



## Editor's Column

8th March, the International Women's Day is an occasion celebrated by the women's groups around the world. Women of all continents, often divided by national boundaries and by ethnic, linguistic, cultural, economic and political diversities come together to celebrate solidarity on this day. They look back to a tradition that represents decades of struggle for equality, justice, peace and development.

The International Women's Day is the story of ordinary women as makers of history; it is rooted in the centuries-old struggle of women to participate in society on an equal footing with men.

The idea of the International Women's Day first arose at the turn of the nineteenth century, which in the industrialized world was a period of expansion and turbulence, booming population growth and radical ideologies.

Since those early years, the International Women's Day has assumed a new dimension for women in developed and developing countries alike. The growing international women's movement, which has been strengthened by global United Nations Women's Conference has helped to make the commemoration a rallying point for coordinated efforts to demand women's right and participation in the political and economic processes. Increasingly, the International Women's Day, is a time to reflect on progress made, to call for change and to celebrate

acts of courage and determination by ordinary women, who have played an extraordinary role in the history of women's rights.

During the last five decades, the women's movement has become a truly global phenomenon. The "Beijing Plus Five", special session of the General Assembly, showed that while we have moved forward in some areas in implementing the recommendations of the 1995 Beijing Conference, there are many points on which we have yet to make a serious headway. However, the commitments made by Governments in

## FOCUS INTERNATIONAL WOMEN'S DAY

Beijing reflect the understanding that women's equality must be a central component of any attempt to solve the world's social, economic and political problems. Thus, where once women fought to put gender equality on the international agenda, gender equality is now one of the primary factors shaping that agenda.

In many countries, provisions guaranteeing enjoyment of human rights without discrimination on the basis of sex have been included in Constitutions or integrated into legislative reforms. Discriminatory legal provisions have been repealed and legal literacy and other measures introduced to alert women to their rights.

Yet, much remains to be done. More than 63 years after independence, despite

the extraordinary plethora of laws, women in India still find themselves shackled. At the forefront is the impact on women of globalization, liberalization, economic restructuring and privatization. Poverty among women, especially, heads of households and older women appears to be deepening. Women are over represented among the unemployed and underemployed. They still continue to pay with their lives for child marriage, domestic violence, dowry demands, foeticide, rapes and inadequate provision of healthcare.

Women continue to find themselves in a vulnerable position - at the workplace, in their access to basic needs like health, education and employment, and even at their own homes.

Thus, to improve the lot of women, we have to put more our girl children in school and equip them with quality education - as opposed to making them merely literate. We have to make primary health centres accessible to women so that hundreds of women in rural areas do not die every year during childbirth for want of medical attention. And most importantly, we have to reform property laws so that gender parity becomes a reality. While these changes are necessary, they will amount to nothing, if we, as a society, continue to deny our women, the dignity, liberty and opportunities that are rightfully theirs. For when women thrive, the whole society benefits and succeeding generations are given a better start in life.

## Issues relating to NRI Marriages

A national seminar on issues relating to NRI marriages was organised by the National Commission for Women in collaboration with the Ministry of Overseas Indian Affairs in New Delhi, in the wake of rising problems faced by Indian women trapped in fraudulent marriages with NRI Indians.

The problems include desertion, dowry harassment, domestic violence, concealment of earlier existing marriage, lack of social security, ex-parte divorces, easy dissolution of marriages by foreign courts even though the marriage had taken place in India as per Indian laws, etc.

The eminent panelists, therefore, strongly advocated a separate legislation to address



*Dr. Girija Vyas, Member Yasmeen Abrar, Member Wansuk Syiem at the seminar*



*Dr. Mohini Giri, Smt. Krishna Tirath and Dr. Girija Vyas at the seminar*

matrimonial discord, maintenance, settlement of property and custody of children, so, that the new law could serve as a comprehensive ready reference for foreign courts deciding on litigation between non-resident Indians and Indian citizens.

