



BHUMIKA NEWSLETTER

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		house at Government cost, if destroyed, to be paid in full when charge sheet is sent to the lower Court.
16.	Giving false evidence [Section3(2)(1) and (ii)]	At least Rs.2,50,000/- or full- compensation of the loss or harm sustained. 50% to be paid when charge sheet is sent to the court and 50% on conviction by the lower court.
17.	Committing offences under the Indian Penal Code punishable with imprisonment for a term of 10 years or more [Section 3(2)] provided in the Schedule.	Atleast Rs.1,20,000/- depending upon the nature and gravity of the offence to each victim and or his dependents. The amount would vary if specifically
18.	Victimization at the hands of a Public Servant [Section 3(2)(vii)]	Full compensation on account of damages or loss or harm sustained 50% to be paid when charge sheet is sent to the Court and 50% on conviction by lower court.
19.	Disability: The definition of disability shall be as given in Section 2 of the persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, and guidelines for their assessment shall be as contained in the Ministry of Social Justice & Empowerment, GOI, Notification No.154, dt.01.06.2001, as amended from time to time. A copy of the Notification is at Annexure-II to the Schedule. (a) 100% incapacitation (i) Non earning member of a Family (ii) Earning member of a family (b) Where incapacitation is less than 100%	Atleast Rs.2,50,000/- to the each victim of offence. 50% on FIR and 25% at charge sheet and 25% on conviction by the lower court. Atleast Rs.5,00,000/- to each victim of offence, 50% to be paid on FIR/Medical Examination stage, 25% when charge sheet is sent to court and 25% at conviction in lower court. The rates as laid down in a (i) and (ii) above shall be reduced in the same proportion, the stages of payments also being the same. However, not less than Rs.40,000/- to non earning member and not less than Rs80,000/- to an earning member of a family
20.	Murder/Death (a) Non-earning Member of a Family (b) Earning Member of a family	Atleast Rs.2,50,000/- to each case. Payment of 75% after post Mortem and 25% on conviction by the lower court. Atleast Rs.5,00,000/- to each case. Payment of 75% after postmortem and 25% on conviction by the lower court.
21.	Victim of murder, death massacre, rape, mass rape and gang rape, permanent incapacitation and dacoity	In addition to relief amount paid under above items, relief may be arranged within three months of date of atrocity as follows: (i) Pension to each widow and / or other dependents of deceased SC and ST @ Rs.3,000/- per month, or employment to one member of the family of the deceased, or provision of agricultural land, an house, if necessary by outright purchase. (ii) Full cost of the education and maintenance of the children of the victims. Children may be admitted to Ashram Schools/ Residential schools. (iii) Provisions of utensils, rice, wheat, dals, pulses etc. for a period of three months.
22	Complete destruction / burnt houses	Brick/stone masonry house to be constructed or provided at Government cost where it has been burnt or destroyed.



Ms. Jameela Nishat, Director of Shaheen Women's Resource and Welfare Association, Old City, Hyderabad

Jameela Nishat, an Activist, Poetess, Feminist and a powerful and effective votary of women's rights and the voice of voiceless Muslim Women. Shaheen works for communal harmony and gender equality. "It is based in a communally sensitive area of the Old City because that is where women are most vulnerable", she says.

Shaheen Women Resource & Welfare Association has been working with girls and young women in Sultan Shahi mohalla in the old city area of Hyderabad. The Old City area of Hyderabad is prone to communal tension. Shaheen's work has been addressing the effects of communal tension and continuing terror in localities where the population is represented primarily by Muslims, followed by Hindu and Dalit communities.

Women in the Old City are ghettoized and often live in isolation. Shaheen Women Resource & Welfare Association believes that change for human dignity is possible and this has been the fundamental and guiding principle. Among Muslim women violence takes many forms - physical torture, psychological harassment, verbal abuse, compulsion to perform religious duties, restrictions on freedom of expression, economic deprivation, non-consensual sex and violent sex acts, to name only a few. Domestic violence and abuse are related to several trends that persist in the communities of old city. The practice of Muta marriages, and marrying sheikhs is a major issue, turning young Muslim women into sex workers.

Muslims are governed by Shariat Law, which is interpreted by the Muslim Personal law board. Within the Shariat, women activists have demanded that Triple Talaq should be banned and that the Khula become more accessible. Polygamy which affects women adversely should be prohibited. Shaheen has

engaged in these issues and has been in dialogue with the Muslim Personal Law board.

