



Rashtra Mahila

MAY 2006

Published by the National Commission For Women

Editor's Column

It is quite disquieting to note that hundreds of child marriages had taken place all over the country, particularly in the Northern India, on the auspicious occasion of *Akha Teej*, which fell on April 30, in direct violation of the Child Marriage Restraint Act.

This is mainly because the Act exists only on paper and has not been able to deter parents from marrying their under-aged sons and daughters. Ironically, the Act renders all under-age marriages illegal but not void, which means that an illegally married couple can stay married. It is, therefore, violated with impunity and hardly anyone is ever hauled up. Despite the fact that child marriage is a criminal offence, action is rarely taken by the police. Even the civil society remains a passive spectator and the marriages often have the blessings of the local VIPs, including Ministers and MLAs, because of social, religious and economic compulsions. There is not enough outrage against the practice even among the educated. Moreover, the meagre fine and imprisonment up to three months shows that the state does not view the crime seriously.

Though the legal marriageable age for girls is 18 and for boys 21, yet according to the 2005 UN report on the state of world population, 50 percent of girls in India are married off before they are 18.

One way of combating child marriage is to make registration of marriage compulsory. This will not only check child marriage but also provide proof of marriage in cases relating to bigamy and adultery. However, the process of registration must be easy and simple so that the people in the rural areas have easy access to it. Secondly, the offence, with regard to child marriage, must be made not only cognizable, but also non-bailable and people participating in such marriages must also be held guilty under the law. Moreover, the law must be made more stringent with deterrent punishment for the contraveners. The Child Marriage Prevention Officers envisaged in the Act should play a more active role in preventing such marriages.

There is also an urgent need to educate the masses as well as create awareness of the adverse effects of child marriages.

FOCUS

CHILD MARRIAGES

The bleakest part of the scenario is the physical havoc that early marriage wreaks upon girls, who are too young to bear the burden of maternity. Under-aged girls, already disadvantaged by a childhood of deprivation, produce weak offsprings, adding to the rate of maternal and child mortality.

Indeed, the malaise is so deep-rooted and all-pervasive that only courts of law and policing by outside forces can do little to control it. Working towards structural changes in the community and ultimately, building up community pressure on the family alone can provide deterrence against this social evil.

The poster given below was released by NCW, a day before *Akha Teej*, highlighting the adverse effects of child marriage.



Anti-Child Marriage Campaign

Marriage is a sacred tie but child marriage is a curse. Early marriage means your daughters are deprived of education, their physical and mental development is hampered; early motherhood poses a risk to the lives of the mother and child, also leading to physically and mentally impaired generations and is a breeding ground of life-threatening diseases like AIDS.

As per the Child Marriage Restraint Act, 1992, the minimum age of marriage for girls is 18 years and 21 for boys. Those found violating the Act can be punished.

Issued in public interest

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Discussion on Women : Victims of Violence

The Centre for Social Research (CSR) organised a discussion on 'Women: Victims of Violence', in New Delhi, to celebrate its annual day. About 60 participants from the NGOs, the media and the academics took part in the discussion. Earlier, in the inaugural session, the first ever police manual for police trainers on the issue of violence against women and trafficking was released by the Police Commissioner, Delhi. Along with it, the annual report of the CSR, 'Stop Violence Against Women : From Womb to Tomb', was also released.

Releasing the CSR Annual Report for 2005, the guest of honour, Dr. Girija Vyas, Chairperson NCW, referring to the crime of rape, said that awareness and training with

regard to the issue of rape was imperative. She stressed that the 5-year plan of the government must be gender-based and emphasised the need for gender sensitization

training programmes for the NGOs, the police and the civil society. She suggested that the training manual be translated into regional languages to reach the masses.



Dr. Ranjana Kumari, Dr. Girija Vyas, Dr. Kiran Bedi holding aloft the CSR Annual Report

Seminar on Women, Work and Human Rights

Dr. Girija Vyas, Chairperson, National Commission for Women inaugurated a two-day national seminar on "Women, Work and Human Rights" at Ahmedabad. The seminar sponsored by NCW was organised by Smt. Urmilaben Patel, President of Gujarat Women's Action Group.

Speaking on the occasion, Dr. Vyas emphasised the need for equality and protection of human rights of women as guaranteed by the Constitution of India. She said, women lagged far behind in the race of development because of the social system. Issues like education, crimes against women, problems of working women, legal rights of women and their active participation

in socio-political system were discussed. The seminar was presided over by Smt. Pratibhatai Patil, Governor of Rajasthan. Around 450

academicians, activists, NCW members, representatives of government bodies, NGOs, participated in the seminar.



Dr. Girija Vyas (left) and Smt. Urmilaben Patel at the seminar.

The National Commission for Women visited several settlement sites in Gujarat, built after 2002 communal riots, to assess the condition of affected persons, particularly women. Expressing displeasure at the deplorable living conditions of women, emphasizing that the victims lack basic amenities at the societies, the NCW has asked the Government to improve the quality of infrastructure for them within three months.

Led by Dr. Girija Vyas, Chairperson, NCW, the committee comprised members Yasmeen Abrar, Neeva Konwar, Member Secretary Shri N.P. Gupta, Dy. Secretary Ms. Gurpreet Deo and Ms. Pam Rajput.