Highlighting the inadequacies of the existing legislation, the experts, said certain provisions were needed to address international protocol and jurisdiction issues. They favoured mandatory registration of marriages, simplification of the procedure for quick issuance of visa by foreign missions in India to any deserted woman to enable her to contest the proceedings filed by her NRI/ Person of Indian Origin (PIO) husband in a foreign

land. Introduction of a system of cross-checking or consent when an NRI/PIO wants to cancel sponsorship of his spouse's visa, barring ex parte divorce by foreign courts in the case of marriages solemnised in India as per Indian law, and not permitting deportation of the woman in order to let her contest the case were some of the other points of discussion, made at the seminar.

Speaking on the occasion, NCW Chairperson Dr. Girija Vyas said that NCW had started an NRI cell in the Commission in 2009 to receive and process complaints related to Indian women deserted by their overseas Indian husbands. She said the Commission had received 515 complaints till date; out of which 68 were from Delhi, 42 from



*Member Secretary Ms. Zohra Chatterji, Mr. Didar Singh, Dr. Girija Vyas at the seminar*

Uttar Pradesh, 36 from Haryana, 27 each from Punjab and Maharashtra, 25 from Gujarat, 24 from Andhra Pradesh and 13 each from West Bengal and Tamil Nadu. The remaining were from other states. In her speech, Smt. Krishna Tirath, Minister for Women and Child Development said there was need for creating awareness about the dangers of NRI marriages and suggested creation of special cells in Indian Missions and Embassies to deal with problematic NRI marriages.

Advocate Ranjit Malhotra suggested that as part of consular protection obligations, foreign embassies, missions and consulates in India must mandatorily furnish all relevant data of the erring NRI spouses, who are habitually resident and domiciled in foreign countries.

Some sort of practice directions or a protocol could well be framed by the Ministry of External Affairs, in conjunction with the Ministry of Overseas Indian Affairs and the Ministry of Women and Child Development, to direct embassies and foreign missions to provide consular assistance to abandoned NRI brides.

Shri Basant K. Gupta, Additional Secretary, Ministry of External Affairs, drew attention to the sensitivity of the issue, and suggested bringing about a common ground between the two parties and signing of a pre-nuptial affidavit that marriages performed in India would come under the jurisdiction of Indian courts.

Shri D.K. Sikri, Union Secretary, Ministry of Women and Child Development, said the issue of NRI marriages could be included in the 12th Five Year Plan.

The various suggestions which emerged in the open house discussion included :

- (1) Pre-departure counselling at international airports for the girl leaving the country by marrying an NRI or PIO;
- (2) Curriculum be prepared for different training institutions like the Police, Judiciary etc. highlighting the problem of NRI marriages;
- (3) Inter-ministerial committee be setup for dealing with the issue;
- (4) Counselling can be given to the NRI brides in marriage registration offices.
- (5) Data bank of NRI's marrying Indian girls be with the MOI;
- (6) Data of Indian girls going abroad by way of marriage be with Indian embassies abroad so that missions could give them immediate help;
- (7) NRI marriages should be registered under the special marriage Act;
- (8) Special units of Police should be set up for dealing with NRI marriage cases; there must be capsule courses in Police training centres dealing with issues relating to NRI marriages;
- (9) There should be a single window with officials from different ministries to cut down procedural delay;
- (10) Media campaigns in urban and rural areas;
- (11) Awareness of MOI scheme for legal and financial aid through print and electronic media.

## Member Secretary visits New York

Ms. Zohra Chatterji, Member Secretary National Commission for Women visited New York as a member of the Indian delegation to attend 55th Session of Commission on the Status of Women.

Speaking on the occasion, Ms. Chatterji said, "this was a historic session as this was the first session after the creation of UN Women. The pooling of resources and merging of various UN organisations working for the advancement of women into "UN Women" sends a strong message that the advancement of women is to be dealt with using a more comprehensive and convergent gender approach, reinforced with adequate and more focused funding. India supports and welcomes this strategy."