One of the most important areas of Shaheen's work is to provide counseling to women who have suffered domestic violence and help them access legal information required to prosecute the perpetrators. Shaheen employs a lawyer to function as resident legal counsel. Most of the legal cases handled by the centre concern problems related to polygamy and dowry harassment. Once a complainant approaches the centre with her situation, the legal counselor and other staff members of Shaheen counsel her. If the family members fail to appear, they take support of police. More recently, the availability of a special women's police station close to the Sultan Shahi area has facilitated the process of filing complaints in an environment that is less oppressive.

The vocational training centre has worked as an added source of strength to women who had given up to their lives. In Shaheen's experience, women who have approached the centre for legal counseling and services have stayed on with at the centre to train in skills

such as fabric painting, applying mehendi, tailoring, zari work, computer basics, crafting ornamental flowers from cloth and knitting. Apart from these skills women and young girls who have not had the opportunity of literacy come seeking spoken and written skills in English or Hindi.

According to Jameela, there are few changes that are observed now among Muslim women. They are able to come outside their homes and also demanding a platform to raise their issues.

Referring to some of the findings of Shaheen's study report on Domestic Violence, "Walking on Broken Glass" Jameela says that a woman's sense of self is deeply connected to the roles she occupies in relation to the men of the house. "Shaheen dreams of a Society, where women live a life free of Violence and Oppression" she says.

Ms. Archana, Community Co-ordinator from Shaheen has received award from the Chief Minister as "BEST PERFORMER" for her outstanding work in dealing with more number of DV cases to Protection Officer.

STATE LEVEL CONSULTATION ON ADVOCACY ON PWDV ACT, 2005

In order to gain a momentum around the implementation issues of PWDV Act, a half-day consultation meet has been organized on 21st September, 2012 by Bhumika Women's Collective and supported by Oxfam India pertaining to the advocacy on PWDV Act, 2005. The meeting aimed to bring out a Memorandum to be submitted to The Minister Women and Child Development, Andhra Pradesh with inputs from all Civil Society organizations and related stakeholders working on Domestic Violence issues.

The major recommendations that will be incorporated in the Memorandum:

- Special /Separate Protection Officers (POs) to be appointed based on their sensitivity and commitment towards the issues
- Extensive awareness programs and publicity be carried out on PWDV act and its provisions
- Establishment of special courts and appointment of welfare experts in every court for quick disposal of Domestic Violence cases
- Setting up an efficient gender sensitive advocate panel at the Legal Services Authority by maintaining strict screening during enrolment
- State Legal Services Authority./ District Legal Services Authority to take up the responsibility for training SHG leaders, Social Action Committees of IKP, Anganwadi Workers, ASHA Workers, Sanghams and Federations (AP Mahila Samatha Society) as paralegal volunteers on legal rights of women
- Increased number of sensitization workshops and trainings for all the stakeholders



SUCCESS STORIES

Case 1- Women Support Centre, Basheerbagh (SWARD)

The issue is about the physical and mental trauma of wife by her husband who is a psychic patient suffering from a disease called Mania (insanity). After all her efforts at last, she sought the support from support center. The social worker played a very important role in giving counseling and with amicable discussion they decided to go for mutual divorce and give her stridden and her belongings back. The Social worker's intervention worked out here as the male persons do not agree his impotency.

Case 2- Bhumika Helpline Direct Intervention

The issue is regarding the husband's second marriage and harassment with negligence towards a wife. She has two daughters. She directly approached Bhumika Helpline, when she has come to know about the husband marriage with another woman. Counselors in Helpline gave her moral support and also asked her to file a complaint with Protection Officer. Counselor spoke with the Protection Officer and continued follow ups were made with the client and the Protection officer. The case was referred to the court and within two months (60 days) the case was finalized and Maintenance orders were issued in favour of the children. Husband deposited the money of Rs.3 lakhs on the name of her two daughters. The woman came to Bhumika office and congratulated helpline for their service.

Ms. C. Bhanuja, Partner of Anantha Paryavarana Parirakshaka Sangham, REDS, Kadiri, Anantapur have been received "SHE" Award for the year, 2011-12 from Sri Janardhan Reddy, Ex- District Collector, Anantapur for her excellent efforts in Rescue operations for the victims of Trafficking.



