



Editor's Column

After her unbelievably courageous act, Rukhsana Kausar has become a heroine in the true sense of the term and people see her as a fighter against the atrocities of the militants. She showed unprecedented guts in foiling a militant raid on her home in the Rajouri sector of Jammu and Kashmir.

Three militants came to her home and beat up her parents suspecting her father to be a police informer. Mustering all her courage, the frail 21-year-old girl managed to get her hand on an axe, attacked one of the militants with it and then snatching his gun shot him dead. The other two militants ran away, including the one, who had been wounded. Rukhsana had never fired - let alone, held a gun before.

Yet, she has sent a strong signal to other women that they are also capable of resisting the lustful urges of the militants. It is an open secret that *jehadis* abduct young women for sexual abuse.

Rukhsana's story is a sign of changing times - militants, once sheltered by locals, are now losing

FOCUS

Girl Kills Terrorist

support. Increasingly, fed up with harassment by the terrorists, who rape and kill at will, many women in Kashmir have lost their fear and have started standing up to them. To cite an example, a few months ago, a woman, who had been abducted for a month and raped beat up a terrorist at the police station after identifying him.

Now Rukhsana has become an icon overnight for girls, who live in remote areas of the state and are tortured by the terrorists. However, now she is also a target of the militants, who will be hell-bent to kill her. True, the local police has set up a picket in front of her house to protect Rukhsana and her family from any possible retaliation from the terrorists but the question is for how long will it serve as a shield? Admittedly, Rukhsana and her family would need long-term protection and there should be no downgrading of security provided to them, once the media attention fades. Otherwise, Rukhsana's heroic act, which could inspire many other Rukhsanas in the valley, will go in vain.

Inauguration of NRI Cell at NCW

Ms. Anne F. Stenhammer, Regional Programme Director (South East Asia) of UNIFEM inaugurated the NRI Cell at NCW.

Speaking on the occasion, Ms. Stenhammer said that she was greatly impressed by the working of the NRI Cell. She also met some victims along with their relatives. She suggested that the Cell should be broadened not only in India but also abroad because most of the troubles occur abroad. She promised that UNIFEM would render technical expertise to support the cell.

NCW Chairperson Dr. Girija Vyas said that the NRI cell would function as a nodal agency for dealing with complaints regarding NRI marriages. "The body has been nominated as the coordinating agency at the national level for dealing with issues pertaining to NRI marriages by the overseas Indian affairs ministry", she said.

Since its inception the cell has received 25 complaints from women, who had married NRIs residing in the US, Britain and Europe. This year, before the cell was launched, 16 such cases came up, while in 2008, 44 cases were registered with the NCW's complaint and investigation cell.

Earlier, such cases were dealt by a multiplicity of agencies - the ministries of external affairs, home affairs and law & justice - due to which unnecessary delays were incurred in resolving them. To remedy this, the NCW has been mandated to take up the task.



Ms. Stenhammer and Dr. Girija Vyas at the press briefing

NCW sets up cell for abandoned NRI brides

In order to reduce the trauma of women abandoned by NRI husbands abroad, the National Commission for Women has launched a special NRI cell, which will be one-stop shop for all issues related to NRI weddings and related disputes.

The necessity of such a cell was long felt, considering two in every 10 NRI weddings end up in abandonment of the wife.

Through the cell, for which the Overseas Affairs Ministry had named NCW the nodal agency, women can get their disputes solved through mediation. The cell would accept and process all



At the inaugural function (from left) Ms. Wansuk Syiem, Ms. Yasmeeen Abrar, Ms. Pooja Bhatt, Dr. Girija Vyas, Mr. K. Mohandas and Ms. Shibani Kashyap



Dr. Girija Vyas addressing the gathering

complaints related to Indian women deserted by their spouses abroad.

Speaking at the inaugural function NCW Chairperson Dr. Girija Vyas said, “the Commission receives lot of complaints from Indian women being deserted by their NRI husbands. They do not know where to go and what to do. All such cases will now be dealt by the Cell”.

After the issue was raised in Parliament last year, followed by a meeting of senior representatives from the National Commission for Women, Ministry of Overseas and Indian Affairs, Home Ministry and Ministry of External Affairs, it was decided to make NCW the

coordinating agency to process all such complaints. The Commission will also coordinate with NGOs and Indian missions to help women in distress abroad. The Commission will also set up an advisory committee to coordinate with the state governments, the judiciary as well as the police.

There will be lookout notices against errant husbands in the country where the incident has taken place.

Film actress Pooja Bhatt, who released the book ‘The “Nowhere” Brides’, on the occasion said that in the Indian society, the parents only teach daughters about their responsibilities but they should also make them aware of their rights.



Ms. Pooja Bhatt releasing the book flanked by Ms. Yasmeeen Abrar and Dr. Girija Vyas

A Parliamentary Committee on Poverty Reduction, Rural Development and Gender Equality Delegation of the National Parliament of Timore-Leste led by Mr. Osorio Florindo (President of the Committee) recently visited the National Commission for Women and interacted with the Chairperson, the members and the officers.



