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PARLIAMENT OF INDIA LOK SABHA

**COMMITTEE ON EMPOWERMENT OF WOMEN
(2011-2012)**

(FIFTEENTH LOK SABHA)

TWELFTH REPORT

**'WORKING OF NATIONAL COMMISSION FOR WOMEN AND
STATE COMMISSIONS FOR WOMEN**



सत्यमेव जयते

**LOK SABHA SECRETARIAT,
NEW DELHI**

December, 2011/Agrahayana, 1933 (Saka)

TWELFTH REPORT
COMMITTEE ON EMPOWERMENT OF WOMEN
(2011-2012)

(FIFTEENTH LOK SABHA)

**'WORKING OF NATIONAL COMMISSION FOR WOMEN AND
STATE COMMISSIONS FOR WOMEN'**

Presented to Lok Sabha on 21st December, 2011

Laid in Rajya Sabha on 22nd December, 2011



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

December, 2011/ Agrahayana, 1933 (Saka)

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**COMPOSITION OF THE COMMITTEE ON EMPOWERMENT OF WOMEN
(2010-2011)**

Hon'ble Chairperson - Shrimati Chandresh Kumari

MEMBERS

LOK SABHA

2. Shrimati Shruti Choudhary
3. Shrimati Ashwamedh Devi
4. Shrimati Rama Devi
5. Shrimati Jyoti Dhurve
6. Shrimati Priya Dutt
7. Shri T.K.S. Elangovan
8. Shrimati Sumitra Mahajan
9. Dr. Jyoti Mirdha
10. Shri Sidhant Mohapatra
11. Kumari Meenakshi Natarajan
12. Shrimati Mausam Noor
13. Shrimati Jayshreeben Patel
14. Shrimati Sushila Saroj
15. Shrimati Yashodhara Raje Scindia
16. Shrimati Rajesh Nandini Singh
17. Shri Uma Shankar Singh
18. Shrimati Supriya Sadanand Sule
19. Shrimati Annu Tandon
20. Shrimati Seema Upadhyay

RAJYA SABHA

21. Shrimati Shobhana Bhartia
22. Shrimati Naznin Faruque
23. Shri Jabir Husain
24. Shrimati Kanimozhi
25. Shrimati Brinda Karat
26. Shri Ambeth Rajan
27. Shrimati Maya Singh
28. Shrimati Vasanthi Stanley
29. Dr. C.P. Thakur
30. Dr. Prabha Thakur

SECRETARIAT

- | | | |
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| 1. | Shri C.S. Joon | Director |
| 2. | Smt. Mamta Kemwal | Deputy Secretary |
| 3. | Smt. Reena Gopalakrishnan | Under Secretary |

**COMPOSITION OF THE COMMITTEE ON EMPOWERMENT OF WOMEN
(2011-2012)**

Hon'ble Chairperson - Smt. Chandresh Kumari

MEMBERS

LOK SABHA

2. Smt. Harsimrat Kaur Badal
3. Smt. Susmita Bauri
4. Dr. Kakali Ghosh Dastidar
5. Smt. Ashwamedh Devi
6. Smt. Rama Devi
7. Smt. Jyoti Dhurve
8. Smt. Priya Dutt
9. (Dr.) Smt. Botcha Jhansi Lakshmi
10. Smt. Sumitra Mahajan
11. Dr. Jyoti Mirdha
12. Smt. Ranee Narah
13. Kum. Meenakshi Natrajan
14. Smt. Jayshreeben Kanubhai Patel
15. Smt. Yashodhara Raje Scindia
16. Smt. Rajesh Nandini Singh
17. Rajkumari Ratna Singh
18. Shri M. Thambidurai
19. Smt. Seema Upadhyay
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RAJYA SABHA

21. Smt. Shobhana Bhartia
22. Smt. Naznin Faruque
23. Shri Jabir Husain
24. Smt. Kanimozhi
25. Shri Ambeth Rajan
26. Dr. T. N. Seema
27. Smt. Maya Singh
28. Smt. Vasanthi Stanley
29. Dr. C. P. Thakur
30. Dr. Prabha Thakur

SECRETARIAT

- | | | |
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| 1. | Sh. C.S. Joon | Director |
| 2. | Smt. Mamta Kemwal | Deputy Secretary |
| 3. | Smt. Reena Gopalakrishnan | Under Secretary |
| 4. | Smt. Raji Manish | Executive Assistant |

INTRODUCTION

I, the Chairperson of the Committee on Empowerment of Women (2011-2012) having been authorised by the Committee to submit the Report on their behalf, present this Twelfth Report (Fifteenth Lok Sabha) of the Committee on the subject 'Working of National Commission for Women and State Commissions for Women'.

2. The Report is based on the inputs received from the National Commission for Women and the Ministry of Women and Child Development. The Committee were given a briefing by the representatives of the National Commission for Women regarding the subject on 28th April, 2011 and the Committee took oral evidence of the representatives of the Ministry of Women and Child Development on 24th June, 2011.

3. The Draft Report was considered and adopted by the Committee at their sitting held on 15th December, 2011.

4. The Committee wish to express their thanks to the National Commission for Women and the Ministry of Women and Child Development for placing before them the requisite material and providing them with the information in connection with the examination of the subject.

5. For facility of reference, the Observations and Recommendations of the Committee have been printed in thick type in the body of the Report.

NEW DELHI
15th December, 2011
24 Agrahayana, 1933 (Saka)

SMT. CHANDRESH KUMARI
CHAIRPERSON
COMMITTEE ON EMPOWERMENT OF WOMEN

REPORT PART I

CHAPTER I

A. INTRODUCTION

India has traditionally been a patriarchal society and therefore women have always suffered from social handicaps and disabilities. It thus became necessary after independence to take certain ameliorative steps to improve the conditions of women in the traditionally male dominated society. Moreover, the need for agencies for coordination, communication and implementation of measures to improve the status of women was also strongly felt.

1.2 At this juncture, the UN Commission, in a statement made on the status of women in its 25th session, recommended the establishment of National Commissions or similar bodies to ensure equality between men and women and the full integration of women in all sectors of national life. In the light of the above, the Government of India had set up a high powered Committee on the Status of Women in India. This Committee, in 1974, had recommended the constitution of a Commission at the Centre and in the States to empower the women and make her independence a source of strength. While deliberations and discussions were on for an apex body for women, women's voluntary organisations and women activists persistently demanded for a National Commission for Women. Accordingly, the Central Government held consultations with a number of NGOs, social workers and experts on the structure, functions, powers, etc., of the Commission proposed to be set up.

