



# Rashtra Mahila

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## Editor's Column

Just a few days ago, a leading national newspaper reported the marriage of a rapist with his victim. Unfortunately, this trend is gaining ground as many rapists are promising marriage to the girls they had violated in order to escape serving at least a minimum jail sentence of seven years.

In this context, one may recall the infamous Shanti Mukand Hospital rape case, in which the rapist ward - boy offered to marry the victim-nurse, minutes before being sentenced. It is another matter that the girl appearing before the court, rejected the outrageous offer outright. Her response instead was, 'hang the rapist'.

No doubt, the hidden agenda behind such calculated offers is to get a lesser sentence or getaway scot-free altogether.

Admittedly, the nurse in the above case did the right thing by

rebuffing the obnoxious offer. For such marriages, based on an ulterior motive, would be disastrous and doomed from the very beginning. To cite an example, in 2002, the Delhi High Court quashed the rape case against an accused after the victim submitted an affidavit saying she was willing to marry the accused. In 2006, the couple approached the court, seeking divorce. In another case, the girl was later burnt to death for dowry, by the man, who had

## FOCUS Marriage with Rapists

married her after raping her. In another case, the victim was forced to marry the rapist due to the pressures of her family. Today, her life is hell, due to continuous physical and mental abuse.

These cases prove that marriage with the rapists is not the solution. On the contrary, living with a rapist,

the victim relives the psychological and physical trauma day in and day out. Moreover, what guarantee is there that the rapist-husband won't rape her even after marriage? Marital rape is also a crime.

Yet, such marriages continue to prevail due to societal and family pressures, and the victims, too, feel marriage with the rapists is the only alternative to overcome social stigma and ostracism.

In this context, the recent Supreme Court ruling that once a person commits rape, his crime cannot be condoned either by a marriage proposal or by way of a settlement between the rapist and the victim, is a path-breaking step. The Court's decision not to allow leniency to the rapists will successfully thwart all attempts by the rapists to escape punishment for committing one of the heinous crimes. After all, dropping charges against the rapists will tantamount to endorsement of the crime itself.

## Sati a victim, not offender

Central Government will introduce amendments in the Sati prevention law by including a provision stating that women attempting to commit Sati should be treated as victims and not as offenders.

Earlier, according to the provisions of the Commission of Sati (Prevention) Act, 1987 committing Sati was considered to be equivalent to committing suicide and thus a woman attempting to become a Sati was considered an offender and liable to be punished by imprisonment up to one year and/or a fine. The law did not take note of the circumstances and societal pressure under which a woman was forced to commit Sati.

The amendments will also provide harsher punishment for glorification of Sati.

It will also include an imposition of a fine on the entire community for their failure to prevent the practice, if a woman committed Sati in that particular locality. Panchayat functionaries will be responsible for the implementation of the Act.

Abetting Sati will attract death penalty or life imprisonment. The punishment prescribed for glorification of Sati is imprisonment for a minimum of one year extending up to seven years.

Moreover, the Act bars any relative of a woman who has committed Sati from inheriting the property of her late husband.

## Better safety for women working night shifts

The Delhi police has issued guidelines for the first time to ensure better safety for women working on night shifts. On the directions of Delhi High Court, BPOs, authorities at the IGI airport and similar workplaces have been asked to strictly comply with it.

Concerned that many of the sexual harassment cases were going unreported, it has now been decided that a police official will hold monthly meetings with the employers of BPOs to know firsthand their grievances against cab drivers.

All call centre drivers, including those hired, are to compulsorily carry identity cards issued by their employers.

The transport managers of the company and transporters have to maintain complete details about the pickup and drop back of all employees.

All cabs have been asked to display the emergency numbers to contact police, women helplines and the transport manager of the company.

The police are also examining suggestions for installing satellite monitoring instruments in all cabs, compilation of comprehensive database of female employees, drivers and registration of the cabs with a panel comprising senior police officials.