Speaking on Indian women she said women in India have increasingly overcome traditional mindsets and gender stereotypes; women hold important positions like the President of India, Speaker of the Lok Sabha at the Parliament, leader of the opposition at the lower house of the Parliament. Indian women entrepreneurs are occupying positions as top executives

in banks and corporate board rooms in India as well as globally.

Sustained efforts have been made in the field of education to retain girls in school and generate a demand for girls' education through training and mobilization. The government's National Rural Health Mission aims to provide quality healthcare for women with provision for institutional deliveries.

In order to empower women government is providing training and employment to make them economically independent as well provide a safe environment for women by amending laws to promote gender justice and equality. To make women politically empowered the government has reserved one third of the seats in local bodies enabling them to be part of decision making process.

Concluding her speech Ms. Chatterji said, "sixteen years ago, the aspirations of the Beijing Declaration may have appeared lofty and distant but together we have moved far along the road. We shall continue to strive for sustainable development, poverty eradication and realization of Millennium Development Goals."



## Regional consultation on the age of consent issue

A regional consultation on the age of consent issue sponsored by the National Commission for women was organised by the West Bengal Commission for Women. Inaugurating the consultation, Justice Ruma Pal described child marriage as one of the worst forms of abuse of the girl child. Ms. Kirti Singh, Advocate Supreme Court said that child marriage had a negative impact both on boys and girls but girls are vulnerable to all forms of abuse and exploitation to a much greater extent as a result of child marriage. NCW member Ms. Wansuk Syiem referred to the role of education in enabling children to make the right kind of choice.



At the consultation (from left) Hemlata S. Mohan, Chairperson Jharkhand Commission for Women, NCW member Ms. Wansuk Syiem, Dr. Malini Bhattacharya, Chairperson West Bengal Commission for Women, Ms. Jasodhara Bagchi, Justice Ruma Pal.

In the concluding session, Dr. Malini Bhattacharya, Chairperson of West Bengal Commission for Women summed up the day's discussion. She said that as far as the recommendations of the Law Commission are concerned, the issue of deleting the exception of marital rape from Section 375 I.P.C. has been generally agreed upon. Similarly, on the recommendation regarding mandatory registration of all marriages, irrespective of communities, within a stipulated period, there has been no disagreement. On the issue of making marriages under 16 automatically void, on which there was some disagreement, Dr. Bhattacharya said that the Law Commission had thought of sufficient economic and social protection for the girl should her married status be void automatically. Another recommendation on which there has been some debate is making 18 years the minimum age of marriage for both boys and girls. She said that in her opinion, uniformity of age cannot be ruled out simply by saying that the wife being dependent need not be capable of earning at the time of marriage. However, neither a boy nor a girl can be expected to be self dependent at 18. She said that the purpose of law is not to end an abuse but to set a standard of social behavior according to principles of rationality. She assured all participants that their responses would be recorded and sent to the National Commission for Women in the form of a report

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## Women MPs push for speedy passage of women-related Bills

Cutting across party lines, women Members of Parliament decided to set up pressure groups in both Houses to push for speedy clearance of a number of women-related Bills that are pending passage.

The proposal was mooted at a meeting of women MPs, convened by Dr. Girija Vyas, Chairperson of the National Commission for Women. It was attended by 22 women MPs.

Dr. Vyas suggested that women MPs, irrespective of their political affiliations, can come together to form a group and push for a number of pending Bills.



Dr. Girija Vyas and Ms. Brinda Karat with women MPs

Among these Bills and drafts are those related to protection of women against sexual harassment at workplace, relief and rehabilitation of rape victims, Sexual Assault Bill, Indecent Representation of Women Bill, inclusion of a separate clause section 326B IPC for acid attack ,making stalking a crime etc.

Describing the initiative as "very positive," (CPM) MP Brinda Karat said MPs from various parties were "fully open" to the idea.

She also suggested that groups be formed in the Lok Sabha headed by Dr. Vyas and in Rajya Sabha under Ms. Prabha Thakur of the Congress.