



Editor's Column

There was worldwide outrage at the tragic death of Dr. Savita Halappanavar, a young dentist of Indian origin, after she was refused abortion at a government hospital in Ireland even though her life was in danger.

The life of Dr. Halappanavar, who had settled with her husband in Ireland, was cut short when doctors refused to abort the foetus saying that "This is a catholic country". Seven weeks pregnant, she died of septicaemia. The International Planned Parenthood Federation (IPPF) and Member Family Planning Association, India (FPA India) have expressed their indignation over the incident saying Dr. Halappanavar would have been alive today had there been clarity and equality to exercise the rights of women in Ireland.

The IPPF believes that "access to safe abortion is the fundamental right of every woman and it is incumbent upon us to create an enabling environment to allow women to exercise this choice".

NCW Chairperson has also written to the Minister of External Affairs Salman Khurshid to take up the case with the Irish Government. Parties across political lines have come together to condemn the tragic death of Dr. Savita Halappanavar and demand justice for her family.

However, a review of laws across the globe, indicates that the 'unusually restrictive' abortion law is not unique to the Catholic country when it comes to pregnancy. According to UN World Abortion Policies 2011, more than half of the countries for which information was available, do not allow abortion even in the case of rape/incest, fetal impairment or economic and social reasons. Only 29 percent of countries allow abortion on request - when the woman is not required to justify the reason.

FOCUS

ABORTION LAWS

In India, a few years ago, when a couple pleaded before the Mumbai High Court to terminate the pregnancy that had gone beyond the legal limit of 20 weeks, it had triggered a country-wide debate in the medical and legal circles. The couple's contention was that the foetus had a congenital heart block that would make its life a struggle, if it were allowed to be born.

Dismissing the application, the Court observed that medical experts, did not express "any categorical opinion that if the child is born, it would suffer from serious handicaps". The court also referred to the Medical Termination of the

Pregnancy Act (MTP) which states that a foetus can be aborted after 20 weeks only if there is a fatal risk to the mother and not to the foetus. It was this lacuna, the couple was challenging. They sought an amendment to the MTP Act so that pregnancy could be terminated even after 20 weeks, if the doctors believed that the child, if born, would have serious abnormalities and his quality of life would be poor. Recently, another Mumbaikar has suffered similarly. 26-week pregnant, her ultrasound revealed that the foetus had no brain and hardly any skull. But her plea for abortion was turned down on the technicality that her pregnancy was over the stipulated 20-week period for abortion. She later, delivered a full-term baby, who died within hours.

In view of divergent medical opinion on abortion rules in India, there is need for a public debate on abortion laws promulgated 40 years ago, in keeping with medical science advances and changing social perceptions of the quality of life. However, the amended law should be stringent and there should be a transparent mechanism to assess abnormalities. Otherwise, in our country, where gender bias and decided son-preference persist, the law may be abused for sex-selective abortions.

Inquiry Committees Constituted by NCW

- Dr. Charu WaliKhanna chaired an Inquiry Committee to inquire into an incident of a teenage girl, who committed suicide by setting herself on fire in village Utila, District Gwalior, after allegedly being raped by three youths. According to the father, as there is no toilet facility in their house, she went into the jungle to relieve herself, where she was accosted by three youths. Incidents like these highlight the urgent need to provide toilet facilities to women, who have to walk a long distance for privacy, especially in remote rural areas, affecting their safety.
- Dr. WaliKhanna inquired into the death of a seventy-year-old woman, who had come to the District Collectorate of Datia for help, and died on the premises allegedly due to starvation. She also inquired into alleged rape of a fourteen-year-old girl by seven persons at village Bhandar, 40 kms from Datia district headquarters in Gwalior division.

Programmes attended by NCW Chairperson

● NCW Chairperson Mamta Sharma inaugurated the Indo-Tibetan Border Police Welfare Exhibition organized by Himveer Wives' Association of ITBP in New Delhi. Speaking on the occasion, Ms. Sharma said that the exhibition proved that the wives of the ITBP personnel could be independent, even as their husbands carried on their duties at the border areas.