*Dr. Girija Vyas welcomes Mr. Osorio Florinda,
President of the Parliamentary Committee*

After a brief presentation on NCW, the Chairperson explained that the Commission has three important units - the Complaints and Investigation Cell, the Research and

No entrance fee for women taking UPSC, SSC exams

Women candidates appearing for competitive exams conducted by the Union Public Service Commission and Staff Selection Commission will not have to pay fee while applying for central government jobs. As part of its efforts to increase representation of women in central government jobs, the government has decided to exempt women candidates from payment of fees and asked recruiting agencies - UPSC and SSC - to make this clear in all advertisements to be released for this purpose.

A rape every 24 hours in Punjab

A shocking data gathered by the Punjab police on crime against women states at least one rape is reported from the state daily and a woman is murdered every second day. And at least one case of molestation and two women kidnappings are reported every 24 hours.

From January (2009) till July-end (a period of seven months), 257 rape incidents took place in Punjab, 334



*The Timore-Leste team with the Members and Officers
of the Commission*

Study Cell and the Legal Cell. She explained that the Legal Cell proposed and reviewed laws related to women while the Research and Study Cell conducted research on women-related issues and generated awareness about the rights and problems related to women.

On the question regarding working of the Commission Dr. Vyas said that the Commission takes up suo-moto cognizance of cases and sets up inquiry committees to investigate into the cases and thereafter the inquiry reports are sent to the concerned state or departments for remedial action.

women were kidnapped while another 200 were molested. More than 115 were murdered. Besides, every second day a woman is driven to suicide and there is, on an average, at least one dowry death in the state every month.

While the data is gathered on a monthly basis by the police department in accordance with the number of FIRs lodged across the state, the ground situation could be even worse as a large number of cases of crime against women go unreported.

News From Abroad

Taiwan began a process of legalising prostitution making the island the latest place in the world to decriminalise the world's oldest profession.

At present, the client gets off free, but the prostitute gets punished.

Local religious groups, however, have opposed the move. Taiwan is the latest place to legalise prostitution. New Zealand allowed brothels to operate freely in 2003, when parliament narrowly voted to overturn 100-year-old sex laws.

● **‘Husband’s female relatives can be tried : HC**

The Bombay High Court has ruled that complaints can be filed against female relatives of a husband under the Domestic Violence Act.

Reversing a sessions court order, the high court in its direction asked the magistrate to proceed with the trial against a victim’s mother-in-law and sister-in-law. While issuing the directions, the judge observed if the legislature wanted to exclude female relatives from the definition of respondent, it would have specifically made such a provision. The victim had complained in June 2004 that she was beaten up by her husband, mother-in-law and others, and thrown out of the house.

● **Rape claim to be rejected if allegations defy logic: SC**

The Supreme Court has held that though the testimony of a rape victim has to be given predominant consideration, the same can be discarded if the allegations are found to be improbable and defies logic.

“It is true that in a case of rape, the evidence of the prosecutrix (victim) must be given predominant consideration but to hold that this evidence has to be accepted even if the story is improbable and belies logic would be doing violence to the very principles which govern the appreciation of evidence in a criminal matter”, the apex court said.

A 2-judge bench made the remarks while acquitting a person who was convicted and sentenced to seven years’ imprisonment for raping a housewife in Delhi.

● **Wife’s rights exist even if mother is nominee : SC**

The Supreme Court has ruled that a wife’s succession right does not get destroyed merely because the husband prior to the marriage had made his mother the nominee for his provident fund and other retirement benefits.

The Court held that a nominee does not get any automatic right merely because he/she had been nominated to receive the amount and benefits of the deceased.

The apex court said, “A mere nomination does not have the effect of conferring to the nominee any beneficial

interest in the amount payable under the life insurance policy on death of the insurer.

“The nomination only indicates the hand which is authorised to receive the amount on payment of which the insurer gets a valid discharge of its liability under the policy. The amount, however, can be claimed by the heirs of the deceased in accordance with the law of succession”.

● **Irrespective of personal law, Indian can adopt child: Court**

An Indian can adopt a child even though his or her personal law does not permit it, a Delhi court has said, giving hope to a Muslim couple who aspire to be the foster parents of an orphan. The court ruled that the Indian citizens have a fundamental right under the Indian Constitution and under the provisions of the Juvenile Justice Act, 2000, to adopt an Indian child.

● **Divorce can be granted even if spouse retracts : SC**

The Supreme Court has ruled that divorce can be granted to a couple even if one of the spouse retracts after initially agreeing for the separation under “mutual consent”. A two-judge bench however, ruled that divorce in such exceptional cases cannot be granted by any other court except the Supreme Court using its extraordinary power vested under Article 142; but no other court can grant such relief.

In the present case, the apex court passed the decree of divorce after noticing that the estranged wife initially agreed to a divorce on the condition that she would get certain properties of the husband transferred in her name.

But once the property was transferred in her name, she withdrew her consent, thus frustrating the efforts of the husband to obtain divorce.

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www.ncw.nic.in