



**A REPORT ON
CHAIRPERSONS
TOUR TO KERALA
STATE (Alappuzha
Kottayam District)**



on

11/12/2010

Report on the public hearing conducted by the Dr. Girija Vyas, Hon'ble Chairperson, National Commission for Women, New Delhi, on the incident of alleged attacking on a woman Presiding Officer during the recent Local Body Elections in District Alappuzha of Kerala.

The National Commission for Women in exercise of its powers conferred under Section 8 (1) read with Sections 10 (1) and 10 (4) of the National Commission for Women Act, 1990, had taken cognizance of the incident of alleged attacking on a woman Presiding Officer during the recent Local Body Elections in District Alappuzha of Kerala.

Shri K. V. Venugopal, Member of Parliament, had written a letter to the Hon'ble Chairperson, NCW, regarding this matter. Based on the aforesaid letter and complaint received from the victim Smt. T. Usha, Principal, High Secondary School, Kandamangalam, Cherthala, the NCW had sought Action Taken Report (ATR) from the Superintendent of Police, Alappuzha. However, the Commission didn't receive any ATR from Superintendent of Police, Alappuzha.



Dr. Girija Vyas, Hon'ble Chairperson, NCW, visited District Alappuzha and conducted a public hearing in the matter. Ms. Kareena, Public Relation Officer, NCW, assisted her in the hearing. Dr. Girija Vyas, Hon'ble Chairperson, NCW held detailed discussion with the victim and her husband –

- Whether the FIR was registered on the same day ;
- Under which sections the FIR was registered?
- Whether the statements of the victim U/s 164 of Criminal Procedure Code have been recorded ;
- Whether the hospital authorities have taken care of the victim?



The victim appeared before the Hon'ble Chairperson and presented her case. She submitted that she was deputed as the Presiding Officer in Polling Station No. 1 of Ward No. 10 of Mararikkulam, North Grama Panchayat located at Higher Secondary School Building, SL Puram, for the Local Body Elections held on 25.10.10. The polling was going on very peacefully till 4.50 p.m. A voter came to the booth and his identify was challenged by one of the polling agents. She asked the voter to produce his proof of identify. Thereafter, a group of 10-12 people hurried in and captured the ballot papers from her. She protested and tried to get it back but the efforts went in vain. One of them slammed on her face and pulled her down and attacked her brutally. She further stated that the charges on the accused persons were very weak because of which they have been released on bail.

OBSERVATIONS :

1. During the course of hearing it was observed that the police have registered a case Cr. No. 640 of 2010 U/s 143, 147, 149, 452, 332, 354 of IPC and U/s 138 of Kerala Panchayat Raj Act at Mararikkulam Police Station against the accused persons on the written complaint of the victim ;
2. The police has further submitted that six accused persons have been arrested and the investigation of the case is going on properly;

3. The victim submitted that the police has registered the case under weaker sections and even the accused persons have managed to get bail ;
4. It was also observed that the Local Police / Admn. and the State Government has not taken the incident seriously. The victim has till date not been given any relief other than that of the registration of an FIR ;
5. It was also observed that even the State Commission for Women, Kerala, has not taken any action on the occurrence of such an incident wherein a woman officials was assaulted on duty ;
6. The complainant further stated that the Local Police has not taken any steps to ensure her safety & security despite of her apprehensions of threat to life & property ;

RECOMMENDATIONS :

After detailed hearing and based on the observations, the Commission recommends the following –

1. An Action Taken Report (ATR) may be sought from the Government of Kerala. The District Magistrate, Alappuzha, may also be requested to submit the Status Report of the investigation of the case. In addition to this, the State Government may also be

urged to ensure the safety and security of the victim & her family members ;

2. The State Govt. should ensure that the investigation of the case is carried out properly and impartially. The investigation should be thorough and should be conducted properly.
3. To ensure that proper safety & security is afforded to the victim and her family members. In addition to this, every possible help & support from the Local Administration / Police be provided to the victim and her family members ;
4. The State Government should ensure that the safety and security of women employees is ensured at work places so that they are not compelled to work under adverse conditions ;

Meeting with the officials of Ministry of Women and Child Development & Social Welfare Department on Domestic Violence at Alappuzha Guest House, Alappuzha

Dr. Girija Vyas, Chairperson, National Commission for Women held a meeting with the officials of Social Welfare Department & Department of Women & Child Development. District social welfare officer Alappuzha, programme officers of Ernakulam and Alappuzha, probation officers of Ernakulam and Alappuzha and some CDPOs of Kottayam district attended the meeting.

She enquired about the details of domestic violence cases in their districts. Ernakulam Probation Officer informed that the no. of complaints in that district is 333 and no. of notices issued is 271 till September. There are 14 cases in the court, one government shelter home and private shelter home is there in Ernakulam. The number of service providers in Ernakulam district is 6.

The probation officer Alappuzha informed they have served 314 notices this period and they have 4 service providers. They have 2 counselling centers and one shelter home.

The officers submitted that they are double burdened of the work of protection officers apart from their job.

PRESS Conference By: Dr. Girija Vyas, Chairperson, NCW at Alappuzha.

Dr. Girija Vyas, Hon'ble Chairperson, NCW said the NCW was pushing for inclusion of 'irretrievable breakdown of marriage' as a ground for divorce, provided necessary safeguards like financial security for the wife and children and division of property were ensured. While addressing a press conference, she said on the issue of marriageable age, the Commission has recommended nationwide consultations with stakeholders in different fields to come up with recommendations regarding the appropriate age of marriage. She expressed "anguish" at the State Governments response to the case of

a woman presiding officer being attacked during the recent local body elections here.