1.3 Taking into consideration the various suggestions put forth during the consultation, the Ministry of Human Resource Development prepared the 'National Commission for Women Bill' and consulted Central Ministries and State Governments. In May 1990, the said Bill was introduced in the Lok Sabha. Thereafter, in July, 1990 a national level conference was organized

by the Ministry of Human Resource Development seeking suggestions from the Women MPs, women's organisations and experts regarding the Bill. Subsequently, the Government incorporated new provisions in the Bill to vest the Commission with the powers of a civil court for the purpose of investigation.

1.4 The National Commission for Women Bill was passed by the Lok Sabha and the Rajya Sabha on 9th and 23rd August, 1990 respectively. The Bill received the assent of the President on 30th August, 1990. In pursuance of the National Commission for Women Act, 1990 the National Commission for Women was constituted on 31st January, 1992. The State Governments were also requested to set up similar State Commissions for Women in their respective States.

B. NATIONAL COMMISSION FOR WOMEN & ITS COMPOSITION

1.5 The National Commission for Women (NCW) was constituted as an autonomous statutory body to safeguard the interests of women. The Ministry of Women and Child Development is the nodal Ministry for the National Commission for Women.

1.6 As per the provisions of the Act, the National Commission for Women shall have a full time Chairperson, five Members and a Member Secretary. They are appointed by the Central Government (Ministry of Women and Child Development) for a period of three years based on the criteria laid down in section 3 of the NCW Act, 1990. Section 3 of the NCW Act stipulates that a Chairperson committed to the cause of women shall be nominated by the Central Government, five Members shall be nominated by the Central Government from amongst persons of ability, integrity and standing who have had experience in law or legislation, trade unionism, management of an industry or organization committed to increasing the employment potential of women, women's voluntary organisations (including women activists),

administration, economic development, health, education or social welfare and the Member Secretary shall be an expert in the field of management, organisational structure or sociological movement, or an officer who is a member of a civil service of the Union or of an all-India service or holds a civil post under the Union with appropriate experience.

1.7 The details of the tenure of Chairpersons of the National Commission for Women since its inception till date are as follows:-

Sl. No.	Name	From	To
1.	Smt. Jayanti Patnaik	03.02.1992	30.01.1995
2.	Dr. Mohini Giri	27.07.1995	20.07.1998
3.	Smt. Vibha Parthasarathy	18.01.1999	17.01.2002
4.	Dr. Poornima Advani	25.01.2002	24.01.2005
5.	Dr. Girija Vyas	16.02.2005	15.02.2008
		09.04.2008	08.04.2011
6.	Smt. Yasmeen Abrar (Acting CP)	09.04.2011	14.07.2011
7.	Smt. Mamta Sharma	02.08.2011	Till date

1.8 The details of the Members of the National Commission for Women since its inception till date are as under:-

Sl. No.	Name	From	To
1.	Ms. Monika Das	03.02.1992	30.01.1995
2.	Ms. Bonoj Senapati	03.02.1992	30.01.1995
3.	Ms. Ganga Potai	19.02.1992	21.10.1995
4.	Ms. Padma Seth	05.02.1992	04.02.1995
5.	Ms. Subhashni Ali	06.04.1993	31.08.1993
6.	Ms. Manorma Singh	24.07.1995	30.03.1996
7.	Ms. Kailash Pati	24.07.1995	20.01.1998
8.	Ms. Kokila Vyas	27.07.1995	23.01.1998
9.	Ms. Indira Basavaraj	08.10.1996	07.10.1999
10.	Ms. Sukeshi Oram	01.11.1996	31.10.1999
11.	Ms. Syeda S. Hameed	02.05.1997	01.06.2000
12.	Ms. Vijaya Daksh	10.12.1998	09.12.2001
13.	Ms. Poornima Advani	28.12.1998	27.12.2001
14.	Ms. K. Santha Reddy	09.02.2000	08.02.2003
15.	Ms. Ansuiya Uike	10.02.2000	09.02.2003
16.	Ms. Nafisa Hussain	19.02.2000	18.09.2003
17.	Ms. Baby Rani Maurya	20.02.2002	19.02.2005

18.	Dr. Sudha Malaiya	19.04.2002	18.04.2005
19.	Ms. Nafisa Hussain	03.11.2003	20.05.2005
20.	Ms. Nirmala Sitharaman	03.11.2003	20.05.2005
21.	Ms. Ansuiya Uike	17.02.2004	20.05.2005
22.	Ms. Yasmeen Abrar	24.05.2005	23.05.2008
23.	Ms. Sushila Triya	25.05.2005	16.04.2006
24.	Ms. Malini Bhattacharya	26.05.2005	11.05.2008
25.	Ms. Neeva Konwar	27.05.2005	26.05.2008
26.	Ms. Nirmala Venketesh	15.07.2005	14.07.2008
27.	Ms. Yasmeen Abrar	15.07.2008	14.07.2011
28.	Ms. Neeva Konwar	15.07.2008	07.06.2010
29.	Ms. Manju Hembrom	30.06.2006	29.06.2009
30.	Ms. Wansuk Syiem	29.09.2008	28.09.2011
31.	Dr. Charu WaliKhanna	02.08.2011	Till date

1.9 The details of the tenure of Member Secretaries of the National Commission for Women are as below:-

S.No.	Name	From	To
1.	Ms. Uma Pillai	31.01.1992	29.05.1992
2.	Ms. Annie Prasad	30.05.1992	01.09.1994
3.	Ms. Indira Mishra	02.09.1994	28.02.1995
4.	Sh. T.N. Srivastava	15.01.1996	12.06.1996
5.	Ms. N.S. Achuthan	04.07.1996	17.09.1996
6.	Ms. Bino Sen	18.09.1997	18.09.2000
7.	Ms. Reva Nayyar	16.10.2000	22.10.2002
8.	Ms. Sunila Basant	31.01.2003	16.09.2004
9.	Sh. N.P. Gupta	17.02.2005	31.08.2007
10.	Shri. S. Chatterjee	10.09.2007	26.03.2010
11.	Ms. Zohra Chatterji	27.03.2010	19.09.2011
12.	Anita Agnihotri	17.10.2011	Till Date

1.10 The Committee have been informed during their interaction with the National Commission for Women on 28th April, 2011 that the posts of Chairperson, Joint Secretary and three Members were lying vacant. The post of the Chairperson fell vacant on 09th April, 2011 and one of the then serving Members officiated as Chairperson from that date. This particular Member demitted office on 14th July, 2011 and consequently ceased to be the officiating Chairperson. The posts of three other Members fell vacant on 15.07.08, 30.06.09 and 08.06.10. The Committee further observed that the

posts of the Chairperson and a Member were filled on 2nd August, 2011, another Member demitted office on 28.09.2011 and a Joint Secretary was appointed on 1st June, 2011.

