



Editor's Column

In the wake of alarming rise in dowry deaths and dowry harassment, the central government proposes to make amendments to the Dowry Prohibition Act prepared by the National Commission for Women, to make it more effective. The changes will allow women to register gifts worth Rs. 5,000 and more that they receive at their wedding, with the dowry prohibition officers and to be kept by both the parties.

The changes are aimed at providing more protection under the law to women against dowry menace and get adequate compensation, if a marriage breaks down.

A group, comprising representatives from ministries such as WCD, law and home affairs - has decided that the Act should be amended to ensure that all gifts including *stridhan* or *mehar* or received later during ceremonies

such as child birth can be registered with the dowry prohibition officers.

Other clauses mention that dowry givers will be charged a lesser penalty and that registration of gifts will allow a woman to claim back these if need be.

The law also provides for appointment of a senior government official as prohibition officer in each

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More Power to Dowry Act

district of the country to register complaints under the Act and investigate them. Even 15 years after notification of the law, several states have failed to appoint protection officers in each district. There were not many complaints under the law as it was considered that the law was not effective enough to act against dowry seekers. With these changes, the law would become more effective and provide women a platform to fight against dowry

seekers.

Registration of gifts, will help women to get the dowry back. In most cases, a dispute emerges over the amount of dowry given. With the provision of registration of the gifts, women will have a legal right to seek compensation for all the gifts given.

To prevent false claims over gifts, the group has decided that the protection officers will authenticate the list before registering it.

The government has decided that protection officers can also function as protection officers under the Domestic Violence Protection Act, to improve effectiveness of women specific laws.

If the proposed Dowry Prohibition Act, which will have more teeth, is properly implemented, the practice of giving and taking dowry, can be contained to a certain extent.

10 years for acid attacks

The Law Commission of India has recommended that the offender committing acid attacks be sent to 10-year imprisonment extendable up to life term and fined Rs. 10 lakhs by including the offence in the Penal Code.

Taking a strong view on acid attacks and classifying them as extremely violent crime, the Commission has also called for banning the sale of acid in the open market.

In its report, submitted to the government, the Commission also proposed enactment of Criminal Injuries Compensation Act to provide interim and final monetary compensation to the victims of violent crimes such as acid attack, rape and sexual assault and for providing medical and other expenses for their rehabilitation.

Taking strong exception to the delay in providing justice to a young girl allegedly molested by a former Haryana DGP, the NCW has written to the Haryana government asking it to appeal against the verdict even as the Commission is contemplating filing a legal suit seeking civil damages for the victim.



NCW Chairperson Dr. Girija Vyas at a press conference on the Ruchika case

Expressing concern over the lenient punishment awarded to the ex-DGP, NCW Chairperson Dr. Girija Vyas noted that the charge of abetment to suicide was also withdrawn by the police. At a press briefing, the Chairperson told mediapersons that she had written to the Union Home Ministry asking it to expedite the tabling of the proposed bill on sexual assault. The Chairperson has also written a letter to the Union Law Ministry seeking its intervention in the case. Apart from the existing provisions of rape, the bill incorporates all forms of sexual assault on women so that these could be brought under a single legislative framework. "I have taken up the issue of this judgement with the Chief Minister of Haryana and requested him to explore the possibility of filing an appeal against the recent judgement. We have also taken up the Sexual Assault Bill lying with the Home Minister for an expeditious decision so that it can be introduced in the Parliament at the earliest", she added.

The NCW has also formed a lawyers' committee to probe as to whether there was any attempt to "hush up" the case and impede the investigations. The Commission has said it would consult the family of the victim before filing a civil damage suit for the victim.

"We can also intervene if the state government does not take a view on the appeal", the NCW Chairperson said.

Profile in Courage

Priya, a young woman from the rural area of Korailkeni in Puducherry, demonstrated a great degree of courage to fight the evils of dowry by refusing to tie the knot with her bridegroom during solemnisation of the marriage. She married another youth at the same venue on the same day.

The incident occurred at Balamurugan Thirumananilayam in Puducherry, where the marriage of Priya (21) with her groom (25) was about to begin. The groom along with his mother wanted to know whether the dowry included washing machine, refrigerator and television among other things.

When the bride's family, who had already given 15 sovereigns of gold, expressed inability, the groom hesitated to marry Priya. He was persuaded to go ahead with the marriage and told that the items could be provided after marriage. Finally, the groom gave his approval, though reluctantly.