The Chairperson said the Government needed to work more to ensure better living conditions for the riot affected. The committee visited Faizal Park and Arsh Colony at Vatva and Bombay hotel at Narol as part of a random survey. Dr. Vyas said that she came across three instances where the riot victims said that till date no official FIR had been



From left Ms. Gurpreet Deo, Ms. Yasmeen Abrar, Dr. Girija Vyas, Shri N.P. Gupta interacting with the riot victims.

filed in regard to their complaints. She has asked the government to ensure that this be done within six weeks to three months' time.

She further said that there were neither drinking water facilities or healthcare institutions, neither vocational training centres nor proper sanitation. Neither was there a police station nearby nor schools or *anganwadi* in the neighbourhood,

despite these colonies having a large number of children. After three months, a sub-committee set up by the Commission will conduct a review of their allotment work in these areas.

Later, the committee met the state DGP, the Chief Secretary, the Home Secretary, the Health Secretary and other concerned state government officials and discussed issues like declining sex-ratio, education and health of women, dowry deaths, child marriages, sexual harassment at work place, recruitment of women in the police, the PNDT Act, working of the State Commission for Women, etc.



Dr. Girija Vyas (centre) is seen with the Gujarat riot victims. Ms. Yasmeen Abrar is on her right.

Do You Know?

Everyday in India, on an average, 360 women die during childbirth. Problems are particularly acute in Uttaranchal, Uttar Pradesh, Jharkhand, Bihar and West Bengal.

Of every 1,00,000 childbirths in India, there are 440 maternal deaths, as compared with 10 in the USA.

Members' Visits

- Member Malini Bhattacharya visited Dutta Phulia near Ranaghat, District Nadia, to inaugurate the Legal Awareness Programme organised by Shree Ma Society with the help of NCW. There was a gathering of 50-60 people, comprising members of SHGs and Panchayats, NGOs as well as activists.

Later, she delivered a lecture at the Institute of Development Studies, Kolkata, on the 'Proliferation of audio-visual media and changes in the representation of women'. Thereafter, Ms. Bhattacharya visited Shantiniketan and met the teachers of Viswabharati to discuss the introduction of gender component in school education.

- Member Neeva Konwar visited Bhishwanath Charali to enquire into the heinous crime of beheading five persons, including two women of the same family from Chakomoto tea gardens Kachri Line, suspecting them as 'Dayan', practising witchcraft.

Later, she attended a meeting with the Dy. Commissioner and SP, which was also attended by several NGOs of Sonitpur district and officials of Government Deptts., who are involved in the upliftment of women.

NCW Wants Centre to Review Changes to ITPA

In the wake of the government's move to amend the Immoral Trafficking (Prevention) Act, 1956, (ITPA) the National Commission for Women (NCW) has asked for its review before Parliament considers in the next session.

The NCW made the demand after going through a large number of petitions, including one from sex workers, against a controversial clause in the proposed bill that proposes harsh punishment for 'those visiting brothels'. The NCW has said that "the clause (5C) should be looked into once more since it is likely to be misused". The sex workers are claiming 5C would push the sex trade underground and make them more vulnerable to HIV-AIDS and exploitation.

The sex workers, claim 5C would spell doom for their livelihood. "Having children and families to support, we will be compelled to accept any client who comes our way, notwithstanding health and safety concerns. Sex work would

be pushed underground, making it difficult for us to access HIV prevention services".

Compensation for Rape Victims

The Ministry of Women and Child Development has decided that each victim of rape, who will help the police during trial will get compensation of up to Rs. 2 lakh. Devised to encourage rape victims to stand up against the accused in court, the scheme envisages an interim relief of Rs. 20,000 within three weeks of the application for the same.

The complete compensation package will have to be decided in a year by the District Relief and Rehabilitation Board, to be set up by state governments, provided the victim assists the police during trial.

The proposal has been sent to the Planning Commission for financial sanction in the Eleventh Plan, starting from the next financial year.

The scheme was devised by the National Commission for Women on a Supreme Court order given in 1993.

Profile in Courage

Thirteen-year old Sushila, an eight standard student mustered courage and defied her mother's attempt to marry her off on the day of *Akshaya Tritiya*.

Sushila, a resident of Deoli Tehsil in Tonk district, reminded her mother that child marriage was an offence but her mother and maternal grandfather did not pay any heed to her pleadings.

However, Sushila was determined not to marry. So, she ran away from her *nana's* place to her *tau's* (father's elder brother) to seek his help. He sought the help of the district and police administration.

The state government was quick to come to Sushila's rescue. She will now stay at Kasturba Residential School at Aanwa, where she will be provided free boarding and education. The government will bear the expenses of her marriage when she turns 18.

Women Helpline Introduced

Aimed at curbing crime against women, the Haryana Police has introduced the state's first women helpline 9416500100 in Panipat district. Sources said if the project yielded the desired results, it might be extended to other districts, too.

The police helpline will assist and guide the caller. The district police will take complaints on the phone and take further action, including registering an FIR, wherever required.

A number of cases regarding atrocities on women were not reported to the police due to lack of a "comfortable" platform.

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