of 15-49 (57%) believe that a husband is justified to beat his wife under specific circumstances, though the offence is punishable under the Indian Penal Code and the Protection of Women from Domestic Violence Act, 2004.

The survey found Himachal Pradesh, with 6%, reporting the least number of women being beaten by their

husbands. Delhi, Kerala, J&K ranked among the 'best' five states with the incidence of violence against wives ranging between 13% and 16%.

The 'worst' states were Assam, West Bengal, Uttar Pradesh, Tamil Nadu, Madhya Pradesh and Rajasthan, with the incidence ranging between 40% and 46%.

The survey found that in Bihar, the perpetration of physical, sexual and emotional violence against women cuts across caste and community distinctions.

If 66% of males in the lowest wealth index scales had perpetrated violence on their wives, those in the highest wealth index were not far behind at 56%. Wife beating in middle class homes stood at 55%.

The survey found nuclear families were likely to record more widespread violence, with 63% women saying they were victims of domestic violence.

Chairperson's visit to Orissa

The Chairperson Dr. Girija Vyas recently went on a two-day visit to Orissa to ascertain the condition of women in Orissa.

Speaking to media persons, the Chairperson said that the state government should concentrate on working "seriously" towards prevention of atrocities on women.

"The biggest problem in the state is that crimes against women here go unreported. While the crimes graph has continued to grow by 4 to 7.5% in the last three years, very few FIRs are being lodged," she said, adding that she has been getting frequent calls from harassed women from Orissa asking her to take action.

Expressing concern over the rising cases of trafficking of women in the state after riots in Khandhamal, she said Orissa was on NCW's priority list for reducing trafficking of women.

Dr. Vyas also criticised the state government for reduced sex-ratio in the state and non-implementation of Pre-conception and Pre-natal Diagnostic Techniques (PC PNDT) Act as not a single person has been convicted under the Act.

She was also emphatic about the enforcement of Domestic Violence Act, the Dowry Prevention Act and



Dr. Girija Vyas addressing the press meet.

putting in place rules to tackle cases of sexual harassment at workplace.

She said there should be a media campaign on 'Save The Girl Child' and messages should be targeted towards medical practitioners.

Later, she met the officials of the Women and Child Development Ministry, Members of the State Commission for Women, senior police officers and NGOs to discuss issues related to women.

Child marriages prevented in Hisar

The district administration restrained the marriage of three minor girls in two villages of Hisar district.

On a tip-off, the District Child Marriage Prevention Officer rushed to Balsamand village, where Hawa Singh was preparing to solemnise the marriage of his 14-year-old daughter Monica.

Armed with a court directive and a police posse, the officer directed the father of the girl to cancel all ceremonies. The girl's parents then gave an undertaking that they would not marry their daughter till she attained the legal marriageable age.

The District Child Marriage Prevention Officer received another tip off about the marriages of two minor sisters in Talwani Badshahpur village of the district.

The officer asked the girls parents to cancel the marriage ceremonies or face prosecution. The parents agreed to put off the weddings till the girls became adults.

Members' Visits

Member Yasmeen Abrar along with the team of national inspection and monitoring committee for pre conception and prenatal diagnostic techniques made surprise inspection of four hospitals.

Finding that the sonography machines were being used for sex selection, the team sealed three sonography machines.

Ms. Abrar also visited Aligarh to enquire into a complaint filed by Ms. Ved Saxena alleging harassment and domestic violence meted out to her sister. The complainant alleged that the no action had been taken as yet by the police against the culprits.

NCW seeks reports on rape victim's death

National Commission for Women has sought reports from the railways and Kerala government on the alleged rape and subsequent death of a woman who was pushed out of a running train. The 23-years-old victim succumbed to multiple injuries after battling for life for five days.

Workshop on Legal Rights of Women

The National Commission for Women and Bharat Seva Ashram recently organised a workshop on 'Legal rights of women' at Lucknow.

Speaking on the occasion, NCW Chairperson Dr. Girija Vyas said that there would be rehabilitation programme for women who were subjected to criminal atrocities. She said that Commission has suggested that 30 to 40% of all ministries' expenditure should be spent on women empowerment. The Commission has suggested that the PNDT Act along with thirty two laws related to women should be strengthened. The Commission has also drafted the Sexual Harassment Bill which will be placed in the coming session of Parliament, and will also urge the government to pass the Women Reservation Bill in the Lok Sabha.

She said nationwide there has been an increase of 12% in crime against women but rape, molestation and abduction cases have risen alarmingly in Uttar Pradesh. Dr. Vyas said there are a number of laws protecting women's right, yet crimes against women are on the rise. To combat this, the laws need to be made more stringent with proper implementation.

Senior journalist Sunita Arora, Bharat Seva Ashram President Shoba Raj Misra emphasised that violence against Women Act, the Child Marriage Restraint Act etc. should be properly implemented to combat rising crimes against women.