But he was virtually struck dumb, when Priya refused to marry him. The daughter of an agricultural labourer, Priya told her parents that she did not want to marry a man, who did not value her but preferred gadgets. Then a distant relative of Priya, who was present there, married her.

Foreign court divorce valid

The Supreme Court has ruled that a divorce obtained in a foreign court is valid in India.

Till now, the issue of divorces obtained abroad had been open for each court to interpret in its own way in the absence of a clear directive.

National Conference on “Role of Women in Disaster Preparedness”

The NCW Chairperson Dr. Girija Vyas was the chief guest at a seminar on the ‘Role of Women in Disaster Preparedness’ organised by the All India Foundation for Peace and Disaster Management in New Delhi.

In this conference, academicians and delegates from different Indian Universities and abroad, presented their research papers/findings upon the theme concept on Role of Women in Disaster Management.



Dr. Girija Vyas, third from left

NCW Chairperson meets Home Minister demands stringent punishment for rapists

In the wake of Ruchika Girhotra molestation case, the National Commission for Women Chairperson Dr. Girija Vyas met Union Home Minister P. Chidambaram to press for the need of changing law on sexual assaults.

She demanded strict punishment for crimes like rape and molestation, especially, when it is committed by government employees like police officers.

“There is an urgent need to change the laws on sexual assaults. The definition as mentioned in the Act be enlarged and punishment should be stringent”, she said.

As per law, a maximum imprisonment of two years can be given to molesters. She said a minimum of life or seven years in prison should be given to such culprits.

Dr. Vyas suggested to the Home Minister that if any such crime against women is committed by government servants and by police officers, the punishment should be “more stringent”.

She also expressed concern about non-registration of FIRs in many rape cases. Shri Chidambaram

assured the NCW Chairperson that a State-Centre inter-ministerial coordination committee headed by Union Home Secretary is already looking into the laws related to sexual violence.

Members’ Visits

Ms. Neeva Konwar, Member, National Commission for Women visited SOS village in Borjhar, near Guwahati and distributed biscuits and fruits to the orphan inmates on the eve of Magh Bihu Festival on 12th January.



Ms. Neeva Konwar, with some of the inmates of SOS village

● **Alimony to be decided on husband's status : Court**

Coming to the rescue of a woman, who was allegedly thrown out of her marital home by her in-laws five months after her marriage, a trial court in New Delhi has asked her husband to pay her sufficient maintenance so that she can maintain the status "enjoyed by her at her matrimonial home".

"A woman is entitled to get maintenance as per the status enjoyed by her at her matrimonial home and not in accordance with that of her parental home under the Domestic Violence Act", a metropolitan magistrate said. "If the income of the husband increases, then the wife gets entitled to enhanced maintenance". The income of her husband and the status of her in-laws should decide the maintenance, the court added.

● **Rape victim's testimony enough to convict : Court**

A city court in New Delhi has said the testimony of a rape victim is "sufficient" enough to convict the accused and asking her to corroborate her version by producing more witnesses will be insulting.

"The statement of the prosecutrix alone is sufficient and needs no corroboration. The conviction can be founded on her testimony unless there are compelling reasons".

● **Muslim women entitled to alimony**

Sending out the clear message that the law does not discriminate on the basis of religion, caste or creed, the Supreme Court said that a Muslim woman, like women from all other communities, was entitled to alimony under section 125 of the Code of Criminal Procedure (CrPC).

Her plea to seek alimony is maintainable even after the completion of *iddat*, provided she doesn't remarry the court ruled.

● **No allowance if wife walks out**

The Supreme Court said that a wife is not entitled to maintenance if she walks out of her matrimonial home willingly.

Dismissing a woman's petition seeking Rs. 4,000 as monthly maintenance from her former husband, a bench granted her divorce plea but her appeal for maintenance was turned down.

● **NCW guidelines on airlines soon**

The National Commission for Women plans to come out with guidelines within a month on working conditions in airlines, even as it is investigating the recent complaint by an air hostess of alleged molestation and harassment by pilots on board of an international flight.

Talking to reporters NCW Chairperson Dr. Girija Vyas said "We have got similar complaints from several people. Rules need to be changed so that conflict can be lessened". She said most of the complaints pertain to differential pay, gender discrimination during promotions and misbehaviour towards female staff by pilots, officers and other crew members.

The framing of the guidelines would include discussions with various private airlines also.

A five member committee constituted by the Commission is already investigating the issue and has been asked to submit its report within a month.

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