



Editor's Column

In a path-breaking decision, the Central Government has decided to reserve 50% of seats in the three-tier panchayat system for women. India has probably become the first country to reserve 50% seats for women at local self-government level after the centre approved a proposal for a constitutional amendment bill for increasing the quota for women. This means that about 14 lakh women will occupy 2,52,000 panchayat seats in future. At present, 36.87% are women.

The move will apply to the total number of seats filled by direct election, the office of chairpersons and seats and offices of chairpersons reserved for SCs and STs. This will lead to more women entering the public sphere and making the

panchayats more inclusive in their structural framework. Most importantly, gender balance will be maintained at 50-50 level - up from 67/33 male-female ratio. The decision aims at empowering women and recognising their contribution in nation-building.

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50% Quota for Women

A recent study conducted by the panchayati raj ministry shows that reservation played a significant role in bringing women into mainstream. About four-fifths of all women representatives in panchayat elections got elected from reserved seats and about 83% of them entered politics through quota.

For 67% women, becoming a *pradhan* or ward member meant more respect from family members. About 66-71% elected women representatives said their family members allowed them to take part in matters related to money and property. About 64% women *pradhans* said they got increased attention from the local government, while 60% reported quick response on the part of block panchayats.

However, to further strengthen the democratic process and increase women's involvement in the highest decision-making bodies, this measure has to be followed up with the passage of Women's Reservation Bill, which is pending before the parliament for more than a decade.

Child marriages banned in Orissa

The Orissa government has decided to strictly implement the ban on child marriage. The state cabinet, approved the rules prepared in the light of the Prohibition of Child Marriage Act, 2006 passed by Parliament, thus paving the way of initiating legal actions against persons practising and encouraging the "social evil".

The prohibition of Orissa Child Marriage Rules would greatly help the law enforcing authorities to deal with the persons organising or encouraging child marriages in the state.

As per the rules, persons (especially males) organising child marriage will be liable for rigorous imprisonment for two years and a fine up to Rs. 1 lakh. The women accused will pay the fine only.

Profile in Courage

An incident of alleged molestation in Assam's Halflong town would have passed unnoticed, but for a girl who decided to take on an entire group of army personnel. She beat up an army jawan, who reportedly visited her garment shop and made lewd comments and even touched her.

Rali Faihriem owns a branded garment shop in the middle of Halflong town. Lance Naik Gurvinder Singh of the 8th Battalion of the Sikh Regiment visited the shop, in combat dress with arms, to buy innerwear. When the girl was showing him the stock available at her shop, the jawan allegedly made some advances. Rali then pulled him out of the shop and stoned him in front of everyone. The Army has ordered an enquiry into the incident after Rali filed an FIR.

National forum for single women

Seeking to fight marginalisation and secure their rights, single women-widowed, abandoned, divorced and unmarried have come together to form a national forum for single women.

Women rights' activist from Rajasthan, Ginny Srivasthava announced the initiative, along with women from five different states, who recounted their lives, struggle for existence and battle against various odds.

Be it tribal women from Jharkhand demanding equal land rights and inheritance for women, or a Muslim woman from Maharashtra forcefully given "talaq" by her husband, women from 14 states have decided to

unite under the same banner and lobby with the Centre to fight for ration cards, hostel and housing schemes and pension benefits.

Amongst other issues that the Forum plans to take up are

canvassing for equal property rights irrespective of religion or community and an effective law to tackle atrocities against women. NCW chairperson Dr. Girija Vyas participated in the deliberations.



Dr. Girija Vyas addressing the gathering

Visit of Mexican delegates

Mr. Cicilio Garza, Coordinator, in-Chief of the World Youth Conference 2010 visited National Commission for Women and interacted with Chairperson and Members of the Commission. Welcoming the visiting delegates Dr. Girija Vyas, Chairperson, National Commission for Women deliberated on the similarities between Mexico and India. Then, Mr. Garza gave a brief on the World Youth Conference 2010 which is to be held in Mexico. He opined that years back in 1985 United Nations declared the year as the International Year of Youth, and now it is time for its review and rejuvenation. The main agenda would be to have a more integrated, comprehensive and coherent public policy for the youth.

Mr. Garza further urged upon the Commission for support and input. Dr. Vyas assured the visiting delegation that the Commission would certainly respond positively.

NCW to Probe human trafficking from India

With growing incidence of poor and vulnerable women from India being lured into the flesh trade, the National Commission for Women (NCW) has constituted teams to investigate trafficking channels from various districts in Uttar Pradesh, Gujarat, Rajasthan and Delhi to the Middle East.

A probe committee will look into the alleged trafficking of women to Middle-East countries from Azamgarh in Uttar Pradesh while the other will inquire into the mysterious deaths of women in south Gujarat's cotton fields allegedly trafficked via Udaipur and Dungurpur districts in Rajasthan.