## Italian delegates visit NCW

A 5-member delegation from Tuscany (Italy) called on Dr. Girija Vyas, Chairperson, NCW and the Members of the Commission. Ms. Susanne Cenni, leader of the delegation, Minister of Agriculture & Women Development, of the State of Tuscany, deliberated on how biodiversity has turned to be an advantage rather than disadvantage.

Dr. Girija Vyas said that the Commission had sent suggestions on the New Agriculture Policy. She further said that a percolating system of irrigation is practiced in Rajasthan that is-irrigation with small amount of water. She said that the main problems of women in agriculture or traditional form of farming were marketing and storage.



*Chairperson and Members with the Italian delegation*

## Govt. plans insurance shield for girl child

The Women and Child Development Ministry has proposed a scheme in the 11th five-year plan that will cover the medical and education cost of the girls and give them a token amount when they turn 18.

The scheme will focus on the survival and overall development of girls. Besides balancing the skewed sex ratio in many parts of the country, it will also tackle female foeticide. Four essential conditions have to be met: birth registration of the girl child, immunisation, retention in school and delaying marriage beyond 18 years.

Initially, the scheme will start in districts with a skewed sex ratio, high female foeticide rate and high dropout rate of girls. The ministry's 11th plan proposal identifies Punjab and Haryana as the two key areas for the girl child.

## Dr. Shrin Kheli visits NCW

Dr. Shrin Tahir Kheli, Ambassador and Senior Advisor (Women Empowerment) to U.S. Secretary of State, Ms. Condleeza Rice visited the Commission and interacted with the Chairperson, the



*Chairperson interacting with Dr. Shrin Kheli*

members and the officers of the Commission and discussed the issue of empowerment of Women and providing opportunities to them for their economic, social and political progress.

## Nearly 45 pc women married off before 18

According to the National Family Health Survey III, carried out in 29 states during 2005-06 nearly 45% of women in India were married off before they turned 18.

The survey of women aged between 20 and 24 years showed that the worst situation is in Jharkhand and Bihar.

While 61 per cent women in Jharkhand were married off before 18, in Bihar it was 60 percent; the number stood at 55 per cent in Rajasthan.

In Andhra Pradesh, the figure was 55 percent, while in Madhya Pradesh, Uttar Pradesh and West Bengal, it was 53 per cent each, followed by 52 per cent in Chhattisgarh.

## More working women in rural areas

According to the labour surveys conducted by the National Sample Survey Organisation, the percentage of women workers in rural area has increased from 29.9% in 1999-2000 to 32.7% in 2004-05 and the number of women workers in the country has shown an increase of about 3%.

In the case of urban women, the percentage of women employed in jobs went up by just 2.7% up from 13.9% in 1999-2000 to 16.6% in 2004-05.

Nagaland had the highest percentage of working women in rural areas at 50.4%, while Mizoram had the largest percentage of women workers in urban areas.

While Delhi has the lowest proportion of women workers in rural areas at 4.7%, Bihar has the lowest percentage of working women at 6.5%.

## Members' Visits

- Member Malini Bhattacharya attended a meeting organised by *Sanhita* an NGO with the support of West Bengal Commission for Women and the Health department to motivate officers and staff in the health department and Govt. Health institutions to implement the Visakha guidelines regarding sexual harassment as workplace.

Later, she attended the Jabala Research organisation's interactive meeting on HIV Aids and how to combat it. She also visited the SSKM hospital where many of the seriously injured at Nandigram firing were being treated.

Ms. Bhattacharya went to Patna to investigate the case of Renu Thakur who had been driven out of her home and had found shelter in West Bengal with the all Bengal Women's Union. Later, she went to Patna Home to enquire into the case of a minor girl, who was kept there after being rescued from a red light area. She found the condition of the home unsatisfactory and spoke to the Chief Secretary regarding the girl's safety.

- Member Neeva Konwar was the Chief Guest at the seminar on 'Women Empowerment & Holistic Development' organized by International Institute for Holistic Research and Voluntary Action (India-Germany) on 16th March, 2007, at Wardha. The seminar was presided by Ms. Irmel Marla, a German delegate and was also attended by Dr. Kamal Taori, a rtd. IAS officer.