1.11 When the Committee sought to know the reasons behind the delay in appointing the Chairperson and Members in time, the Ministry of Women and Child Development stated as follows during the oral evidence:-

"The appointment of Chairperson and Members -- which requires consultation at different levels and decision at the highest level take time."

1.12 When the Committee desired to know the mode of selection of the Chairperson and Members of the Commission and whether search Committees are appointed or women's organizations consulted in this regard, the Ministry of Women and Child Development in a written reply submitted as under:

"Under Section 3(2) of the NCW Act, the Government nominates a person who is committed to the cause of women as Chairperson of NCW. The Act also provides for 5 members of the Commission to be nominated by the Central Government from amongst persons of ability, integrity and standing who have had experience in Law or legislation, trade unionism, management of an industry or organization committed to increase employment potential of women, women's voluntary organizations (including women activists), administration, economic development, health, education or social welfare. Considering the requirements and responsibilities of the post, the Government, through consultation and search, identifies suitable candidates for appointment as Chairperson and Members."

C. FUNCTIONS OF THE COMMISSION

1.13 The functions of the National Commission for Women are laid down in Section 10 of the National Commission for Women Act, 1990. The mandate covers a wide range of functions which are as follows:-

- (a) "To investigate and examine all matters relating to the safeguards provided for women under the Constitution and other laws.
- (b) To present reports to the Central Government annually and at such other times as the Commission may deem fit on the working of these safeguards.
- (c) To make reports recommendations for the effective implementation of those safeguards for improving the conditions of women by the Union or any State.
- (d) From time to time, review the existing provisions of the Constitution and other law affecting women and recommend amendments, thereto so as to suggest remedial legislative measures to meet any lacunae, inadequacies or shortcomings in such legislation.
- (e) To take up the cases of violation of the provisions of the Constitution and of other laws relating to women with the appropriate authorities.
- (f) To look into the complaints and take *suo moto* 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) To 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) To participate and advise on the planning process of socio-economic development of women.
- (j) To evaluate the progress of the development of women under the Union and any State.
- (k) To inspect jail or 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 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."

1.14 During the examination of the subject, the Committee have been informed that while investigating any matter referred to in clause (a) or sub clause (i) of clause (f) of sub section (1) of Section 10 of the Act, the Commission shall have all the powers of a civil court and in particular in respect of the following matters:-

- a) summoning and enforcing the attendance of any person from any part of India and examining him on oath.
- b) requiring the discovery and production of any document;

- c) receiving evidence on affidavits.
- d) requisitioning any public record or copy thereof from any court or office.
- e) issuing commissions for the examination of witness and documents; and
- f) any other matter which may be prescribed."

1.15 In addition to the above, the Central Government shall cause all the reports of the Commission referred to it to be laid before each House of Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non acceptance, if any, of such recommendations. Where any such report or any part there of relates to any matter with which any State Government is concerned, the Commission shall forward a copy of such report or part to such State Government who shall cause it to be laid before the legislation of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non acceptance, if any, of any such recommendations.

1.16 Keeping the multiple objectives and diverse functions in view, the activities of the National Commission for Women are categorized into four broad cells, i.e. The Complaints & Investigation Cell, Legal Cell, Non-Resident Indian Cell and Research and Studies Cell . On enquiring about the nature and method of functioning of these Cells, the Commission furnished the following information:

a) Complaints and Investigation Cell (C&I Cell)

1.17 The Complaints and Investigation Cell (C&I Cell) is an important component of the Commission. It deals with complaints received from all over the country wherein there is any deprivation of women's rights or any issue involving grave injustice to women. The C&I Cell processes the complaints received orally, written or on which **suo-moto** cognizance is taken

by the Commission under Section 10 of the National Commission for Women Act, 1990, with the objective of providing adequate and expeditious relief ensuring suitable redressal of grievances of these women. Generally, the complaints are acted upon in the following manner:

- The complaints of police apathy / police inaction are forwarded to the concerned State Governments for ensuring a timely & fair investigation of the matter. The Action Taken Reports (ATR) thus received from the corresponding State Governments are examined and further monitored;
- Family disputes/matrimonial disputes are resolved through counselling. Both the parties are called to NCW for a personal hearing and are counselled to save their marriage;
- For serious crimes, the Commission constitutes Inquiry Committees, which makes on the spot inquiries, examines various witnesses, collects evidence and submits reports with recommendations. Such investigations help in providing immediate relief and justice to the victims of violence and atrocities. The Commission monitors the implementation of the recommendation of the Inquiry Committees by taking up the matter with the concerned State Governments/ Authorities;
- In complaints related to sexual harassment at work place, the concerned Organization / Department is urged to constitute an Internal Complaints Committee (ICC) as per the Hon'ble Supreme Court Judgment on Sexual Harassment at Workplace, in Vishakha Vs. State of Rajasthan (AIR 1997 Supreme Court 3011) ; and
- Some complaints received from women individually are also forwarded to the various State Commissions for Women, the National Human Rights Commission, the National Commission for SC/ST and their State counterparts for initiating appropriate action at their end. These

complaints are those complaints which are not directly related to the deprivation of women rights ;

Disposal of Complaints

1.18 The Committee have further been apprised by the Commission that during the year 2010-11, the Complaints and Investigation Cell has strived to dispose of the maximum number of complaints. The status of the disposal of complaints is as follows:

S. No.	Financial Year	Total No. of Complaints Registered (A)	No. of Complaints Disposed (B)	No. of Complaints Pending	Percentage of Disposal (%)
	2010-2011(As on 28.02.2011)	14151	10042	4109	71 %

1.19 The Committee note that in addition to the disposal of complaints during 2010-11, the Cell has also undertaken the exercise of disposing of the pendency of the previous years on a war-footing along with the maintenance of old records through the creation of a separate Record Room where all complaints are being serially arranged and then entered into the data base of the Commission. The Committee are given to understand that during this period, the Cell has made sincere efforts to reduce the pendency of the Cell and as an outcome of these efforts, around 3000 old cases have been closed after the receipt of Action Taken Reports (ATRs) in the matter. The Committee also understand that the Commission conducts hearing in matters related to matrimonial discord / domestic violence, etc. wherein the complainants and the respondents, after detailed counsellings, agree to resolve their disputes / differences amicably.

