



Editor's Column

A 20-year-old tribal woman in Birbhum district of West Bengal has been gang-raped and brutalized by 13 men, allegedly at the order of a Salishi Sabha, a community body, the states equivalent of Khap Panchayats, which are notorious for being a law unto themselves. And what was the woman's crime? She dared to choose her partner from a different community. For this transgression, the Sabha imposed a fine of Rs. 50,000 on the family. When the woman's family failed to pay the fine, she was sexually assaulted at the behest of the Salishi Sabha.

The West Bengal incident mirrors the awful decrees of the Khap Panchayats in Haryana, which similarly punish any transgression of caste laws through social ostracism, intimidation and even murder.

Though 13 persons, including the head of Salishi Sabha named in the FIR have been arrested, as long as such extra constitutional authorities have the approval of the law makers, there would not be any let up in such institutionalized atrocities. By opposing inter-caste marriages or marriage among partners

FOCUS

Kangaroo Courts

belonging to the same gotras, the diktats also restrict a woman's fundamental right to female autonomy, mobility and freedom of choice.

Deeply concerned by the incident, the NCW took suo moto cognizance of the case and a team led by Chairperson Mamta Sharma visited Birbhum district to enquire into the matter. The

Chairperson deprecated the lackadaisical approach of the state government towards repeated crimes against women. She said unless strict action was taken against the culprits and a strong message went that such Kangaroo courts have no place in a democratic society, similar atrocities would continue.

Clearly, the culprits are emboldened by police apathy and lack of governmental sensitivity to the plight of those, who are wronged by village elders because they do not conform to the obscurantist principles of caste and gotra with regard to marriage. Unless, these crimes are investigated and prosecuted with considerable zeal and the perpetrators tried and sentenced in fast track courts within a stipulated time frame, incidents such as these would continue to recur to our eternal shame.

Foundation Day of the National Commission for Women

The National Commission for Women recently celebrated its 22nd Foundation Day in the premises of the Commission in New Delhi. Commission's Members, officers, staff and representatives of the media were present.

Speaking on the occasion, Chairperson Mamta Sharma said that it was not possible for NCW to do much alone. All of us must work together for the upliftment and empowerment of women but she also urged women to be aware of women-related laws and their rights. Addressing the media, Ms. Sharma also mentioned a few of the achievements of the Commission during her two and half year's tenure. The Commission had worked in close cooperation with the State Commissions, generated awareness among women and also recommended changes in laws relating to rape, sexual harassment at workplace, acid attack, stalking etc. and on many other atrocities committed against women.

A booklet enumerating some of the achievements of the last two and half years of the Commission was also released on the occasion.



Chairperson (centre) along with NCW Members displaying the booklet released on the occasion.

❖ Ms. Mamta Sharma was the Chief Guest at the inauguration of a workshop on "Prevention of Sexual Harassment at Workplace", organized by the National Thermal Power Corporation (NTPC) at NOIDA. While delivering the keynote address, she said that the topic was very relevant in today's scenario when a large number of women were joining the workforce. Speaking on women-related issues, she said, women have a right to work in a safe environment and enjoy equal pay, benefits and opportunities for advancement. Sexual harassment at workplace infringes on the fundamental right of a woman to gender equality as guaranteed by Article 14 of the Constitution of India and right to life to live with dignity under Article 21, which includes right to a safe environment, free from sexual harassment.



Ms. Mamta Sharma addressing the workshop, sitting on the dais (from left) Dr. Charu WaliKhanna, Dr. Arup Roy Chaudhary and Ms. Mamta Sharma

Dr. Charu WaliKhanna, the Guest of Honour made a presentation on prevention of sexual harassment at workplace and shared the details of the Supreme Court guidelines on the Act. She reiterated that every

organization is required to constitute an internal complaints committee for effective redressal of grievances of women. The publication of NCW titled "Do Not Fear, Bear, Admit" and NCW wallet book were distributed among the participants followed by an interactive session in which participants shared their experiences. Dr. Arup Roy Choudhury, the Chairman and Managing Director NTPC and Director (HR) Shri U.P. Pani addressed the gathering. Also on the dais were Ms. Arundhati Bhattacharya, GM and Chairperson of sexual harassment committee and Ms. Gitika Shiv, General Manager.