The exhibition showcased carpets, shawls, herbal products, cane furniture, *jootis*, candles, artifacts and handicrafts from various units of ITBP.



Chairperson inaugurating the exhibition. President, Himveer Wives' Association, Reena Sinha is on her right.

● The Chairperson attended a regional conference on “Women Empowerment - an Instrument for Poverty Alleviation” at Shillong organized by NCW in collaboration with Meghalaya State Commission for Women, State Resource Centre for Women. The conference was attended by the Chief Minister Dr. Mukul Sangma, Minister of Social Welfare Shri J.A. Lyngdoh, Ms. Roshan Warjri, Chairperson for Meghalaya State Commission for Women, NCW Members Ms. Wansuk



Seated on the dias, Shri J.A. Lyngdoh, C.M. Dr. Mukul Sangma, Ms. Mamta Sharma, Ms. Wansuk Syiem & Ms. Shamina Shafiq

Syiem and Ms. Shamina Shafiq. Addressing the gathering, the Chairperson highlighted the issue of trafficking of women in some parts of the country, including the north-east and discussed employment opportunities and welfare schemes for women in the state. She asserted that a woman who is economically independent could contribute to the socio-economic transformation in a multi-faceted way. Later, she called on the Governor of Meghalaya and discussed women-related issues.

● Chairperson visited Banasthali Vidyapeeth in Tonk, Rajasthan to find out the circumstances that led to widespread student unrest in the campus alleging rape of two students and action taken by the authorities. She talked to the Vice Chancellor, the Superintendent of Police, the Collector and also met the victims. Two accused had been arrested so far and the inquiry by the police is still on.

Later, Ms. Sharma accompanied by Member Hemlata Kheria met the Chief Minister of Rajasthan at Jaipur and submitted the preliminary inquiry report with recommendations.

● Chairperson Mamta Sharma attended the State level seminar on “Violence Against Women” organized by Kundan Welfare Society at Alwar in collaboration with the National Commission for Women. Addressing the



Ms. Sharma lighting the lamp as Member Hemlata Kheria (extreme left) looks on.

gathering, she stressed the need to build safeguards to protect women and make them aware of their legal rights to equip them to deal with any form of abuse, including domestic violence. NCW Member Hemlata Kheria in her speech lamented that mostly the victims of violence are illiterate and are unable to access legal safeguards; sometimes the cases are also hushed up due to family pressure or threats by the culprits. She urged women to be aware of legal remedies to deal with crimes against them.

Members' Visits

● NCW Member Adv. Nirmala Samant Prabhavalkar visited Mahila Vridha Ashram at Durgakund in Varanasi to assess the infrastructural facilities and the living conditions of the inmates. She spent some time with the aged and sick women inmates.

She observed that there should be regular dental, eye and orthopedic check-ups and 24 hour transport and nursing facilities available for the inmates along with pension benefits.



Member (centre) with some inmates of Mahila Vridha Ashram

The Member also visited Varanasi Protection Home for women, which houses women rescued after police raids under the Immoral Trafficking Act. She felt that the inmates needed to be shifted to a better place, where training courses could be conducted to facilitate their rehabilitation.

Ms. Prabhavalkar visited the District jail for women, which was horribly over-crowded and, therefore, the living conditions were deplorable. She suggested that a bigger and better place for the inmates should be made available by the state government.

● Dr. Charu Walikhanna attended a round table conference on the “INTERFACE : Open Dialogue- Women and Government” organized by Manipuri Women Gun Survivor Network and Initiatives in New Delhi. Speaking on the occasion, she said that though women comprise ‘half the sky’ they face challenges of gender inequality in the family, society and also in the political system as well as economic deprivation and political discrimination. She stressed on the importance of ownership of land for women and said that this would lead to improvement in their social status and give them economic stability and political empowerment.