In her speech, Ms. Konwar appealed to the young people, present on the occasion, to be empowered by acquiring knowledge and skills in different fields, particularly for the development of scientific and technical know-how for development of agriculture sector. She also spoke about different legal provisions for safeguarding women's rights including Prevention of Domestic Violence Act and Prevention of Child Marriage Act.



Ms. Neeva Konwar (second from left) in the seminar on Women's empowerment and holistic development of women.

## India has most anaemic married women

According to UNICEF, India has the largest number of anaemic married women and children. Low social status of women, poor food quality, high cost of healthcare facilities and even some genetic problems are responsible for the problem.

According to the National Family Health Survey-III (NFHS-III), over 56.2 percent married women in the age group between 15 and 49 were anaemic in 2006 as against 51.8 percent in 1999 and 79.1 percent of children between the ages of three to six years were anaemic in 2006 as against 74.2 per cent in 1999, whereas in the US and Europe, 20 percent of pregnant women are anaemic.

## India ranks low on women MP count

According to statistics released by the Inter-Parliamentary Union, India ranks very low at 108th position among 189 countries so far as the percentage of women lawmakers in its lower house of Parliament is concerned.

Interestingly, Pakistan is much higher at 48th position and Nepal shares the 63rd spot with Italy. Sri Lanka, placed at 124th and Bhutan at 131st follow India.

China occupies 49th position and Bangladesh, which has 45 of 345 parliamentary seats reserved for women, is at the 72nd spot.

During the months January to March, 2007, 3415 complaints were registered in the Complaints and Investigation Cell. The complaints were received under the various heads such as Dowry, Dowry death, Sexual Harassment at workplace, police apathy, etc.

## Important Decisions

- **Supreme Court defines 'cruelty'.** : According to the Supreme Court, if, without the consent of her husband, a woman decides not to have children from her marriage or if she refuses to have sex with him for a considerable period, it would amount to mental cruelty on the husband, who could seek divorce citing this ground and the same applied if the wife was similarly aggrieved adding that a long period of continuous separation was also tantamount to mental cruelty. The court further opined that "If a husband submits himself for an operation of sterilisation without medical reasons, and without the consent of his wife, and similarly, if the wife undergoes tubectomy or abortion without medical reason or without the consent of her husband, such an act of the spouse may lead to mental cruelty.

- **Boost for minor brides :** The Delhi High Court recently ruled that if a minor girl runs away with her lover and marries him thereafter to protect herself from the threats of her opposing family, neither the girl nor her spouse can be deemed to have committed any offence.

The court said parents have no right to forcibly marry off their daughters because "right to life and liberty as guaranteed by the Constitution is equally available to the minors".

- **Domestic violence :** Sixteen women Protection Officers have been appointed in the capital to help

victims of domestic violence and prevent harassment of women.

The appointments have been made under the Protection of Women from Domestic Violence Act, 2005.

- **Punish families which give dowry :** The Delhi High Court has ruled that women or their parents who go ahead with a marriage despite demands of dowry from the bridegroom's side will be seen as accomplices to the crime and will face prosecution.

- **Stringent punishment for trafficking :** The government has proposed to make punishment for trafficking more stringent - 10 years of rigorous imprisonment for child trafficking and 7 years for adult trafficking.

Those soliciting sex or clients have also been included in the dragnet in an amendment which provides for punishments for a person who visits or is found in a brothel for the purpose of sexual exploitation.

## This is India!

The family members of four girls from Chakotia Bhunjia tribal community in the Nuapara district of Orissa -who appeared in the recent matriculation examination conducted by the Board of Secondary Education in Orissa-have been ostracised by their society for having encouraged the children to pursue higher education and also because girls wore school dresses and chappals.

*for further information visit our website at : [www.ncw.nic.in](http://www.ncw.nic.in)*

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