❖ Ms. Mamta Sharma as a special guest attended the Graduation Ceremony of Shishukunj International School for the batch of Class 12 at Indore. Speaking on the occasion, Ms. Sharma appealed to the students to develop a sense of patriotism, be respectful to elders and also be responsible future citizens of India. Commenting on the security of the state, she said that women were unsafe in Madhya Pradesh and the police ought to keep round the clock vigil. She stressed upon the need to create awareness among the students at school level and holding sensitization programmes for police personnel. Expressing concern about the safety of women working in corporate offices, Ms. Sharma said that the authorities should take responsibility of women working late hours and each organization must have a complaints committee as per the Vishaka guidelines. Later, the Chairperson and Prof. Rishikesh T. Krishnan, Director IIM Indore, presented degrees to the students.

❖ The Chairperson held a public hearing at the circuit house at Udaipur in Rajasthan. She said, most of the cases were related to dowry harassment or extra marital affairs, and domestic violence. She said she would write to the concerned authorities for taking appropriate action. Later, talking to the media, she said trafficking of women and girls was becoming a rampant practice in Mewar, Banswara and Dungepur areas. To combat this menace, besides police, the NGOs and social institutions and the media must take active initiative. She said that she would write to the central government for land to construct shelter homes for the widows in Udaipur.

Important Decisions

- NCW created **history** for the cause of gender justice, when the Supreme Court admitted NCW's curative petition in a dowry harassment case, the **second** to have ever been allowed by the apex court. Reversing its earlier verdict, the Supreme Court held that allegations against a woman kicking her daughter-in-law or threatening her with divorce would come within the meaning of "cruelty" u/s 498A of IPC, punishable with a three-year maximum jail term, besides fine.
- The Ministry of Rural Development have provided Rs. 1400 crore subsidized loan to women self-help groups in rural India. Nearly 3 percent interest subvention given to women will be effective on loans up to 3 lakhs taken after 1st April, 2013. The move would benefit a large number of women SHGs in Odisha, Jharkhand, Uttar Pradesh, Madhya Pradesh, Bihar, Chattisgarh and Andhra Pradesh.

Interactive Meeting between NCW and State Women Commissions

The National Commission for Women organized a National Conference of State Women Commissions in collaboration with Andhra Pradesh State Commission for Women in Hyderabad. The Chairpersons/Members/Member Secretaries from 15 states had participated in the Conference.

Speaking at the inaugural session, Member Adv. Nirmala Samant Prabhavalkar requested State Women Commissions to be more active in persuing women-related issues. She expressed concern over increasing violence against women in the country.

NCW Member Secretary Nandita Chatterjee set the theme of the conference and reiterated the need for convergence of the roles and functions of NCW and State Commissions. The State Commissions requested NCW to take responsibility of negotiating with the Central and State govts. to initiate policies to implement the recommendations of the conference.

The conference concluded with a vote of thanks by Ms. Sunita Khurana, Joint Secretary, NCW.



Ms. Prabhavalkar addressing the workshop. Sitting on the dais (from left) Ms. Sunita Khurana, Ms. V.R. Tripurana, Ms. Nandita Chatterjee, Mr. Chiranjiv Chaudhary.

Members' Visits

❖ NCW Member Ms. Shamina Shafiq attended a consultation meeting on "Strengthening institutional mechanisms to actualize women's rights" in New Delhi, to prepare a report highlighting the status of women in the country. ● The Member chaired an expert committee meeting on violence against women belonging to minority communities and the need for widespread awareness of their rights and upliftment through empowerment. ● Ms. Shafiq chaired a technical session on "Law and women at workplace - organized section/unorganized sector" at Amity Law School. The participants discussed issues such as domestic violence, women and sexual crimes and dowry, stressing on the need for sensitization of judicial officers and police personnel. ● The Member visited Hyderabad to attend the All India Minorities public meet and discussed representation of minority candidates in political parties, communal violence bill, establishment of information centres and overall development in the status of minority women. ● Ms. Shafiq attended a roundtable meeting on "Making Delhi a Safer City: Views from the North East" in New Delhi. The programme was attended by students from various eminent universities. ● Poorest Areas Civil Society (PACS) and Participatory Research Asia organized a National Consultation on "Strengthening Statutory Institutions for Socially Excluded Groups" in New Delhi. ● The Member participated in the session on "Status of Women Commissions in India" to provide recommendations for possible way forward.