Reach us at

Bhumika Women's Collective

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CONTENTS

Activities undertaken

Updates

G.O.Ms.22

- Only notified shelter homes to be used for referral cases, with necessary licensing of the homes
- State and District level convergence between various stakeholders: Police, Protection Officers, Judges, doctors, PRIs, NGOs, Service Providers to deal with the issue of violence against women
- Support of local police/panchayat members to be taken along with involvement of SHGs, Mahila Sanghams and Federations in filing DIR

Words of delegates in the Consultation

“Dealing with Domestic Violence cases is not similar to dealing with routine cases, and hence, more responsibility and care have to be allotted towards these cases” – Smt. Nagarani, Judge from Narayankhed, Medak district.

“Judges are confined to three options of giving relief to the victim, which includes custody of children, return of ornaments and previous litigation. The woman victim has no understanding on the procedures, having no knowledge of the documents to be submitted and no guidance from legal and social counselors” – Mr. S.Mujib Kumar, Advocate, High Court of Andhra Pradesh.

“It was Advocate, Sri Venkateshwar Reddy from Legal Service Authority, under whose constant encouragement and professional guidance I could do justice as a Protection Officer and eventually filed the first DIR on 5th December, 2006 – Smt. K.Rajyalakshmi, Secretary, A.P Women’s Commission.

3. The State Govt. have decided to follow the guidelines issued by the Government of India in the reference 2nd read above and to enhance the relief and rehabilitation measures. Accordingly, the Scheduled Castes/ Scheduled Tribes victims of atrocities and their dependents shall be paid enhanced compensation of cash relief and other rehabilitation measures for various offences committed by the members belonging to the castes other than Scheduled Castes/ Scheduled Tribes under the relevant Sections of the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 as indicated in the Annexure-I to this order.
4. Government direct that the enhanced relief and rehabilitation measures shall come into force with effect from 01.04.2012.
5. Government direct that the procedure indicated in Annexure-II of the Government of India Gazette Notification dated:01.06.2011 relating to the definition of physically Handicapped persons to the various offences under this Act shall be followed.
6. Government direct that the following category of cases shall also be eligible for sanction of this cash relief and rehabilitation measures under the existing Scheme:
 - (a) Atrocities on Scheduled Castes and Scheduled Tribes committed by Unidentified persons where police declared the offender as undetected after investigation.
 - (b) Atrocities on Scheduled Castes and Scheduled Tribes committed by extremists.
 - (c) Members of Scheduled Castes and Scheduled Tribes who have died in police firing.
 - (d) Members of Scheduled Castes and Scheduled Tribes who have died in political clashes and arson.
7. The Government also exempts any expenditure under this scheme from treasury control.
8. This Order issues with the concurrence of Finance and Planning Department vide their U.O.No:4262/125/A1/Exp.SW/2012, dt.17.04.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.RAYMOND PETER

Principal Secretary to Government

UPDATES

- **The Protection of Women against Sexual Harassment at Workplace Bill** pending before the lower house of Parliament, since, 2010 was passed on 3rd September, 2012 with most significant amendment to cover “domestic workers” employed full-time, part-time or temporarily for household work, who were excluded from the purview of the original bill. **Another important amendment is to define sexual harassment missing in the original bill brought in 2010, says that “Sexual Harassment” includes any unwelcome act or behavior directly or by implication of physical contact and advances, or a demand or request for sexual favours, or making sexually coloured remarks or showing pornography or any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.**
- Parliament enacted in June, 2012 a new Act called “**The Protection of Children from Sexual Offences Act, 2012**”, in continuation of Govt. of India’s acceding to the Convention on the Rights of the Child (CRC) on 11th December 1992, the new Act is enacted. In this Act, new terms are defined in Section 2, Aggravated penetrative sexual assault, aggravated sexual assault, penetrative sexual assault and sexual assault. These offences are to be tried by designated Special Court.
- The Director General of Police has taken a new **initiative to help the women victims**. He has -submitted a revised proposal to the Principal Secretary to Government, Home Department, Andhra Pradesh, to adopt a Victim i^m Compensation Scheme (VCS) and Emergency Fund (EF).

GOVERNMENT OF ANDHRA PRADESH ABSTRACT

SOCIAL WELFARE DEPARTMENT - Welfare of Scheduled Castes and Scheduled Tribes - Atrocities against Scheduled Castes and Scheduled Tribes - Scheme for Relief and Rehabilitation of the SCs/STs (Prevention of Atrocities) Act, 1989 and rules framed there under - Enhancement of compensation - Revised Orders - Issued.