1.20 With regard to pending cases and final closure of complaints, the Member Secretary of the Commission stated during interaction with the

Committee that the Commission does not treat a case as closed as long as it is pending in the Court. The Commission shows a case which is routed through the Commission and pending in the Court, as 'pending' in their list of complaints and keeps monitoring the case to ensure that no atrocity is meted out to the woman complainant concerned during the pendency of the case in the Court. However, the Commission is planning to change its system of reporting of pending complaints to reflect the actual position by bifurcating the complaints into various sections like how many cases have been heard, how many hearings have been held in a case, how many action taken reports have been received from states etc.

(i) Online Complaint Registration System :

1.21 The NCW has introduced the system of online registration of complaints in the year 2005. The Online Complaint Registration System is a facility incorporated for the speedy and easy registration of complaints through the Commission's website i.e., www.ncw.nic.in and also through the e-mail of the Commission i.e., ncw@nic.in. This has resulted in speedier registration and providing registration acknowledgement to the complainants at much less cost and hassles. Anyone can log in to the said site from any part of India/ World and register his/her complaint. The said complaint is given a Registration No. and allotted to a particular counsellor. The complaint is then disposed of in the same manner as those received through post/by hand, etc. If the complainant wants to know about the progress of the case, he/she may simply log in to the site and after typing their case no. and relevant password, they can get the details of the Action Taken in the matter and also the progress of the case.

(ii) Heads under which complaints are registered:

1.22 The complaints received and registered at the Commission can be broadly classified under the following categories :-

- (1) Acid Attack
- (2) Attempt to Murder

- (3) Attempt to rape
- (4) Bigamy / Adultery
- (5) Cast, Community based violence
- (6) Custody of Children
- (7) Cyber Crime
- (8) Dayan –Pratha/ Witch hunting
- (9) Desertion / Desertion by Husband
- (10) Divorce
- (11) Domestic Violence / Matrimonial Dispute
Complaints by In-laws
- (12) Dowry Death
- (13) Dowry Harassment
- (14) Female Infanticide / Foeticide /Sex Selection
- (15) Harassment at Work Place
- (16) Harassment for Dowry / Cruelty
- (17) Harassment of Widows
- (18) Immoral trafficking of Women & Children
- (19) Indecent representation of Women
- (20) Kidnapping / Abduction
- (21) Maintenance / Maintenance Claim
- (22) Miscellaneous
- (23) Molestation / Eve Teasing / Teasing / Outraging / Modesty of
Women (Stalking)
- (24) Murder
- (25) NRI Marriages
- (26) Police Apathy
- (27) Police Harassment /Atrocities of Police
- (28) Pre-marital breach of Trust
- (29) Property (Widow's Property, Parent's Property, Stree-dhan
Property)
- (30) Rape
- (31) Service matter

- (32) Sexual Harassment at Work Place
- (33) Shelter / Rehabilitation

(iii) Complaints not ordinarily entertainable

1.23 The complaints/cases of the following nature are ordinarily not entertained by the Commission:

- a) complaints illegible or vague, anonymous or pseudonymous; or
- b) when the issue raised relates to civil dispute, between the parties such as contractual rights obligations and the like;
- c) when the issues raised relates to service matters not involving any deprivation of women's rights;
- d) when the issue raised relates to Labour / Industrial Disputes not involving any deprivation of women's rights;
- e) when the matter is sub judice before a Court / Tribunal;
- f) the Commission shall not inquire into any matter which is pending before a State Commission or any other Commission duly constituted under any law for the time being in force;
- g) when the matter has already been decided by the Commission;
- h) when the matter is outside the purview of the Commission on any other ground.

1.24 The Committee have been told that during the financial year 2010-2011, a total number of 14705 number of complaints/cases were registered at the C & I Cell of the Commission. The complaints have been registered under 31 categories/heads. The category-wise distribution of the complaints registered by the Commission during the Financial Year 2010–2011 are given as below:

SL. No.	Category / Nature of Complaints	Financial Year 2010 - 2011 (As on 17/03/2011)
1.	Acid Attack	03
2.	Attempt to Murder	07
3.	Attempt to Rape	204
4.	Bigamy / Adultery	94
5.	Custody of Children	09
6.	Desertion	09
7.	Divorce	02
8.	Domestic Violence/Matrimonial Dispute	3152
9.	Dowry Death	480
10.	Dowry Harassment	495
11.	Harassment At Work Place	546
12.	Kidnapping / Abduction	114
13.	Maintenance	29
14.	Miscellaneous	3360
15.	Molestation / Eve teasing	355
16.	Murder	12
17.	Female Infanticide / Foeticide	06
18.	Police Apathy	3341
19.	Police Harassment	527
20.	Property (Widow's Property, Streedhan Property, Parents Property)	1098
21.	Rape	568
22.	Sexual Harassment At Work Place	105
23.	Shelter / Rehabilitation	NIL
24.	Cyber Crime	10
25.	Cast, Community based violence	36
26.	Dayan Pratha / Witch hunting	01
27.	Immoral trafficking of women & Children	01
28.	Indecent representation of Women	01
29.	Pre-marital breach of trust	11
30.	Service Matter	107
31.	Harassment of Widows	22
Total		14705

b) Legal Cell

1.25 The Legal Cell of the Commission was formed In accordance with the mandate of the Commission as per Section 10 of the National Commission for Women Act, 1990 to 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 short comings in such legislations. Accordingly, the Legal Cell of the Commission reviews various laws and makes recommendations thereof. The legal cell also engages in spreading awareness about the rights and laws related to women and in this regard awareness programmes are organized with the help of NGOs.

c) Research and Studies Cell (R&SC)

1.26 Under Section 10(1) (h) of the National Commission for Women Act, 1990, the Commission is required to 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. Research & Studies Cell (R&SC) monitors and evaluates such research proposals. Apart from these activities, (R&SC) of the Commission organizes legal awareness programmes, Parivarik Mahila Lok Adalats, etc. It also organizes workshops/consultations, constitutes expert committees on economic empowerment of women, conducts gender awareness programmes and takes up publicity campaign against female foeticide, violence against women, child marriages etc. in order to generate awareness in the society against these social evils. NGOs also play a significant role in organizing these programmes. The Commission also takes up research projects on its own.

