



Rashtra Mahila

AUGUST 2007

Published by the National Commission For Women

Editor's Column

The National Commission for Women has expressed serious concern over the rising incidents of acid attack on women in India. The most recent being the attack on a 17-year old girl in Noida by a neighbour. A week before, there was the case of a 22-year housewife from Mysore, who was forced to drink liquor laced with sulphuric acid by her husband. A couple of days later, a fashion designer in Delhi faced a similar attack on her. All three are now battling with their lives.

What is terrible about these horrific incidents is that it will be easy for the perpetrators to get out on bail while the victims struggle for their lives. And even if they do survive, their trauma will last a lifetime as such incidents leave behind permanent scars on the body and soul of the victims, often resulting in disfigurement and even blindness. In a society, where people have little respect for the disabled, one can easily imagine the plight of the acid attack victims.

Rehabilitation of acid attack victims also become difficult as plastic surgery, skin grafting or reconstructive surgeries are not only expensive but chances of complete correction are minimal. Even educated and previously employed women lose their jobs and suddenly become financially dependent.

FOCUS ACID ATTACKS OF WOMEN

Considering the gravity of the crime, the National Commission for Women has recommended that acid attacks should be treated at par with rape and sought a stringent separate law to deal with it as conviction rates are still very low. The Commission has further proposed provision of Rs. 20,000/- as interim relief to be given by the state government and a provision for group insurance scheme payable to the hospital for treatment of victims as well as setting up of a national acid victim fund.

A part of the problem also lies in the fact that the acid - hydrochloric and sulphuric acid being the most commonly used in attacks - can be bought easily from any chemical shop. Therefore, the sale of acid needs to be restricted at the earliest and there should be greater awareness about acid attacks and its implications for the victims.

The Supreme Court only last month came down heavily on acid attacks on women calling them "worse than murder" and called for harsher laws to deal with them. Acid attacks still come under a penal provision for inflicting grievous physical injuries, with a maximum seven year jail term on conviction. However, another acid victim's attacker in Bangalore was awarded a life sentence last year by the High Court there which should be seen as a revolutionary move and must become more the norm than an exception.

Karnal home leaves NCW members appalled

Following allegations of policemen entering and allegedly assaulting women inmates of Nari Niketan at Karnal in Haryana, the National Commission of Women constituted an enquiry committee to investigate into the matter.

A two-member committee comprising Ms. Yasmeen Abrar and Malini Bhattacharya after visiting the Nari Niketan asked the district administration to withdraw the case lodged against the inmates. Appalled by the lack of basic facilities and adequate living space for 60 inmates, the members said, "It seems more like a place to dump the girls."

The committee, which inspected the home premises and interacted with the inmates, staff and district officials found the staff quality, infrastructure and the facilities in the home far from satisfactory. Mainly describing it as a "failure of the administration", the members asked the Superintendent of the home to start living in the allocated quarters within the premises with immediate effect.

"There is provision for 20 girls and there are at present 60 girls living in four rooms," said the members. With the cramped conditions, the members found that there was no segregation of inmates.

The committee members said the girls had stated that on the night of the alleged incident, they had been locked up in their rooms, and it had become intolerable with overcrowding and a power cut.

The Commission had taken cognizance of a complaint by NGO Shakti Vahini, which runs a helpline in the area.

National Consultation on Trafficking

A two-day National Consultation on Preventing and Combating Human Trafficking with special focus on Women and Children was organized by NCW in collaboration with the Ministry of Women and Child Development, NHRC and UNICEF.

Delivering the welcome address, Ms. Deepa Jain Singh, Secretary WCD pointed out that India was Signatory to a number of international instruments making it incumbent on the govt. to tackle the problem of trafficking urgently.

Mr. Emar Barr, representing UNICEF, reiterated UNICEF's commitment in combating trafficking and laid special emphasis on national and international coordination.



Shri Shivraj Patil, Dr. Girja Vyas and NHRC Chairman Justice Shri Rajendra Babu lighting the lamp



Dr. Girja Vyas addressing the Consultation.

