



Editor's Column

Alarming rise in atrocities committed against domestic workers at the hands of their employers has highlighted the need to bring a central legislation to protect their rights and regulate this unorganized sector.

Most domestic workers, who hail from the marginalized sections of the society, perform essential household work in private homes and a large number of them are migrant workers. These workers face a wide range of human rights violations, including, excessive working hours without rest, non-payment of wages, forced confinement, physical and sexual abuse, forced labour and trafficking.

The domestic workers generally do not protest against the inhuman treatment meted out to them, but continue to suffer silently. Occasionally, only a few cases of such crimes come to light. Three years ago, the National Commission for Women had drafted the "Domestic Workers Welfare and

Social Security Act, 2010" Bill, highlighting the exploitative behaviour towards domestic workers. The Bill, however, is still hanging fire and yet to be passed.

The recent incident of extreme abuse and brutal treatment meted out to a domestic maid by an MLA and his wife is becoming a part of day-to-day city life and is testimony to the violation of human rights of domestic workers.

Unless there is proper legislation

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**Right to the
Domestic
Workers**

to safeguard the rights of domestic workers by recognizing domestic workers as 'workers' and employers' homes as 'workplaces', their working condition will not improve and exploitation will continue. As the domestic worker sector remains unregulated, the employers or the placement services, which place them in various households, will continue to enjoy immunity from law. Unless, the

government fixes minimum wages and regulates working hours, interval for rest, weekly holidays, etc., domestic workers will continue to be subjected to inhuman treatment and many more extreme incidents are bound to take place. Moreover, the domestic workers are very often victims of human trafficking and later sold to people in the city, as domestic maids.

Many countries like the USA and the Italy do have Domestic Workers Act, which protects the rights of the workers, who are protected under the state human rights law, which also safeguards against racial and sexual harassment.

Our government, too, has an unquestioned responsibility to provide justice to the poor, illiterate and marginalized women, who very often turn up as domestic workers to supplement their meagre income. However, laws alone cannot help them; the workers must also be sensitized to their rights and should stand up against abuse and cruel treatment meted out to them.

Punjab hikes compensation to rape victims

The Punjab government has recently enhanced the compensation paid to rape and rape-cum-murder victims and their relatives. Maximum compensation of Rs. three lakh would be given to rape victims while up to Rs. four lakh would be given to the relatives of those murdered after sexual assault.

Earlier, the compensation amount was Rs. two lakh for rape victims and Rs. three lakh for rape-cum-murder.

Besides, the state government also gives compensation of Rs. 50,000 to victims of human trafficking, child-abuse and kidnapping, Rs. 10,000 for simple loss or injury to child victims and Rs. 20,000 for rehabilitation of women and children. Rs. three lakh is given to victims of acid attack in case of disfigurement of face and Rs. 50,000 for other cases and injuries.

● A special consultation was organized with the Border Security Force in the State of West Bengal by the Special Task Force and the Special Study Expert Committee on Rape, Trafficking and Violence against Women, on the occasion of the birth anniversary of



Chairperson and Ms. Shreerupa Mitra Chaudhury at a BSF outpost

Mahatma Gandhi. An interactive programme was arranged with the border personnel. The issues discussed included violence against women and the plight of victims and survivors of rape and trafficking. The event was attended by Ms. Mamta Sharma, Ms Sreerupa Mitra Chaudhury and Shri Kumawat.

● GAIL India Ltd. And AROH Foundation jointly organized a conference on 'Women Awareness and Safety' in New Delhi. The objective of the conference was to create awareness about women's rights, existing and new law and order provisions for their safety and launching of a helpline for the beneficiaries of GARIMA Project.



Chairperson and others displaying the helpline numbers

Speaking on the occasion, NCW Chairperson said that the helpline number would be beneficial for women as one could call up and register their complaints when in distress. She also urged women to raise their voice against injustice, harassment and violence, and assured that NCW would always be by their side. Ms Mamta Sharma and Dr. Chandra Tripathi, the first lady of GAIL, launched the helpline 1800-102-4373 for GARIMA beneficiaries.

● The Rajasthan Police Academy organized a seminar on the 'Role of Police and its Responsibility' at Jaipur, Kota and Bundi respectively. The objective of the seminar was to discuss alarming rise of crimes against



Chairperson being welcomed at Jaipur (below) holds a meeting with Kota police officers.

women and what action can be taken to combat them. About 400 women police officers attended the conference. Addressing the seminar, NCW Chairperson, Ms. Mamta Sharma said in India there has been systematic decline in values and ethics. There is need for education for girls to bring about all-round development in the society. Women police officers can be empowered through proper training and they should play an important role in helping the society.

Members' Visits

❖ A delegation of 30 journalists from different departments of Vidharba recently visited Rashtrapati Bhawan in New Delhi. The tour was organized by the Director General of Information and Public Relation, Government of Maharashtra. The delegation later visited the National Commission for Women and interacted with Member, Adv. Nirmala Samant Prabhavalkar and discussed women-related issues, including violence and torture against women. The delegation also collected information on the procedures adopted by the Commission to deal with complaints received by it. ● Member Prabhavalkar visited Central Detective Training School, Ghaziabad in UP to inaugurate a workshop on 'Self Development and Conflict Management'. She addressed women police officers and urged them to be aware of their duties and responsibilities.

