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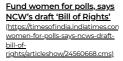
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# Fund women for polls, says NCW's draft 'Bill of Rights'

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MUMBAI: Every woman shall have the right to refuse forced marriage, non-consensual sex within marriage or any medical treatment she doesn't want to undergo. The state will rein in khap panchayats and other vigilante groups to prevent them from inhibiting women's freedom. These are some of the ambitious provisions incorporated in a new 'Bill of Rights' being drafted by <u>the National</u>

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(<u>https://timesofindia.indiatimes.com/topic/women</u>) (NCW), a statutory body mandated to guide the Centre on policy matters affecting women.

The draft, a copy of which is with TOI, lists a host of promises that go as far as committing that the state shall provide financial support to women candidates particularly those from Dalit, Adivasi and other marginalized communities to contest elections. It also reiterates many existing provisions like compensating women for criminal injuries or setting up

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sexual harassment committees in all institutions, which have long been awaiting implementation.

The draft and the process of drawing it up have elicited strong protests from several womens' groups across the country, many of whom believe new pieces of legislation are futile till existing laws are implemented effectively. A rightsbased approach was incorporated comprehensively in the Justice Verma committee report and activists believe the <u>rush (https://timesofindia.indiatimes.com/topic/rush)</u> to draft a new bill could be politically motivated, given the upcoming general elections.

However, Charu Walikhanna, an NCW member who is spearheading the initiative, said the draft bill was an attempt to take forward the Verma committee's work to address not only violence against women, but also issues of discrimination faced by women. She claimed the NCW plans to hold regional consultations before finalising <u>the bill</u> (<u>https://timesofindia.indiatimes.com/topic/the-bill</u>) which is scheduled to be readied before the winter session in December.

But womens' groups point out that public opinion is often a farce, given that they were given a day's notice for the first such meeting to discuss the draft. "More work needs to go into the preparation of such a document to ensure it is comprehensive in its approach. It can't be done in a few weeks," said Sudha Sundaraman, president of the All India Democratic Women's Association. She believes the draft needs to draw much more from best practices of other countries. South <u>Africa</u>

(<u>https://timesofindia.indiatimes.com/topic/africa</u>) for instance, has women's rights mandated as part of its constitutional provisions.

Sadhana Arya of the Saheli Women Resource points out that the NCW has often shied away from taking a critical stand on women's issues, questioning the hypocrisy behind drawing up such documents.

"We've got our hands filled with three new laws that demand a lot in order to deliver. We also know from past experience that new laws and structures don't get implemented on their own, but require intense engagement," says Madhu Mehra, executive director of Partners for Law in Development, Delhi, citing how the new law on sexual harassment at the workplace for instance, stipulates the creation of local and district complaints committees across India, which in itself will demand intensive follow-up. "Without these mechanisms the law will remain non-functional. To talk about a Bill of Rights at such a juncture only diverts and dissipates the collective energy needed to pursue the implementation of the new laws," she added. Mehra said it is essential to have clarity and discussion on the reasons behind drafting yet another 'aspirational document'.



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Walikhanna acknowledged the dissenting voices about the draft and said they will take all points of view into consideration to work towards an integrated approach.

#### New provisions in the bill

The State shall take appropriate steps to stop Khap Panchayat and other extra-constitutional bodies and vigilante groups from inhibiting full realization of woman's right to life and bodily integrity.

The States shall provide financialsupport towomen candidates particularlythose who are from Dalit, Adivasis andother marginalized communities to contest elections.

#### But what about implementation?

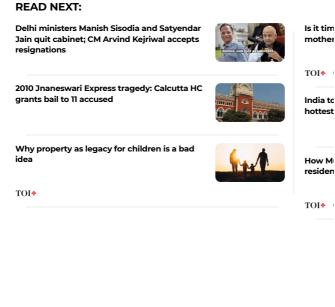
\* Every woman has the right to reparation and rehabilitation for criminal injury through compensation.

Such a compensation fund for victims was mandated by an amendment to the Criminal Procedure Code (CrPC) way back in in 2008. But is still awaiting implementation in many states.

\* The State shall ensure that women are not subject sexual harassment and sexual harassment committees are established in all institutions.

Such cells were mandated by a Supreme Court ruling in the Vishaka case way back in 1997 but are still missing in most private organisations and factories.

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