



No. 8/4(207)PM/2013-NCW

भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय महिला आयोग
NATIONAL COMMISSION FOR WOMEN
4, दीन दयाल उपाध्याय मार्ग
4, DEEN DAYAL UPADHYAYA MARG
नई दिल्ली-110 002
NEW DELHI-110 002
Website : www.ncw.nic.in

20th February, 2014

To

The Chief Secretary
Govt. of West Bengal,
Secretariat, Writers Building,
Kolkata- 700001

Sub- Recommendations of the Inquiry Committee visit

Sir,

I am directed to state that the National Commission for Women (NCW) had taken suo-motu cognizance and constituted an Inquiry Committee under Section 8(1), read with Section 10(1) and (4) of the NCW Act, 1990 to inquire into the media report titled 'tribal woman gangraped in Bengal: Woman's panel orders probe' wherein reportedly a young woman from a tribal community in west Bengals Birbhum District was gangraped by 12 men as punishment for her relationship with a man from another community.

After examining into the facts and circumstances of the present case, the Commission strongly recommends the following:-

RECOMMENDATIONS OF INQUIRY COMMITTEE

1. The extremely unsafe and horrendous condition of the women of the State of West Bengal requires urgent intervention of the Govt. to provide safety to the girls and women in every nook and corner of the State.
2. West Bengal women seemed to be passing through tremendous insecurity and threats of attack sometimes sponsored by the elected representatives (as in this case). Hence, the onus lies on the State Govt. to sensitize the elected representatives about the rights of the women.
3. The victim is a young girl who is unfortunately uneducated. She was working as an assistant to the mason. The incident has left her jobless and prone to insecurity due to which she might be subjected to social stigmas and taboos. Hence, she should be provided with a job either as an Aaganwadi worker or as Asha worker.
4. Strictest punishments for the culprits who committed such a heinous crime. Speedy action should be taken by the police.
5. Police protection should be provided to the victim.
6. The charge-sheet should be filed against the culprits within 90 days.



7. The administration to take steps to curb armed anti social elements mobilizing in the district.
8. Inter-caste marriages have been validated in India as early as 1949 by the Hindu Marriages Validity Act, 1949. The Hindu marriage act 1955 is diametrically against the customary marriage rules in India, offers more freedom in marriages by doing away with the identification of marital partners according to caste and permit both sagotra (same clan) and inter-caste marriages. The Special Marriage Act, 1872 (provided the person of different religion to marry) which was ratified by the Indian parliament in 1954 legalize marriage between members of different castes and religions.
In view of this the acts of endangerment of liberty including social boycott, harassment, etc. by the members of the who exhort or bring pressure openly or otherwise upon any person or persons to prevent or disapprove of the marriage which is objected to by the said members or to generate an environment of hostility towards such couple or either of them or their relatives or supporters shall be deemed to have acted in endangerment of their liberty and such an act of endangerment should be made punishable.
9. Preventing a woman from marrying a person of her choice is an emotional abuse under the Protection of Women from Domestic Violence Act, 2005. Despite these laws, violence against women in the name of 'honour' is on the rise. Therefore this matter should be assigned to the fast track court and the matter should be completed in a time bound manner.
10. Further, government should promote awareness programmes in village through seminars, street plays, etc. and educate the masses about our laws and Fundamental Rights guaranteed by the Constitution of India.
11. Power to prohibit the unlawful assemblies and to take preventive measures should be conferred on the local administration of the area.
12. Executive Magistrate on receiving information that any person or persons acting in concert with the family or a member of a body or group of the caste or clan or caste panchayat is likely to commit any wrongful act should be ordered to execute a bond with sureties for keeping peace and maintaining good conduct for a period not exceeding one year or as the magistrate thinks fit.

I am directed to convey the recommendations of the Inquiry Committee and to request that the State Government is requested to take appropriate action in the matter and kindly intimate the Commission about action taken by an early date.

Yours sincerely.



(Raj Singh)
Deputy Secretary