❖ Member Nirmala Samant Prabhavalkar was the Chief Guest at a programme organized by Shri Rahul Jogi, convenor, Dr. Ambedkar Nav Nirman Samiti at Shamli in UP. The Member discussed the problems women faced due to non availability of pension given by the Uttar Pradesh government as well as police atrocities on women and the apathy of administration. ● The Member addressed the Bar Association at Kairana in UP. The lawyers raised the question of a separate court for women because their cases were often being transferred from their town to other cities. The Member assured them about NCW's intervention in the matter. ● The Member was a guest speaker at a conference organized by Press Information Bureau at Chandigarh. The Member urged the media to be sensitive while handling women-related issues. ● Later, Ms. Prabhavalkar visited Burai Model Jail (Women Cell) and sent recommendations to the state government. ● The Member participated as the Chief Guest at a programme "Celebrating Womanhood", organized by Shivaji College, in New Delhi.



Ms. Shamina Shafiq addressing the PACS National Consultation

❖ NCW Member Hemlata Kheria visited district jail at Pratapgarh in Rajasthan and met the female inmates. She found the condition of the female wards deplorable. She recommended giving legal aid, vocational training and counselling for women prisoners. ● The Member visited the tribal belt at Suhagpura village at Udaipur in Rajasthan and discussed issues like child marriage, dowry, witchcraft, female foeticide, education for girls, and availability for toilets, water, medical facility and violence against women. ● She also visited Khammor Panchayat and Odha Panchayat in Kelwara block along with CDPO/BDO/PO. She met village women and sarpanch and discussed women related issues. ● The Member along with social activists, government officials and a team from Ummang Partners visited, Dulhin Bazar to study the condition of women in Bihar. She also visited the poorest villages of the area like Iyan Khan, Lala Bhaktara and Badi Chak, which are populated by poor dalits, maha dalits and untouchables. ● Ms. Kheria visited Kasturba Gandhi Vidyalaya for dalit girls and interacted with the students to know their problems. ● The Member was the Chief Guest at a seminar on "Women, Law and Violence: Challenges and Future Prospects", at Patna. She stated that active participation of women in utilizing legal system and laws can be a way out from violent relationships. She emphasized that education and awareness were the need of the hour.



Member Kheria with the villagers of Musahar community at Iyan Khan Village

❖ NCW Member Ms. Charu WaliKhanna was the Chief Guest at the inauguration of "Para Legal Training" organized by Citizen's Right Trust, at St. Zavier's in New Delhi. ● She was the Chief Guest at the prize distribution function of a debate competition organized by M. Afzal Wani, Dean, USLLS in New Delhi. ● Dr. Walikhanna was the Chief Guest at a one day consultation on "Strengthening Institutional Mechanisms to Actualize Women's Rights" in New Delhi. ● She was also the Chief Guest at the NCW legal awareness programme for women organized by Mahila Prayas Jagriti Mission in New Delhi. She urged the participants to be aware of laws for protection of women in order to fight for their rights. ● The Member was the Chief Guest at the workshop on "Capacity building of Judicial and Police Officials on Proper Implementation of Women Related Laws" organized by Amity Law School at NOIDA. Delivering the keynote address, she said that judiciary and the police were the two most important institutions to ensure proper implementation of the rule of law. ● Dr. Walikhanna attended a national consultation on "Inclusion of Persons with Disabilities in Development Processes" organized by Solution Exchange for Gender Community and CBM India at WHO Regional Office for South Asia, in New Delhi.



Women attending Legal Awareness Program in New Delhi

Enquiries Undertaken by the Commission

- Member Shamina Shafiq visited Birbhum in West Bengal to enquire into an incident wherein a young woman from a tribal community was gang-raped by 13 men as punishment for a relationship with a man from another community. The enquiry committee was headed by NCW Chairperson Ms. Mamta Sharma with Ms. Malini Bhattacharya as a team member.
- Member Shamina Shafiq and two others visited Raipur district at Sonipat in Haryana to enquire into the alleged rape of a minor girl in a school. A detailed report with recommendations has been submitted.
- Dr. Charu WaliKhanna visited Bhopal as Chairperson of an enquiry committee to enquire into a complaint regarding sexual harassment of students and staff at NIFT in Bhopal, Madhya Pradesh.

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