Dr. Vyas also visited the house of a dalit teenager, who was raped and murdered in Chinhat. After interaction with the victim's family, Dr. Vyas said the episode had exposed the insensitivity of the administration and police authorities in handling cases of crime against women.

Dr. Vyas promised to recommend financial assistance for the victim's family. The bogus autopsy report had exposed the negligence of government and police officials. Such negligence was frequent and led to low conviction rates thus boosting the morale of criminals, she observed.

In the present case, a second autopsy was done after the first one ruled out rape and did not ascertain the cause

of death. The second autopsy confirmed rape and death due to strangulation. Dr. Vyas said, "the government should take stern action against those responsible for such negligence. Directions should be issued to pay special attention to medical examination in sensitive cases against women. The authority should recommend that these cases be tried by fast track courts so the guilty could be convicted quickly", she added.

Effective Implementation of Women Policies

A one-day workshop was organised by Sakhi Kendra on "Effective Implementation of State Women Policies" at Kanpur with a view to sensitising and creating pressure on the govt. implementing agencies.

Speaking on the occasion, NCW Chairperson Dr. Girija Vyas recalled the era of Rajiv Gandhi, who had emphasised the need of launching women policies in order to safeguard the rights of women and maintain gender equality. She lamented that Uttar Pradesh, in spite of being governed by a woman Chief Minister showed an alarming increase in the incidents of rape, murder and other crimes against women. Dr. Vyas also spoke against the insensitive and non-participatory attitude of police administration for implementation of policies in the state. She felt there was need for gender budgeting and generation of awareness by the media and the civil society.

Others who spoke on the occasion included Ms. Sunita Singh from Jagori, Ms. Sheba George from Sahrwaru, Ms. Vasavi Kiro, Ms. Sutapa Dewanji, Dr. Asha Tripathi and Ms. Radha Mani of Sakhi Kendra.

Well done Dulat

Haryana is well-known for its skewed sex ratio, yet a village in Fatehabad district in Haryana has more girls than boys. The state health department has decided to award a cash prize of 5 lakh to the village.

Village 'Dulat' has been selected after the scrutiny of records of birth registration in about 6,000 villages in the State. In Dulat village, between January 2010 and December 2010, 34 girls were born in a year in comparison to 16 boys. This may be due to the gradual awakening of consciousness towards the importance of girls.

From the Complaint Cell

● A woman complainant, resident of Gautambudh Nagar (Noida), approached the National Commission for Women alleging that she was subjected to harassment/mental torture through “cyber crime” by the accused. She alleged that the accused had put lewd comments on a social networking site and had made fake profiles with her name, address and pictures. She submitted in her complaint, various incidents of stalking and verbal abuse over telephone, which made her apprehensive of her safety in her own house. She appealed to the Commission to ensure that such objectionable acts were stopped and the culprit was punished so that her security was not endangered.

The Commission called both the parties for a personal hearing. Since no information was available regarding the whereabouts of the accused, a notice was issued to SSP, Gurdaspur/SSP Ropar to ensure the presence of the accused’s parents and cousin for the hearing. After two hearings in the Commission, both the parties reached an amicable settlement, wherein the father of the accused submitted an undertaking on his behalf assuring that such acts of harassment would not be repeated in the future.

● A complaint was received from a woman, who was employed in a pharmaceutical company in Delhi. She alleged that she was being harassed at her workplace. Moreover, she added that she was being forced to resign from her job because she was six months pregnant. She submitted that to add to her problems, she was transferred to some other unit in the evening shift. She was denied maternity leave and was allegedly deprived of her salary and other benefits for the time she could not go to work. She approached the local senior officers and Vice President at Mumbai but no action was taken.

The Commission looked into the matter and a letter was sent to the concerned company asking for an action taken report. In reply to the request, the Commission was informed that the Joint Secretary had assured that the

aggrieved would be provided with a proper working environment along with other benefits she was entitled to, including maternity leave on condition that she would follow the work practices and guidelines issued by the Manager from time to time.

Important Decisions

● Demand made for starting business is dowry : SC

The Supreme Court has ruled that demand for property or valuables which has a connection with marriage constitutes “dowry” even if it is made by the husband or in-laws for starting a new business.

“If a demand for property or valuable security, directly or indirectly, has a nexus with marriage, in our opinion, such demand would constitute ‘demand for dowry’; the cause or reason for such demand being immaterial”, the SC said.

● Court trashes ₹ 500 divorce maintenance

Citing a 2001 amendment to a central act, the Supreme Court ruled that laws that fix ₹ 500 as the upper limit for maintenance of deserted or divorced wives are invalid. In the ruling earlier this month, the Apex Court said the amendment to Section 125 CrPC, “which is a central act, by the Code of Criminal Procedure (Amendment) Act, 2001”, had deleted the words “not exceeding five hundred rupees in the whole”.

Since CrPC was a central law, the central amendment would override all state amendments.

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