As per the last national level report on human trafficking by UNDP in 2007, in India 44% of women, mostly poor were caught in the flesh trade. At least 43% of these were minors before they entered the net.

Around 66 percent women in Gujarat, 64% in Tamil Nadu, 55% in Maharashtra and 49% in Uttar Pradesh were caught in the vicious network, the report said.

Dr. Girija Vyas, Member of Parliament and Member of the Indian Parliamentary Delegation spoke at the Second Committee of the 64th session of the United Nations General Assembly Meeting held in New York on the issue of eradication of poverty and other developmental issues.

She mentioned that eradication of poverty had gained urgency in the context of on-going economic crisis which due to massive unemployment had pushed millions of people into poverty and threatened to reverse the years of development gains. It was therefore, imperative that poverty eradication continued to receive the highest attention of the United Nations and the international community.

In this context, she said the United Nations have a very important role to play in ensuring that developing countries are assisted in the development process through improved market access, debt relief and transfer of critical technology at



affordable rates. Human development in all its aspects should not be lost sight of while pursuing globalisation of economy. Greater flexibilities are also required in international regimes to ensure primacy of the development dimensions.

On the issue of role of women in development, she said that gender

equality and empowerment of women are vital as this has a multiplier effect on the socio-economic growth. It is therefore, essential that active involvement of women and their participation is ensured in planning and decision making, education, improved access to productive resources.

Dr. Girija vyas also endorsed the views of the United Nations on US Embargo on Cuba. Dr. Vyas said that for the last 17 years in a row, the General Assembly, while deliberating this agenda item, “has categorically and overwhelmingly rejected the imposition of laws and regulations with extra-territorial impact”. “Unfortunately, these repeated resolutions remained unimple-mented”, she said.

“The nearly five-decade-old United States embargo on Cuba, including its extra-territorial aspects, continues to remain in force. We share the views expressed by the international community in its opposition to the embargo, she added”.



● **Woman can seek rent, besides maintenance**

A woman, who has been granted maintenance during pendency of divorce plea, is also entitled to seek rent under the Domestic Violence Act, a city court said.

A married man is under moral and legal obligation to maintain his estranged wife whether he possesses any property or not or whether or not he has any means.

The obligation to maintain her is personal in character and arises from the very existence of the relationship between partners.

The court said a husband has a duty to provide for his wife and child and it was not believable that his earnings were hardly sufficient for himself.

If an order passed under the Hindu Marriage Act (HMA) for maintenance following divorce proceedings does not deal with the aspect of rent for woman and her child, then she can invoke the Protection of Women from Domestic Violence Act for the purpose, it said.

● **Adoption leave**

The government has decided to treat couples who have adopted a child on par with natural parents while granting maternity and paternity leave.

The government will grant six month's maternity leave to a woman employee and 15 days' paternity leave to a male employee.

During leave, the adoptive mother's salary will be equal to that drawn immediately before going on leave. The benefit will not be available to an adoptive mother who has two surviving children at the time of adoption.

● **Minors' rape cases cannot be tried in open court : HC**

The trial of cases involving minor rape victims in open court has come in for severe criticism by the Delhi High Court which has said that a friendly atmosphere should be created for them in the guardianship of their parents during recording of their evidence.

"The child victim (of rape) shall not be separated from her parents/guardians on the ground of ascertaining the voluntary nature of statement", the HC said. "No court shall

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detain a child in an institution meant for the adults". The court's observations came while setting aside the conviction and 7-year sentence of a rape accused. The judge noted that the victim contradicted her statements with regard to the place of occurrence of crime because of inadvertence in the hearing process on the part of the magistrate.

● **Existing IPC provisions enough to tackle acid attacks**

The Centre has made it clear in the Supreme Court that existing provisions in the Indian Penal Code on grievous hurt, voluntarily causing grievous hurt and punishment for causing grievous hurt were enough to tackle the menace of acid attack and there was no need for making it a separate offence.

● **Fast track courts for rape cases**

To check false registration of rape cases and their politicisation for compensation, the Union government has decided that the money to be awarded to rape victims will be decided by special fast track courts hearing the cases.

● **Can't evict bahu even if son leaves**

The Delhi High Court has ruled that a married Hindu woman cannot be evicted by her in-laws even if her husband starts living separately. Neither can they force her to pay for the stay, while setting aside a trial court verdict.

"It is not necessary that both husband-wife must be staying in a particular house for it to be labelled as matrimonial home of the wife", the high court said while allowing the plea of a wife, whom the trial court had asked to pay rent to her in-laws for staying with her two children in a portion of the disputed 'Joint Hindu Family' property after her husband started living elsewhere.