1.27 When the Committee enquired about the number of studies, conference, seminars, workshops, adalats, etc. held by the Research and

Study Cell of the National Commission for Women from 2007 to 2010, the following information was furnished by the Commission:

"Name of the programme	2007-08	2008-09	2009-10	2010-11
Conference/ Seminar/ Workshops organized by NCW	05	15	10	17
Conference/ Seminar/ Workshops sponsored by NCW	28	19	81	107
Research Studies sponsored by NCW	16	15	20	33
Public Hearing sponsored by NCW	03	03	03	02
Awareness & Legal awareness camp sponsored by NCW	139	231	300	347
Pariwarik Mahila Lok Adalat sponsored by NCW	01	09	08	10"

1.28 While appreciating the large number of publications brought out by the Commission and research studies sponsored, the Committee desired to know about the availability of the findings of the research studies done by the Commission or funded by the Commission. Explaining on this, the Member Secretary of the Commission stated during interaction as under:-

"Research studies which are done are placed on our websites. All the research studies are not necessarily printed because there is a budgetary constraint in that, but all the important recommendations are culled out from the research studies and they are included in the annual report. There is a chapter on that, that is the way we are doing; they are all available in our library and a lot of people do come and consult these studies from time to time."

d) Non-Resident Indian Cell (NRI Cell):

1.29 National Commission for Women was nominated as the Coordinating agency at the National level for dealing with issues pertaining to NRI

marriages by Government of India vide Ministry of Overseas Indian Affairs order dated 28th April 2009, based on the recommendation of the Parliamentary Committee on Empowerment of Woman (14th Lok Sabha) on the subject "Plight of Indian Woman deserted by NRI husbands" which was discussed and deliberated upon in the Inter- Ministerial Committee meeting held on 7th July, 2008. In furtherance of this, the NRI Cell was formally inaugurated on the 24th of September, 2009. The NRI Cell deals with complaints received from India and abroad resulting due to cross country marriages wherein there is any deprivation of women's rights or any issue involving grave injustice to women. Since its inception 579 cases have been registered in this cell till March 15, 2011.

D. MANDATE TO REVIEW LAWS AND LEGISLATIONS

1.30 While enumerating on the laws reviewed, the Commission submitted in their written replies to the Committee that since inception the Commission has reviewed about 70 laws which have a direct bearing on the well being of women. At present more than 13 laws entailing great importance to the well being of women including amendments to NCW Act are under consideration of the Ministry of Women and Child Development. The status of the laws reviewed by the National Commission for Women since its inception till date is given in **Annexure I**.

1.31 To a pointed query by the Committee as to the suggestions made by the Commission relating to Domestic Workers Welfare Social Securities Act and Prevention of Crimes in the names of Honour and Traditions, the Member Secretary stated:

"Regarding the two pieces of legislation – Domestic Workers Welfare Bill and the Prevention of Crimes in the name of Honour – we submit our recommendations to the Ministry; thereafter we do not necessarily know what happens on it. I cannot at this point tell you where it is in the Ministry and what they have done with it."

1.32 The Committee observed during the course of examination of the subject that the Commission do not necessarily get apprised of the status of the recommendations submitted by them. It is also observed from the documents furnished to the Committee that there is undue delay on the part of the Government in finalizing the recommendations submitted by the Commission. For instance the Commission has reviewed many laws viz., 'the Review of Dowry Prohibition Act, 1961', 'the Immoral Traffic (Prevention) Act, 1956', 'Indecent Representation of Women (Prohibition) Act, 1986', 'Amendments to Section 125 of Cr.Pc regarding Maintenance', 'Amendments to the Laws relating to Rape and Related Provisions', etc., and suggested amendments thereto and proposed remedial measures to various programmes and schemes of the Government having a direct bearing on the wellbeing of women namely, 'Scheme for Relief and Rehabilitation for Victims of Rape', 'the Protection of Women from Domestic Violence', 'Action Plan to combat Trafficking in Women and Children', 'Scheme for relief and rehabilitation of Offences (by Acids) on women and Children', etc. However, amendments/ recommendations /suggestions on some of these have been pending with the Ministry since 2005/2006.

E. AMENDMENTS TO NCW ACT

1.33 The Committee have further been apprised that in 2006-07, the National Commission for Women had suggested some amendments to the National Commission for Women Act, 1990. When the Committee desired to know of the broad areas of these amendments/suggestions, the Ministry of Women and Child Development submitted as follows in a written reply:-

- "i) extension of jurisdiction of NCW to the State of Jammu & Kashmir.
- ii) change in composition of the Commission by increasing the number of Members to seven from five.

- iii) change in the status of Chairperson and Members. The status of a Cabinet Minister is proposed for Chairperson and that of Secretary to the Government of India to the Members.
- iv) insertion of a new chapter dealing with powers of the Commission. New provision empowering the Commission to order costs in cases where there has been wilful disobedience to any order of the Commission issued under certain sections. It was also proposed that the Commission should be deemed to be a civil court and every proceeding before the Commission should be deemed to be a judicial proceeding within the meaning of Section 193 and 228 and for the purposes of Section 196 of IPC.
- v) insertion of a new chapter to deal with enquiries/ investigations. Provision for a Director (Investigations)."

1.34 When the Committee desired to know in detail the status of acceptance or non-acceptance of these amendments, the Ministry of Women and Child Development furnished the following information:

"The amendments suggested by NCW to NCW Act, 1990 were placed before the then Minister for directions. However, they were returned in 2009 after she demitted office and without any decision. Thereafter, these were presented to the present Minister and were returned in February/March 2010, with the direction that a Committee may be set up to study the performance of NCW and identify the interventions required including amendments to the NCW Act 1990. The file was resubmitted to the Minister with the view of the Ministry and it has been under consideration of the Minister since then."

1.35 When the Committee wished to know specifically whether it is possible to stipulate a time frame to accept the recommendations or take a final decision, the representative of the Ministry stated during oral evidence:

"we have had consultations and discussions in the Ministry two-three times, but a final view has not been taken. It is under the process of consideration. I cannot put a time limit as to when a final view will be taken because it involves consultation. There are many issues in which Law and other Ministries are to be consulted. I am not in a position to commit a deadline."

1.36 Inquiring further into the matter, the Committee observed that the recommendations made by the Commission are not binding on the government even though reasons are to be assigned for non acceptance of recommendations.