❖ Member Shamina Shafiq inaugurated a Free Eye Check up Camp in Sitapur. ● The Member was the Chief Guest at a State-level Public Hearing on Bonded Labour organized by People's Vigilance Committee on Human Rights in Lucknow. ● The Member also visited Shahjahanpur in UP to attend Mahila Kisan Sammelan organized by Vinobha Sewa Sansthan which works towards empowerment of women. ● Ms Shafiq addressed a gathering of Dalit and Minority women at a Blood Donation Camp organized by the National Commission for Scheduled Castes. She urged the participants to attend health-related camps through this blood donation drive. ● The Member visited Sitapur District and attended a preparatory meeting with the Chief Development Officer to address the role of elected women representatives to address gender-based violence at the local level.

❖ NCW Member, Dr. Charu WaliKhanna, was the Chief Guest at "Training for IPS Trainees" at Sardar Vallabhbhai Patel National Police Academy, Hyderabad, organized with technical support from Centre for Advocacy and Research. Delivering the key-note address, the Member said this was the right time to sensitise the probationers on laws, rights and approaches to policing which should be participatory rather than authority-centered policing. ● Dr WaliKhanna was the guest speaker at the workshop on "Improving Women's Security in India" organised by the Institute for Conflict Management and BPR&D. She spoke on "Challenges of justice delivery system for women". ● The Member was also the Chief Guest at the release function of the report on "Child Marriage in South Asia", organised by CREA, a Delhi-based feminist human rights organisation. ● She addressed the National Conference on "Women Rights are Human Rights : Role of Judiciary to transform the rhetoric into reality" organised by Punjab and Chandigarh Judicial Academy.



Member Nirmala Samant Prabhavalkar interacting with the delegates



Member Shamina Shafiq at the public hearing



Dr. Charu WaliKhanna (right) was at the workshop on improving women's security

Inquiries undertaken by NCW

- NCW Member, Hemlata Kheria, along with social activist Manasi Pradhan, enquired into media report appearing in different newspapers titled "teacher set on fire, blames official". Reportedly, a school teacher was set on fire in Odisha's Rayagada District, allegedly because she refused to withdraw a sexual harassment complaint against a sub-inspector of schools, who has been hiding for past two months. They also enquired into media report "30-year-old lady raped by six persons and photographs taken in mobiles in Banpur Thana, Khurda District, Odisha.
- The team enquired into a newspaper report titled "17-year-old girl held hostage for four days and allegedly gang-raped by six men" at Bindhnima Village, Cuttack District, Odisha. They also enquired into media reports titled "Woman raped at gunpoint" in Odisha.
- Taking suo moto cognizance, Member Nirmala Samant Prabhavalkar inquired into a media report "minor gang raped by forcing her to consume alcohol." The incident took place near Goregaon in Mumbai.
- Dr Charu WaliKhanna chaired an Enquiry Committee to enquire into incidents of trafficking in Jharkhand. Dr WaliKhanna also chaired an Enquiry Committee to inquire into the incidents of trafficking in West Bengal.

The North East Cell

The Commission has decided to constitute a North East Cell in the NCW. The cell will handle complaints received from North East States on line or by post and take suo motu cognizance in respect of North East cases. It will also process research studies, seminars and legal awareness programme proposals received from the North East State Commissions for Women, Universities, research bodies, NGOs etc. The Cell will deal with administrative and organizational issues, legal reviews and monitor utilization of budgetary funds allocated for the North East region.

Well done NCW

The National Commission for Women appreciates the decision of the Chief Minister of Maharashtra, Shri Prithviraj Chavan and Minister of State for Women & Child Development for sanctioning Rs. three lakh to an acid attack victim. NCW Member Nirmala Samant Prabhavalkar had taken special interest in the case, and played an important role in getting the money sanctioned by the State Government.

Important Decisions

- ❖ A New Delhi trial court has acquitted a youth of the charge of raping and kidnapping a minor girl and termed their marriage valid and said that "Child marriage contracted with a female of less than 18 years or a male of less than 21 years would not be a void marriage but voidable one, which would become valid if no steps are taken by such a child seeking declaration of this marriage as void". The judge further pointed out that the girl had many opportunities to escape from the residence of the accused's friend in Bihar, where the duo lived as husband and wife, but she did not.
- ❖ A Division Bench of the Bombay High Court has ruled that Indian parents should be given preference in child adoption over NRIs, OCIs (Overseas citizens of India) and foreign nationals. The Bench said "only if a child is not accepted by Indian parents and the adoption agencies, on account of their experience, come to the conclusion that the child is not likely to be taken in adoption by Indian parents, then it should be shown to the foreign parents".
- ❖ A Delhi court has ruled that a woman has right over the property of her husband but she cannot claim a property of her parents-in-law. The court said "under no circumstances can she thrust herself on the parents of her husband or can claim a right to live in their house against their consent and wishes".

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