Speaking on the occasion NCW Chairperson Dr. Girja Vyas said that trafficking was an international organized crime and national and state level plans were required and high risk area in every region, district and village need to be identified. She said the NGOs, the civil society and the media have an important role in combating trafficking and conducting sensitization and awareness programmes.

The Chairman of the National Human Rights Commission Justice Shri Rajendra Babu said that inspite of plethora of laws to combat trafficking, the problem persisted. What was necessary was to change the mindset of the society and treat human beings with dignity.

In his inaugural address, the Union Minister for Home Affairs, Shri Shivraj Patil said that the existing laws were good enough to combat trafficking but the problems cropped up while

implementing them. He suggested that there should be an integrated action plan involving the Centre, the states and local govts. as well as the civil society and the NGOs to tackle the problem. Later, a plan of action was drafted which included setting up of a national database and web portal where details of convicted as also probable traffickers would be available.

Every state would have its own action plan on trafficking and a nodal cell would be created in the ministry of home affairs to deal with the problem. The proposed action plan stresses on addressing traditionally sanctioned practices, like the Devdasi system. The action plan also calls for involvement of the corporate sector for trafficking prevention activities.

As for cross-border trafficking, the action plan emphasizes the need for short stay homes or transit centers for victims to be repatriated and developing procedures and protocols for repatriation with neighboring countries.

The action plan will be sent to the ministry of women and child development within a month, after which it will be taken up by the Union Cabinet.



A view of the audience

Meeting of Chairpersons of State Commissions for Women

The National Commission for Women organized an interactive meeting of Chairpersons of the State Commissions for Women along with a meeting of the Expert Committee on North Eastern States in New Delhi.

Chairpersons of twenty three State Commissions and some of their members participated in the meeting,

Chairing the session, Dr. Girja Vyas, NCW Chairperson said that 70% of the problems were common to all states so a common agenda should be evolved to address them. The meeting discussed the declining sex-ratio in the States and Union territories and effective implementation of the Pre-Conception Pre-natal Diagnostic Technologies Act.

The Chairpersons pointed out that there were no uniformity of infrastructure, salary and perks given to the Chairperson and the members. Some Commissions did not have adequate staff, accommodation or funds. They suggested that there should be parity among the state commissions and same facilities should be given to all. Most of the Chairpersons said that more powers should be vested in the Commissions to make them really effective. The participants agreed to the proposal of sharing resources for better handling of complaints, initiating gender budgeting for women related programmes and implementing the guidelines on sexual harassment at work place.

Later, the NCW Chairperson chaired the meeting of the Expert Committee on North Eastern States. Participants deliberated on various issues such as customary laws, role of women in decision-making, impact of ethnic violence and armed conflict, alcoholism, trafficking and HIV/AIDS.

Member's Visits

- Member Malini Bhattacharya held a hearing in the office of the West Bengal Commission for Women with the parents of Sujata and Sita, the two girls rescued from Faridabad.

She also attended a consultation on procedures to be adopted for safe migration of women to other states. It was decided that a multi-disciplinary committee may be set up for working out the guidelines with the State Women's Commission as the nodal agency.

Ms. Bhattacharya went to Gangarampur in South Dinajpur to present the keynote address on "the self and the other : gender and class concerns" and also visited Nabadwip in Nadia District to enquire into the status of widows residing there.

- Member Neeva Konwar attended a women's meeting at Amoolapathy in Nagaon and appealed to the participants to avail of various schemes of the Govt. of India to uplift the socio-economic condition of women.

Later, she visited the Civil Hospital and Maternity ward at Nagaon. Some

patients complained about the non-availability of medicine in the hospital. The complaint was brought to the notice of D.C. She also visited the Nagaon Central Jail and suggested several welfare measures for the inmates.



Ms. Neeva Konwar (Centre) at the meeting with D.C., S.P. and other officials at Nogaon.

- Member Manju Hembrom attended a workshop on Women Empowerment at Jaspur District in Chattisgarh. About 1800 women participated in the programme.

Prayas Bharti, a voluntary organization at Patna which had rescued Pinki, from the flesh trade arranged her marriage recently. Ms. Hembrom was present on the occasion and gave away the bride.