F. ADDITIONAL POWERS TO THE COMMISSION

Legal power

1.37 During the course of examination of the subject, the Committee felt that the existing powers vested with the Commission under section 10(4) are not sufficient in dealing with women's issues. The Committee further felt that an additional power could be bestowed upon the Commission by the Central Government, which could facilitate the Commission to approach the local Magistrates for disobedience or wilful neglect of any orders of the Commission. While replying to a question in this regard, the Commission submitted that the additional provision could be on the lines suggested as under:

“The Commission shall have the power to forward any case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973 (2 of 1974).”

1.38 The Committee have been apprised that a similar provision exists in section 14 of the 'Commission for Protection of Child Rights Act of 2005' and that such a provision would impart greater force to the recommendations of the National Commission for Women.

1.39 Clarifying further in this regard, the Ministry of the Women and Child Development stated as under:-

"As far as the rights of National Commission for Women are concerned for investigating any matter, that is very clearly laid out in the Act at present. They relate to summoning and enforcing attendance, requiring the discovery and production of any document, receiving

evidence on affidavits, requisition of any public record or copy thereof from a court and any other matter which may be prescribed. They can summon evidence of all manners. Following an investigative procedure, with the powers that they have to summon and record evidence, they may raise the issue with the appropriate authorities for taking up further action. As far as the extra powers demanded by the Commission or amendments suggested by the Commission are concerned, that proposal of the NCW Act is with the Ministry and we will examine it."

Investigative power

1.40 The Committee then desired to know whether the National Commission for Women is vested with the powers that is provided in certain sections in the Commission of Inquiry Act, 1952 in matters of investigation so that the Commission can function more effectively. In reply to this, the Ministry stated that this suggestion is a part of the proposal submitted by the Commission and that they will soon take a decision on that.

1.41 The Committee understand from NCW that the proposed amendments suggested by the Commission in the NCW Act comprises of insertion of a sub section 'C' after Section 10 with regard to the powers to cause investigation which runs as follows:-

"(i) the Commission may, if it has any reasonable cause to believe that any person has omitted or failed to comply with any order made by it under this Act or of any obligation imposed on him by or under any order made by the Commission under this Act, authorize the Commission to make an investigation into the matter and the Commissioner may, for the purpose of making such investigation, exercise all or any of the powers delegated by the Commission under Section 10A."

1.42 When the Committee desired to know the difference in investigative powers of NCW and other Commissions appointed under the Commission of Enquiries Act, 1952, the Ministry clarified in a written reply as follows:

"The functions and responsibilities of various Commissions constituted under respective legislations vary, as such the powers granted to such Commissions to investigate may be at variance.

Under the Commission of Enquiries Act, 1952, The Central or State Governments may appoint a Commission of inquiry for the purpose of making an inquiry into any definite matter of public importance and perform such function and with such time as may be specified in the Notification. Such Commissions can be given powers having regard to the nature of the inquiry. As against this the National Commission for Women (NCW) constituted under the National Commission for Women Act, 1990 is a permanent/ standing Commission constituted to perform the specific functions assigned to it, as such the purpose and the functions of NCW and the Commission appointed under the Commission of Enquiries Act, 1952 cannot be compared.

However, it needs to be mentioned that both NCW and a Commission appointed under the Act of 1952 enjoy the powers of a Civil Court, while trying a suit under the Code of Civil Procedure 1908 in respect of the following matters:-

- a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- b) requiring the discovery and production of any document;
- c) receiving evidence on affidavits;
- d) requisitioning any public record or copy thereof from any court or office;
- e) issuing commissions for the examination of witnesses and documents; and
- f) any other matter which may be prescribed."

1.43 In this regard, the Ministry further submitted:-

"the National Commission for Scheduled Castes (Constitutional Body), the National Commission for Minorities constituted under the National Commission for Minorities Act, 1992 the National Human Rights Commission (NHRC) constituted under the Protection of Human Rights Act, 1993 and the National Commission for Protection of Child Rights under the Commissions for Protection of Child Rights Act, 2005 are vested with the same powers of the Civil Court and these are available to the National Commission for Women while investigating any matter.

It is seen that except for NHRC which has a wider mandate, the other Commissions look at specific groups and the powers of investigation given to these Commissions are comparable. The National Human Rights Commission enjoys additional powers such as the power to enter any building or place and seize documents in the course of an enquiry. Such a provision may perhaps be required for NHRC in view of its mandate to look into human right violations. The responsibility given to the NHRC can be assessed from the fact that it is to be

headed by a person who has held the position of Chief Justice of India and the Chairpersons of National Commission for Minorities/Scheduled Tribes/Scheduled Castes/Women are deemed to be Members of the NHRC for discharge of specified functions."

G. ACCOUNTABILITY TO PARLIAMENT

1.44 Under section 13 and 14 of the NCW Act, 1990, the Commission is required to prepare their annual reports for each financial year, giving a complete account of its activities during the previous financial year and forward a copy thereof to the Central Government. The Central Government shall lay the annual report together with a Memorandum of Action Taken on the Recommendations contained therein before Parliament.

1.45 The details of laying the Annual Reports of NCW in Parliament are as follows:

Sl. No.	Year	Date on which laid in Lok Sabha	Date on which laid in Rajya Sabha
1.	2002-03	19.12.2006	18.12.2006
2.	2003-04	14.03.2008	10.03.2008
3.	2004-05	24.10.2008	15.12.2008
4.	2005-06	24.10.2008	15.12.2008
5.	2006-07	19.12.2008	23.12.2008
6.	2007-08	27.08.2010	26.08.2010
7.	2008-09	25.03.2011	24.03.2011
8.	2009-10	02.09.2011	08.09.2011

1.46 Explaining the reasons for delay in laying the Annual Report of the Commission in Parliament, the Ministry of Women and Child Development stated as under:-

"Under Section 14 of the National Commission for Women Act, 1990, the Central Government is required to lay the Annual Report together with a Memorandum of Action Taken on the recommendations contained therein and the audit reports before each House of the Parliament. But there have been delays in receiving the Annual Report from NCW and the consequent time taken in obtaining Action Taken

Reports from the Ministries to whom the recommendations pertained. The Annual Report for the year 2003-04, was received from the Commission late in April, 2006. As it did not contain the separate chapter on conclusions and recommendations, the Commission was requested and it furnished the same in March, 2007. The recommendations could be circulated thereafter to the concerned Ministries/Departments in April, 2007 for obtaining Action Taken Reports thereon. They were pursued through periodical reminders but due to delay in receipt of comments from them, laying of the Report in the Parliament was also delayed.

