



Editor's Column

In the wake of relentless efforts by woman lawyers of the Supreme Court, the Chief Justice of India has finally issued an order for setting up a Gender Sensitization and Complaints Committee to enquire into cases of sexual harassment occurring in court premises, in keeping with the guidelines framed by the Apex court in July, this year.

Due to rising cases of sexual harassment and stalking within the jurisdiction of the court, women lawyers were pressing for such a committee for a long time to look into cases of sexual harassment faced by them.

Though the Supreme Court itself, after delivering the Visakha judgment in 1997, ordered all public and private organizations to set up such committees for redressal of grievances of harassed women, yet the court itself had not

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Apex Court's in-house Committee

set up such a Complaint Committee. What hastened the decision was an incident when a cleaning staff was found to be filming a woman advocate, while she was in the toilet.

The Committee would consist of a minimum of seven members

and a maximum of 13, including two Supreme Court judges, one of them being the Committee's Chairperson. The majority of the members will be women. The committee can ban the entry of the offender inside the court premises for a period extending up to one year and can also recommend filing of a criminal case against the perpetrator.

It is hoped that this decision of the court will take concrete shape soon and will certainly go a long way in redressing the grievances of women and preventing incidents of sexual harassment in the court premises.

Enquiries undertaken by NCW

- ❖ Member Hemlata Kheria along with Manasi Pradhan conducted an enquiry into newspaper report, "Minor Tribal Girl Gangraped in Odisha's Nayagarh District", wherein reportedly a 16-year-old tribal girl had been raped. She is battling for her life in a hospital at Cuttack. A report has been submitted.
- ❖ Ms. Kheria also enquired into an incident of rape of a deaf and dumb student, who was reportedly raped in a Vocational Rehabilitation Centre by an inspector. A report has been submitted.
- ❖ Dr. Charu Walikhanna as Chairperson of an enquiry committee enquired into a report titled "Doordarshan ke adhikari yon utpidan me phase", wherein reportedly, a top official of Dooradarhan, Delhi, sexually harassed a junior employee.
- ❖ Dr. Charu Walikhanna chaired an enquiry committee to enquire into the media report titled "Another woman student attacked in JNU", wherein reportedly, a 22-year-old female student was attacked and molested by her friend at JNU Campus, New Delhi.
- ❖ Taking suomoto cognizance, Member Nirmala Samant Prabhavalkar and social activist Manasi Pradhan enquired into an incident in which Lincon Subidhi of Orissa was severely beaten up while trying to stop a minor girl's marriage. A detailed report with recommendations has been submitted.
- ❖ Taking suomoto cognizance of a newspaper report, Member Prabhavalkar along with Mumbai Police enquired into an incident in which a 17-year-old girl was subjected to acid attack by a man, whose marriage proposal was spurned by the victim. The victim has been admitted to ICU of Thunga Hospital in Thane.

Training for State Commissions for Women

The National Commission for Women organized a one-day training programme for Chairpersons and Member Secretaries of State Commissions for Women in New Delhi.

Welcoming the participants, Member Adv. Nirjala Samant Probhavalkar introduced the issues to be deliberated during the day's consultation. She emphasized on the need for networking between NCW and State Commissions on policy matters.

The training programme discussed: (1) Networking with State Women Commissions (2) Constitutional rights of women and Internal Conventions, CEDAW, legislations for Women's Protection (3) Gender and discrimination in Government policies and programmes; procedures for handling complaints (4) Care and caution in Media interaction.

Addressing the participants, Member Secretary Ms. K. Ratna Prabha emphasized the necessity of closely working with State Commissions for making policies and programmes of NCW as well as State Women Commissions successful.

She asked the State Commissions to submit proposals for organizing seminars or consultations in association with NCW to avoid duplicity in work and to learn from each others' experience. It was also suggested that NCW may also involve NGOs and invite the State Commissions while holding NCW sponsored programmes. She further suggested that NGOs may submit proposals for organizing programmes to NCW through State Women Commissions.

She urged the State Commissions to review existing laws and submit their recommendations to the State governments. She also suggested that Corporates, Universities may be involved in different women-related programmes as funding was limited. The services of District Legal Services Authority may be obtained while organizing legal camps to assist women complainants.



Member Prabhavalkar addressing the consultation as Member Secretary, K. Ratna Prabha and Joint Secretary Sunita Khurana look on

The Chairpersons of State Commissions for Women suggested that NCW may instruct NGOs to involve State Commissions in NCW sponsored programmes and periodical meetings should be held between NCW and State Commissions.

From the Complaints Cell

- The Commission received a complaint from Mr. X alleging domestic violence was being perpetrated on his daughter by her husband and in-laws. He also told the Gandhi Nagar police station, Delhi, that he was not able to contact his daughter for the last 2-3 days. Thereafter, one police constable went with him and rescued the complainant's daughter from her matrimonial home, where she was locked up by her in-laws. Taking cognizance of the matter, hearings were conducted at the Commission, wherein the complainant's daughter requested the Commission to get back her dowry articles and *streedhan* from the respondent as she did not wish to continue her marriage. Five hearings were held with Member Shamina Shafiq. With the Commission's intervention, the complainant got back all her dowry articles and *streedhan* as well as Rs. 4,90,000/- as full and final settlement. Now both parties have filed for divorce with mutual consent.
- 1277 Complaints have been registered with NCW in September, 2013.
- The Commission took suo motu cognizance of 22 cases in September, 2013.