SOCIAL WELFARE (POA) DEPARTMENT

G.O.Ms.No:22

Dated: 16-06-2012

Read the following:

1. G.O.Ms.No:3, Social Welfare (H1) Department, Dt:16.01.1996.
2. From the Joint Secretary, Govt of India, Min (SJ & Emp), D.O.Letter No.11012/2/2008-PCR (Desk), dt.20.01.2012.

ORDER:

1. In the G.O first read above the State Government have been following the guidelines issued by the Government of India enhancing the relief and rehabilitation measures. Accordingly the Scheduled Castes/ Scheduled Tribes victims of atrocities and their dependents are being paid compensation of cash relief and other rehabilitation measures for various offences committed by the members belonging to the Castes other than Scheduled Castes/ Scheduled Tribes under the relevant sections of the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 as indicated in the Annexure-1 of the said order.
2. The Govt. of India, vide letter 2nd read above, have forwarded the Gazette Notification which were published in the Gazette of India, amending the Annexure-I of the schedule, effecting an increase-generally of 150% in the minimum scale of relief for victims of atrocities, and Annexure-II of the Schedule, replacing the earlier guidelines dt.06.08.1996, for assessment of various disabilities with the guidelines dt.01.06.2011, currently in force, were issued. The GoI, have advised the State Govt. to enhance the relief and rehabilitation measures under the various sections of the POA Act, 1989 on the norms prescribed therein.

ANNEXURE to G.O.Ms.No.22, Social Welfare (POA) Department, Dated: 16-06-2012.

Sl.No.	Name of the Offence	Minimum amount of Relief
1.	Drink or eat inedible or obnoxious – substance [Section 3(a) (i)]	Rs.60,000/- or more depending upon the nature and gravity of the offence to each victim and also commensurate with the indignity, insult, injury and defamationsuffered by the victim.
2.	Causing injury insult or annoyance[Section 3(1)(ii)].	Payment to be made as follows: I. 25% when the charge sheet is sent to the court II. 75% when accused are convicted by the lower Court.
3.	Derogatory Act [Section 3(1)(iii)].	75% when accused are convicted by the lower Court.
4.	Wrongful occupation or cultivation of land etc [Section 3(1)(iv)].	At least Rs.60,000/- or more depending upon the nature and gravity of the offence. The land/ premises/ water supply shall be restored where necessary at 5. Government cost, full payment to be made when
5.	Relating to land premises and water[Section 3(1)(v)]. charge-sheet is sent to the court.	
6.	Beggar or forced or bonded labour[Section 3(1)(vi)]	Atleast Rs. 60,000/- to each victim, payment of Rs.25% at FIR stage and 75% on conviction in the lower court.
7.	Relating to Right to franchise[Section 3(1)(vii)]	Upto Rs.50,000/- to each victim depending upon the nature and gravity of the offence.
8.	False, malicious or vexatious legal proceedings Section 3(1)(viii)].	Rs.60,000/- or reimbursement of actual legal expenses and damages or whichever is less after conclusion of the trial of the accused.
9.	False and frivolous information[Section 3 (1)(ix)]	
10.	Insult, intimidation and humiliation[Section 3(1)(x)]	Upto Rs.60,000/- to each victim depending upon the nature of the offence payment of 25% when charge sheet is sent to the court and rest on conviction.
11.	Outraging the modesty of a women– [Section 3(1)(xi)].	Rs.1,20,000/- to each victim of the offence. 50% of the amount may be paid after medical examination and remaining 50% at the conclusion of the trial.
12.	Sexual Exploitation of a woman[Section 3(1)(xii)]	
13.	Fouling of water [Section 3(1)(xiii)].	Upto Rs.2,50,000/- or full cost of restoration of normal facility, including cleaning when the water is fouled. Payment may be made at the stage as deemed fit by District Administration.
14.	Denial of Customary right of a passage [Section 3(1)(xiv)]	Upto Rs.2,50,000/- or full cost of restoration of right of passage and full compensation of the loss suffered if any. Payment of 50% when charge sheet is sent to the court and 50% on conviction in lower court.
15.	Making one desert place of residence [Section 3(1)(xv)]	Restoration of the site/right to stay and compensation of Rs.60,000/- to each victim and reconstruction of the