As NCW had been taking time in furnishing the Annual Reports, resulting consequently in the delay in laying the Reports before each House of the Parliament, they were advised to adhere to submit the Reports timely so that they can be laid before each House of the Parliament along with the Action Taken Note within the stipulated period of nine months of the end of the financial year. In compliance, the Annual Report for the year 2008-09 has been furnished by the Commission on 30th August 2010. However, the chapter on recommendations was sent by NCW on 22.10.2010. The papers alongwith Action Taken Report were laid in Lok Sabha on 25.03.2011 and in Rajya Sabha on 24.03.2011. The Annual Report for the year 2009-10 was received from the Commission on 31.03.2011. Action Taken Reports from concerned Ministries are being collected."

1.47 The Committee have further been informed by the Commission that only those reports which are included in the Annual Report such as Audit Report of the Commission are laid before Parliament as per the requirement of Section 14 of the NCW Act, 1990.

H. MANDATORY CONSULTATION BY MINISTRIES/ DEPARTMENTS

1.48 While reflecting on the importance of the Commission as an effective tool in ameliorating the grievances of women, the Committee observed that as per section 16 of the Act, the Central Government has to consult the Commission on all major policies affecting women. When the Committee desired to know whether the Central Government actually consult the Commission while drafting bills or taking decisions, the representative of

the Ministry of Women and Child Development apprised the Committee during oral evidence:

"The Ministry is normally consulting the National Commission for Women on all issues, legislations and policy relating to women. As I said earlier, in most of our cases we have an Inter-Ministerial Group. An officer of the Commission is a member of that Group. When responses to this questionnaire given by the hon. Committee were being formulated, we had also raised this issue with the Commission itself which has informed that it has been consulted by various Ministries and Departments. This is because it is not just a question of our Ministry, it is a question of the whole Government. So, it has been consulted by various Ministries and Departments from time to time for its recommendations on women's issues. And it has further informed that it would not be possible to confirm whether they have been consulted without fail on all issues pertaining to various Ministries and Departments from time to time for its recommendations on women's issues. And it has further informed that it would not be possible to confirm whether they have been consulted without fail on all issues pertaining to women or not. This is talking from the perspective of all concerned Ministries. But we, the Ministry of Women and Child Development invariably consult. "

In this regard, the Commission has submitted that the Ministry of Women and Child Development consult the Commission on issues affecting women. However, other Departments do not necessarily consult the Commission regarding major policy matters which pertain to women.

I. BUDGET ALLOCATION TO NCW

1.49 Section 11(ii) of the National Commission for Women Act, 1990 lays down that the Commission may spend such sums as it thinks fit for performing the functions under the Act. The Commission has full powers to spend the money from the grant provided by the Central Government to carry out its functions. The financial powers of the Commission have been distributed in a three tier system amongst (i) Commission – full powers, (ii) Chairperson, (iii) Member Secretary, JS/DS/US.

1.50 When the Committee desired to know of the details of the allocation made and expenditure incurred by the Commission, the following statement has been furnished to the Committee:-

Statement showing the details of Budget, financial releases and Expenditure during the last three years viz., 2008-09, 2009-10 and 2010-11.

Plan

(figures in lakhs)

Year	Budget Allocation			Funds released by Ministry to NCW			Total Expenditure incurred by NCW		
	Non-NER	NER	Total	Non-NER	NER	Total	Non-NER	NER	Total
2008-09	450.00	50.00	500.00	330.00	30.00	360.0	440.69(*)	48.32(*)	49.01
2009-10	450.00	50.00	500.00	450.00	35.00	485.00	449.68	34.92	484.60
2010-11	450.00	50.00	500.00	448.97	49.92	498.89	449.84(#)	49.91(#)	499.75

(*) Unspent balance as on 31.3.2008 was Rs. 110.70 lakh under Plan head and Rs. 18.32 lakh under NER was utilized in 2008-09

(#) Unspent balance as on 31.3.2010 was Rs. 1.03 lakh under Plan head and Rs. 0.08 lakh under NER was utilized in 2009-10

Non-Plan

(figures in lakhs)

Year	Budget Allocation	Funds released by Ministry to NCW	Total Expenditure incurred by NCW
2008-09	350.00	311.32	343.03 (*)
2009-10	433.20	430.00	400.05
2010-10	285.00	246.05	288.52 (#)

(*) Unspent balance as on 31.3.2008 was Rs. 31.69 lakh under Non-Plan head was utilized in 2008-09

(#) Unspent balance as on 31.3.2010 was Rs. 38.95 lakh under Non-Plan head was utilized in 2010-11 and Other Receipt (i.e. Bank Interest, Misc. Receipts etc.) of Rs. 4.63 lakh under Non-Plan head.

1.51 On being asked about the budget grants for the current year, i.e. 2011-12, the Member Secretary, NCW informed that the budget allocation for 2011-12 is Rs.9 crore under the Plan head and Rs.3.30 crore under the non-Plan head.

1.52 Regarding Budget allocation to NCW, the Additional Secretary, Ministry of Women and Child Development stated during oral evidence :-

"The NCW was being given Rs. 5 crores as funds every year. This year, we have increased it to Rs. 9 crores. Though the budget of the Ministry was increased only by 15 per cent, we have increased their budget by 80%. Funds have not been a constraint for NCW."

1.53 He explained further:-

"In the last few years, 2007-08, 2008-09, 2009-10 and 2010-11, every year they have been given Rs. 5 crores. Let me tell you, in 2007-08, out of Rs. 5 crores that we have given to them, they have spent Rs. 3.11 crores. In the year 2008-09, out of Rs. 5 crores that we have given to them, they have spent Rs.4.89 crores. In the Five Year Plan, Rs. 25 crores, was the outlay, every year Rs. 5 crores was to be given and this year we have increased it to Rs. 9 crores. One has to keep in mind the capacity to spend also. Once they have some definite schemes which are examined in the Ministry, we would provide them more funds. The 12th Plan would be starting next year and that would be an opportunity to take a view on the requirement for the next Five Year Plan."

