

**GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA**

STARRED QUESTION NO:235

ANSWERED ON:09.08.2005

FUNCTIONING OF NATIONAL COMMISSION FOR WOMEN

Barad Shri Jashubhai Dhanabhai;Harsha Kumar Shri G.V.

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) the functions and responsibilities of the National Commission for Women (NCW);
- (b) the funds allocated by the Government and utilized by the Commission during each of the last three years, till date;
- (c) whether the NCW has powers to prosecute guilty for the offences committed against women and children;
- (d) if so, the details thereof;
- (e) the details of the nature of the atrocities on the women highlighted by the Commission during the last three years and the names of the States to which these women belong to; and
- (f) the action taken in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI KANTI SINGH)

(a),(b),(c),(d),(e) & (f): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PART a,b,c,d,e & f OF LOK SABHA STARRED QUESTION NO. 235 FOR 9.8.2005 REGARDING FUNCTIONING OF NATIONAL COMMISSION FOR WOMEN BY SHRI JASHUBHAI DHANABHAI BARAD AND SHRI G.V. HARSHA KUMAR.

(a) The functions of National Commission for Women (NCW) are laid down in Section 10(1) of the National Commission for Women Act, 1990, extracts of which are at Annexure-I.

(b) Information is given at Annexure-II.

(c) No, Sir.

(d) Does not arise.

(e) Information is given at Annexure-III.

(f) 'Public order' and 'Police' are State subjects as per the Seventh Schedule to the constitution of India and as such registration, investigation, detection and prevention of crime are primarily the responsibility of the State Governments. Therefore, the responsibility for taking appropriate action on the cases highlighted by the NCW rests with the concerned State Governments.

Annexure-I

Annexure referred to in the reply to part (a) of Lok Sabha Starred Question No. 235 for 9-8-2005 regarding Functioning of National Commission for Women

Extracts of section 10 of the National Commission for Women Act, 1990 showing the functions of the NCW

10. Function of the Commission.-(1) The Commission shall perform all or any of the following functions, namely:

- (a) investigate and examine all matters relating to the safeguards provided for women under the Constitution and other laws;
- (b) present to the Central Government, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
- (c) make in such reports recommendations for the effective implementation of those safeguards for improving the conditions of women by the Union or any State;

- (d) review, from time to time, the existing provisions of the Constitution and other laws affecting women and recommend amendments thereto so as to suggest remedial legislative measures to meet any lacunae, inadequacies or shortcomings in such legislations;
- (e) take up the cases of violation of the provisions of the Constitution and of other laws relating to women with the appropriate authorities;
- (f) look into complaints and take suo molo notice of matters relating to -
- (i) deprivation of women's rights;
- (ii) non-implementation of laws enacted to provide protection to women and also to achieve the objective of equality and development;
- (iii) non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships and ensuring welfare and providing relief to women, and take up the issues arising out of such matters with appropriate authorities;
- (g) call for special studies or investigations into specific problems or situations arising out of discrimination and atrocities against women and identify the constraints so as to recommend strategies for their removal;
- (h) undertake promotional and educational research so as to suggest ways of ensuring due representation of women in all spheres and identify factors responsible for impeding their advancement, such as, lack of access to housing and basic services, inadequate support services and technologies for reducing drudgery and occupational health hazards and for increasing their productivity;
- (i) participate and advise on the planning process of socio-economic development of women;
- (j) evaluate the progress of the development of women under the Union and any State;
- (k) inspect or cause to be inspected a jail, remand home, women's institution or other place of custody where women are kept as prisoners or otherwise, and take up with the concerned authorities for remedial action, if found necessary;
- (l) fund litigation involving issues affecting a large body of women;
- (m) make periodical reports to the Government on any matter pertaining to women and in particular various difficulties under which women toil;
- (n) any other matter which may be referred to it by the Central Government.

Annexure-II

Annexure referred to in the reply to part (b) of Lok Sabha Starred Question No. 235 for 9-8-2005 regarding Functioning of National Commission for Women Funds allocated by the Government and utilized by the NCW during the last three years

(Rs. in lakhs)

Year	Grants released		Funds utilized by NCW##			
	Plan	Non-Plan	Plan	Non-Plan	Total	
2002-03	370.00	-	370.00	344.07	-	344.07
2003-04	381.36	201.00	582.36	376.61	213.75	590.36
2004-05	220.00	220.00	440.00	212.80	226.69	439.49
2005-06	60.00	108.50	168.50	48.03@	53.49@	101.52@

(till date)

including North East Region component

including unspent balances carried forward from previous financial years

@ Expenditure upto July, 2005

Annexure-III

Annexure referred to in the reply to part (e) of Lok Sabha Starred Question No. 235 for 9-8-2005 regarding Functioning of National Commission for Women.

Nature of atrocities on women highlighted by NCW during the last three years

(e): As per the information contained in the Annual Reports of the Department of Women and Child Development for the years 2002-03, 2003-04 and 2004-05, which have already been laid in the Parliament, the NCW highlighted the following types of atrocities on women:-

Rape, sexual harassment, victimization, police atrocities, custodial death, abduction and forcible marriage, criminal assault, torture, stoning to death of a woman AIDS victim, sexual exploitation, chopping off the nose of a woman, prostitution racket, atrocities on scheduled caste/Dalit women, discrimination against women make-up artists in film industry, acid attack on women, parading of women naked, branding of women as witches, issue of fake certificate of mental illness for securing divorce, wrongful confinement, sale of minor girl, dowry death and sale and display of gender discriminatory materials in books.

The victims of the above atrocities belong to the following States:

- 1 Andhra Pradesh
- 2 Assam
- 3 Bihar
- 4 Chhattisgarh
- 5 Delhi
- 6 Goa
- 7 Gujarat
- 8 Haryana
- 9 Himachal Pradesh
- 10 Madhya Pradesh
- 11 Maharashtra
- 12 Orissa
- 13 Punjab
- 14 Tamil Nadu
- 15 Uttar Pradesh
- 16 Uttarakhand
- 17 West Bengal
- 18 Delhi

The above mentioned Annual Reports are also available on the website of the Department of Women and Child Development.