Role of Women in Peace and Non-violence

The Ministry of Women and Child Development and NCW recently organised a seminar on "Role of Women in Peace and Non-Violence and responsibility of Police, Paramilitary and Armed Forces" at Vigyan Bhawan in New Delhi. Representatives of the Army Airforce, Navy, SSB, BSF, CRPF, RPF attended the seminar.

Speaking on the occasion, Smt. Gursharan Kaur said she was deeply disturbed about the rising crimes against women. She asked the police and members of Para-military Forces to be sensitive to towards women, who are victims of violence and atrocities.



Smt. Gursharan Kaur addressing the participants



Smt. Gursharan Kaur lighting the lamp as Ms. Sreerupa Mitra Chowdhury and Ms. Mamta Sharma look on.



Ms. Mamta Sharma addressing the gathering

In her speech, NCW Chairperson Ms. Mamta Sharma quoting Mahatma Gandhi said, "If non-violence is the law of our being, the future is with women". She said that women and children are the worst sufferers affected by conflict and violence and therefore, men and women must be equally involved in peace building.

The other speakers included Ms. Shamina Shafiq, Ms. Sreerupa Mitra Chowdhury, Army Generals, Senior Officers from paramilitary forces, United Nations representatives, etc.

The speakers reiterated that officers of the army, navy, airforce and paramilitary forces must promote and protect human rights of women. They must recruit more women in the forces and increase women's participation in conflict prevention, stop trans-border trafficking, sensitise the forces and inculcate cordial relations between the forces and the communities. The speakers also stressed the need for involving women in decision-making and peace-building efforts.

Members' Visits

❖ NCW Member Dr. Charu WaliKhanna was the chief guest at a seminar on 'Upliftment of Girl Child' organized by PHD Family Welfare Foundation in association with Inner Wheel District 301 in New Delhi. Addressing the participants, Dr. WaliKhanna said that the Foundation has been working for decades on different projects in the slum and rural areas in the field of health and family welfare, income generation programmes for the poor and marginalized communities, female foeticide, etc. She also spoke on the provisions of Sexual Harassment of Women at Workplace Act, 2013 and stressed on the need to provide conducive work environment to working women.



Dr. Charu WaliKhanna at the Legal Awareness Programme

● The Member was the Chief Guest at a legal awareness programme organized by Arunodaya Samiti at Rewa at Madhya Pradesh. She said it was unfortunate that Rewa was among the districts, having highest number of foeticide. She urged women to resist injustice and speak out against violence. The NGO conducting legal awareness programmes should highlight basic legal rights and remedies provided under various women-related laws. ● Dr. WaliKhanna was the Chief Guest at the Annual Conference on Empowerment of Women in India, organized by All-India Legal Aid Forum, Supreme Court of India, New Delhi. ● Dr. WaliKhanna spoke at a seminar organised by the Confederation of

Indian Bar Association in collaboration with Konrad Adenauer Stiftung. The seminar inaugurated by the President of India, Shri Pranab Mukherjee discussed "Implementing Directive Principles to promote better livelihood conditions, public health and assistance".

❖ Member Hemlata Kheria visited the district jail at Haridwar at Uttarakhand. She found the infrastructure of the jail quite satisfactory. She discussed the need for legal and vocational training for women inmates with jail officials.

❖ In the wake of rising violence against women, NCW alongwith Bikaner police organised a Consultation on "Building Confidence with Police and Public", at Bikaner in Rajasthan, attended by 300 police deegates. Speaking on the occasion, NCW Member Nirmala Samant Prabhavalkar said, "the police as an implementing authority of laws have two important duties (i) to protect women against atrocities committed on them and (ii) to uphold the law and act against those, who break the law". She stressed the need for sensitivity in police officers to deal with cases of rape, sexual assault, molestation and acid attacks, and also use of modern forensic science devices alongwith speedy trial and proper investigation in order to secure convictions. ● The Member visited the Stree Adhar Kendra in Nagpur wherein 21 inmates belonging to the poor and lower middle class families were housed. Most of them were abandoned or destitute women. The Member recommended that girls studying in colleges should be kept apart from mentally-unsound, or trafficked women. Vocational training courses should be provided to the inmates.

● The Member also visited Paunar Ashram at Wardha, where a programme had been organised on "Mahatma Gandhi's thoughts and women's role in the upliftment of the society". The Member, in her speech, highlighted Gandhian philosophy of peace, non-violence as well as fight against social evils like dowry untouchability and alcoholism. ● The Member visited two shelter homes for women in Nagpur and Wardha run by State WCD Ministry to oversee the condition of women living in the shelter home and suggest improvements to be undertaken by the State Governments.



Member Kheria talking to women inmates



Member Nirmala Samant Prabhavalkar addressing the gathering

Important Decisions

- ❖ The Supreme Court has held that if a married person lies to a woman that he is single and marries her, she is entitled to maintenance from him u/s 125 CrPC. The court said the person cannot take advantage of his own wrong-doing by saying she was not a legally-wedded wife and deny paying maintenance to her, whom he cheated and married.
- ❖ A Mumbai court has held that a man by not paying EMI's on a home loan was denying his wife the right to reside in a matrimonial house, which is protected u/s 17 of the Protection of Women from Domestic Violence Act. The provision ensures that every woman in a domestic relationship has a right to reside in a shared household whether or not she has any right, title, interest or beneficial interest in the same. It also provides that the aggrieved person shall not be evicted or excluded from the shared household or any part of it by the respondent.

for further information visit our website at : www.ncw.nic.in

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