Stating that the NCW would demand a report from the State Government and the State Women's Commission as well on what it had done regarding the incident, Ms. Vyas said the SWC should have acted independently without bothering what the State Government did or which party was in power.

Meeting with NGOs by our Hon'ble Chairperson Dr. Girija Vyas at Natakam Guest House Kottayam, Kerala

Dr. Girija Vyas, Hon'ble Chairperson, National Commission for Women held a meeting with NGOs at Natakam Guest House, Kottayam on 11th December, 2010 at 12.00 a.m. The following members were present there:-

1. Adv. Sindhu Gopalakrishnan, Mandhiram Family Counseling Centre
2. Adv. Jasmin Legal Counselor PUCL Kanjirapally
3. Anni Babu, Director Santhwanam Gandhinagar Kottayam
4. Thankamma, Secretary Javahar Social Service Society Thalayolaparambu
5. Deputy Thahasiddar Sujatha
6. Programme Officer Mr. Balachandran
7. Jilla Panchayathu President Radha V.G. Nair

Adv. Sindhu Gopalkrishnan, Mandhiram Family Counseling Centre submitted the following suggestions to the Hon'ble Chairperson to write to the Government of Kerala.

To enhance the powers of the women police officers of all concered women cells functioning in each district in Kerala. As a part of enhancing the powers they should be given the powers to deal a cognizable case in the same manner as a Station House Officer does including the registering of a crime. If there is any legal impediment in doing the same, each women cell may be upgraded to the status of a women police station. Since 95% if the petition matters coming before a women cell police officer are cognizable cases, they are really helpless in dealing with distressed women because of lack of power and authority.

Public knows that women cell police officers are having no powers to register a crime, hence now-a-days when men are asked to appear before the women cell, they are reluctant to and shows least respect to the women cell police officers.

According to G10/7/96/SPWC issued by the state women cell, Thiruvananthapuram the women cell is given only the power to monitor cases of atrocities against women.

To provide 24 hours helpline facility in a women's cell as mandatory in each district. As a part of helpline facility a vehicle along with a

driver should be provided. Preference should be given for ladies to be drivers in women cells and women police stations.

Smt. Jasmin Legal Counselor PUCL Kanjirapally submitted that necessary directions may be issued to the State Government or may write to the Central Government on the following issues:

1. It is difficult to talk to the 'women in distress' in privacy more especially when they are reluctant to get their woes told in public. So an environment viable for women may be constituted by providing enough funds with infrastructure.
2. Funds may be directed to be allowed to conduct sensitization programme among the women folk even in the grass root level.
3. A short stay home is necessary near Ponkunnam for the woman who is thrown out from the shared house hold.
4. Rehabilitation programme should be introduced and implemented for them in a speedy manner.
5. Assistance of a clinical psychologist with sufficient experience may be provided for the smooth functioning with proper honorarium.
6. Police force may be directed to give all the necessary help without lapse of time including implementation of orders. Near each Magistrate Court women cell may be allowed to function with all the powers to charge a case.
7. Experience of legal counselor – An advocate having a practice over 10 years may alone be considered for the post.

Sticking to extraneous consideration like proximity of the residence of legal counselor to the service providing centre, etc. are all mere nothing. Experience should be given due weight.

Valedictory function for the Mothers' Day Celebration of the Knanaya Arch Diocese of Kottayam on 11.12.2010

Dr. Girija Vyas, Chairperson, National Commission for women attended the Valedictory function of the Mothers' Day Celebration of the Knanaya Arch Diocese of Kottayam on 11.12.2010.

The vivacious and colourful rally comprising thousands of Knanaya ladies, having reached the large play ground of O.L.L. Higher Secondary School, the valedictory meeting of the Mothers' Day Celebrations of the Knanaya Catholic Arch Diocese of Kottayam commenced with Mar. Mathew Moolakatt, the Arch Bishop of the Diocese in the chair. Dr. (Kum). Girija Vyas, Chairperson, NCW who inaugurated the meeting expressed her immense pleasure in being with such a large crowd of mothers and talked at length on the present pitiable status, the problems, threats and exploitation of the women in India. Sharing her experiences as the Chairperson of the Women's Commission, she dwelled on the role of women in various fields of life and opined that the condition of women in the literate state of Kerala is much better. She also stated that women in general should uphold motherhood – the noblest state of being – and fight for their rights. Sri Jose K. Mani, the sitting M.P. delivered the keynote

address and Prof. Monamma Kokkad gave the Mothers' Day message. Mar Joseph Pandarasseril, the auxiliary bishop of the Diocese honoured eight Knanaya women for their remarkable achievements in the fields of Education, Politics, Sports and Health. Prof. Alie George, President of KCWA, Sr. Annie John S.J.C. Mother General of St. Joseph's Congregation and Sri P.L. Abraham, President, Uzhavoor Grama Panchayat felicitated the meeting. Fr. George Puthuparambil, the General Convener, welcomed the gathering and Smt. Cincy Parel, Municipal Councillor and Secretary of K.C.W.A. Edackt Forane, proposed a vote of thanks. The grand meeting came at a close 6.15 p.m.

Photos speaks...