Ms. Manju Hembrom at the Workshop

- Member Nirmala Venkatesh went to Bangalore to enquire into the complaint of sexual harassment filed by Ravikala against her boss. She also enquired into the case of Suma, who complained of harassment against her husband and in laws. Later, she visited the slum in Siddapur and interacted with women and heard their complaints.

HC issues guidelines for trial of minor rape victims

The Delhi High Court has issued a set of guidelines aimed at "sensitive handling" of minor rape victims both by the police and lower judiciary.

"Child victims of sexual abuse are to be treated with compassion and dignity; all associated with criminal justice system need to be sensitised about their role to prevent their further victimisation," a Bench led by Justice R.S. Sodhi said.

If implemented in right earnest, the rules are expected to boost conviction rate in rape cases, which according to the Directorate of Prosecution, in 2006, was a meagre 20 per cent. In 2005, the figures were even worse at 16 per cent.

DIRECTIONS

For Police

- Record statements promptly. Probe officer should preferably be a lady officer.
- Officer will not be in police uniform. Statement will be recorded at a place where she can speak without fear.
- Child should not be allowed to come in contact with the accused.
- Identity of child victim has to be protected.
- Victim should never visit the police station.

For Doctors

- Female doctors should conduct medical examination.
- Help of a psychiatrist may be made available.
- Parents should be present during tests.

For Magistrates

- Statement of victim should be recorded promptly without any adjournments.
- If victim is in hospital, the magistrate should visit the hospital.
- Separate rooms in court for recording statement.
- Video-record statements.

For trial courts

- Child not to be confronted by the accused.
- In-camera proceedings.
- If possible, deposition through video-conferencing.
- Word the questions carefully lest it may embarrass the victim.

NCW calls for stricter anti-dowry laws

With a view to curbing dowry related deaths, the National Commission for Women (NCW) has called for changes in the Dowry Prohibition Act, 1961 and the Indian Penal Code (IPC). The proposed amendments, which have been sent to the Ministry of Women and Child Development for consideration, range from changing the definition of dowry to imposition of harsher penalty for dowry deaths.

The NCW has proposed that the definition of dowry should be changed to include both moveable and immovable property as well as asking for any favours from the girl's parents. It also wants the punishment for dowry givers to be reduced on the ground that they are victims of coercion. The Commission has sought a mandatory declaration by all government employees at the time of their wedding, stating that they have not taken any dowry.

There is also a proposal to empower protection officers appointed under the Domestic Violence Act, so that they can file complaints in case of dowry harassment. Advisory boards set up under the Dowry Act should assist the protection officers.

In case of a woman's death, it has been proposed that her dowry be transferred to her children or parents. As per the existing law, the dowry can be inherited by the children or parents only if the woman dies an unnatural death within seven years of marriage. Otherwise, the dowry is transferred as per the laws of inheritance.

The NCW has also proposed increased punishment for dowry cases, from the existing seven years to 10 years. It has also called for the imposition of death penalty, which is not provided for in the present law.

Important Decision

Domestic Violence Act with retrospective effect : The Delhi court has given a ruling allowing women to seek relief under the Protection of Women from Domestic Violence Act, 2005 for atrocities committed even before the statute came into force.

This means pending cases on matrimonial disputes or maintenance under other Acts filed before the enforcement of the Domestic Violence Act on October 26, 2006 can ask for civil remedies under this Act. These are related to protection, residence or custody order, monetary relief or compensatory claims.

Profile in Courage

Manju Khatri is the only woman autorickshaw driver of Udaipur and has stepped into the male dominated profession after facing a lot of hardships. In her late 40s, Manju has a diploma in stitching from Punjab. She settled down in Udaipur 25 years ago after her marriage. Unable to make both ends meet with her meagre income, she decided to take a loan to buy an autorickshaw and earn a living by leasing the vehicle out. Her sole motive behind this was to provide better education to her kids. However, regular visits to the garage for repairs as well as mounting bills for spare parts besides the drivers' fees worsened her debt position. It was then a mechanic came to her rescue and encouraged her to take up driving as a profession. Now, Manju drives on Udaipur road and has won the support and respect of her fellow autorickshaw drivers who readily lend a helping hand to their dear 'Aunty' at all times. The traffic policemen also assist her whenever needed.

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