The Member inaugurated an exhibition entitled “Paint for Justice” organized by Nijh World Society in



Dr. WaliKhanna standing beside the goddess of justice

New Delhi. The paintings were based on real life experiences and highlighted issues relating to female foeticide, dowry, child marriage, etc.

Dr. Walikhanna attended the Programme on Vatsalaya Mela at Delhi Haat, in New Delhi and spoke on “Issues and Problems of Marriage with Overseas Indian”. She also participated in a programme organized at Dilli Haat by the National Commission for Women in coordination with Joint Women’s Programme on the issue of ‘Domestic Violence’.

● NCW Member Shamina Shafiq attended a legal awareness programme at Leharpur in U.P. in which the participants were informed about their legal rights. Social activists, religious leaders, various BDC members and Pradhans attended the programme.

Ms. Shafiq attended a seminar on “Nari Sashaktikaran main Shiksha kee Bhumika” at Biswan in U.P. Hundreds of girl students, mothers, teachers, social activists etc. attended the seminar. NCW publications on awareness on women’s rights were distributed. Girl



Ms. Shafiq distributing NCW publications

students raised questions regarding day to day problems faced by them while studying in small towns and villages.

The Member accompanied the Chairperson to attend the one-day regional conference on “Empowerment of Women - An Instrument for Poverty Alleviation” organized by NCW in collaboration with Meghalaya State Commission for Women and State Resource Centre for Women at Shillong.

The next day in Guwahati, she held a meeting with various NGOs working for social and economic upliftment of women in Assam. Focus of the meeting was on trafficking of young girls, especially, from the tribal and minority community and their rehabilitation. A Member and the Member Secretary of the State Commission were also present.

Thereafter, in Kolkata, the Member had a meeting with the West Bengal State Women’s Commission and discussed challenges and constraints faced by the State Commission.

● NCW Member Hemlata Kheria led an inquiry committee to gather additional information connected with the incident that took place at Vanasthali Vidyapeeth. She met the alleged victim at her home town in Sitamarhi.

She accompanied NCW Chairperson to Jaipur and had a meeting with the Chief Minister of Rajasthan to discuss the Vanasthali incident and other women-related issues.

Ms Kheria chaired a legal awareness programme organized by Merci Welfare Society, Ghaziabad, in collaboration with NCW. The objective was to discuss safety of women viz-a-viz the role of Police. The programme was attended by Parliamentarians,

educationists, social activists, politicians, advocates and member of the press.



Member Hemlata Kheria addressing the gathering

Speaking on the occasion, Ms. Kheria, reiterated that the Commission has been constituted to redress the grievances of women and ensure legal safeguards to women, particularly, hailing from the poor and backward areas. Explaining the salient features of FIR and its importance, she said it was very necessary that women be aware of their legal rights and social duties in order to combat domestic violence and other atrocities committed against them. The District Administration must make extra efforts to circulate government sponsored education programmes so that the parents are encouraged to send their daughters to schools.

Members of Khap Panchayats visit NCW

The representatives of Khap Panchayats visited NCW to hold an interactive session with Chairperson Mamta Sharma. They submitted to the Chairperson the resolution passed at a meeting held at Rohtak. All NCW Members were also present on the occasion.

They reiterated their views on banning the use of mobiles and forbidding marriages between couples belonging to the same *gotra*, thereby suggesting changes in the Hindu Marriage Act. They also suggested that marriages should be held in the morning instead of in the evening. They blamed the media for unnecessarily condemning them. They, in fact, promote *bhaichara*, solve murders and stop crimes against women. They said if they got help from the government, they would be able to stop rapes taking place in Haryana. They suggested that representatives of the Khap Panchayats and NCW should work together in Haryana and demanded that they be given the status of *lok-ayukta*.

In response to their request, Ms. Sharma said that she would discuss their demands with Members of the Commission and the Haryana Government and let them know NCW’s decision within a month or so.

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