1.54 With regard to the proposals/schemes planned to be undertaken by NCW, the Committee have been told in a written reply as under:

"For the current year NCW proposes to undertake the following new schemes for which detailed proposals are under preparation for allocation of necessary funds:-

1. publicity campaigns with a view to reach out to the rural areas of the Country;
2. documentation and preparation of documentaries;
3. workshops for imparting Legal Awareness;
4. establishing of call centres and helplines; and
5. computerization of office records and online counselling

In view of this the Commission would require at least Rs.50 Crore in addition to the fund provided to the commission, if the annual plan & new schemes proposed by the Commission are to be implemented as planned and NCW thus enabled to fulfil its mandate effectively.

J. STAFF STRENGTH

1.55 Section 5 of the National Commission for Women Act, 1990 stipulate that the Central Government shall provide to the Commission such officers and employees as may be necessary for the efficient performance of the functions of the Commission.

1.56 To a query by the Committee on the staff strength in the Commission, it was submitted in a written reply as under:

“The sanctioned strength of NCW is only 52 officials which includes CP and Members. The National Commission for Women is facing acute shortage of staff at the lower level as well as at the level of Section Officer and Under Secretary. There are only 52 sanctioned posts in the Commission. Whereas the staff inspection unit of the Ministry of Finance Department of Expenditure has studied the staffing pattern of NCW in the year 2007-08 and recommended that on the basis of workload and functional requirement of the Commission, 94 posts are required. In the absence of sanctioned and required posts, the Commission has been left with no option but to engage the staff on daily wages or on contract basis to discharge its duties, as the workload has been increasing manifold.”

1.57 Clarifying their position in this regard, the Ministry of Women and Child Development submitted as follows:

"Keeping in view the functions of NCW, initially 33 posts were sanctioned and which were increased to 52 in phases till 2000. Subsequently, on the request of MWCD, the staff requirement of NCW was studied by the Staff Inspection Unit (SIU) of the Ministry of Finance during 2007-08, the report of which was submitted in 2009. On the basis of the study, the SIU recommended a total of 94 posts. It also recommended that out of 94 posts, 8 posts (Coordinator & Counsellors) should be filled on contract basis and services of 26 posts (staff car driver & peon) should be outsourced. It may be mentioned that at the time of SIU study, NCW was operating with 84 persons against sanctioned strength of 52 posts by engaging personnel on contract/ daily wage".

1.58 Further, updating on the status of implementation of Staff Inspection Unit Recommendations with regard to required posts in the Commission, the Ministry of Women and Child Development submitted in a post evidence reply as under:

"The SIU recommendation has not been implemented as NCW has not submitted a consolidated proposal in the past. After SIU Report was received in 2009, in October, 2009, NCW had proposed framing of Recruitment Rules to enable them to fill the posts by promotion, deputation/ absorption or direct recruitment. The Commission had also proposed that persons employed on short term contract/ daily wage in the Commission, who fulfill the qualification specified in the Rules, should be made eligible for appointment to certain posts if considered suitable by DPC, notwithstanding the provisions of the proposed Recruitment Rules.

The proposal for change in method of recruitment was discussed in a meeting taken on 23rd December, 2009 and it was decided that NCW would submit a re-structuring proposal, which could be examined along with the Recruitment Rules. Again, in a meeting taken on 27 April, 2010, shortage of staff in the Commission was discussed and NCW was reminded to send its proposal for staffing so that the matter including the proposal for amendment of Recruitment Rules could be examined in detail. NCW submitted a proposal in December, 2010 which was discussed in detail and based on the deliberations, NCW has submitted its fresh proposal on 16th June, 2011. In the revised proposal, NCW has projected a staff requirement of 140. The Ministry had invited NCW's representatives for a discussion on 30.06.2011. However, NCW requested for postponement of the meeting due to non-availability of Member Secretary.

It would, thus, be seen that the Ministry has wanted a comprehensive proposal from NCW as the promotional prospects etc. of the incumbents are required to be provided for while considering the proposal for change of method of recruitment. As the Commission has taken long time in submitting its proposals, the Ministry has been unable to take a final view on SIU recommendations. In fact, NCW has been rather lackadaisical in pursuing the issue of manpower and has chosen to continue with the contract staff for quite sometime for reasons, which they will need to explain."

K. EXCLUSIVE HELPLINE NUMBER

1.59 During interaction with the National Commission for Women, the Acting Chairperson of NCW submitted that the Committee is working out the formalities for establishing an exclusive number that can act as a helpline number. On the merits of having an exclusive helpline number, the acting Chairperson stated that whenever a complainant makes a call to NCW, the helpline number would get connected to the concerned police station and a computerized FIR would automatically be registered. The Committee have further been apprised that it would be immensely helpful in checking violence against women and providing immediate relief to the victims.

1.60 Explaining their standpoint about this proposal and the fund needed to be allocated in this regard, the Additional Secretary, Ministry of Women and Child Development stated during evidence:

"We asked them to develop a firm proposal; talk to the Child India Foundation, which is running a child helpline. Once a clear cut, concrete proposal with details comes, the Ministry would definitely provide it. At this stage because the details and outlines of the proposals are not available, we could not provide the full amount."

L. AWARENESS RELATED PROGRAMMES & PUBLICATIONS BY THE COMMISSION

1.61 Awareness is of paramount importance for upliftment of women and particularly women living in rural areas. The National Commission for Women organises seminars, workshops, public hearings, etc. and sponsors research studies to obtain relevant inputs on important issues related to gender equality and empowerment. The Commission also organises legal awareness camps, and Parivarik Mahila Lok Adalats in order to generate awareness in the society and resolve familial disputes. NGOs also play a significant role in organizing these programmes.

1.62 NCW also brings out a monthly newsletter "Rashtra Mahila" which give the specific information about the issues/initiatives/programmes taken up by the Commissions. It is distributed by mail to various State Commissions, authorities and state officials. The other publications of NCW are :-

- Meera Didi Se Poocho – A booklet with illustrations which explains the basic of all the laws for the protection of women. It is available on NCW webs (<http://ncw.nic.in>).
- Offences and Legal Provisions pertaining to crime against Women.
- The “Nowhere” Brides- Report on problems relating to NRI marriages
- Dos & Donts on NRI Marriages
- Handbook on Laws relating to Dowry and Domestic Violence
- Studies on the Widows of Vrindavan

1.63 The Committee have been told that the publications of NCW are for the benefit of the people and are widely available to the interested parties in various ways viz. it is available on the NCW website (www.ncw.nic.in); distributed during seminars, conferences, melas & exhibitions; and it is available in the NCW library.

1.64 When the Committee desired to know about the efforts taken by the Commission to bring to public notice their activities, the Commission submitted the following in a written statement:-

"NCW is engaged in publicity on social issues concerning women to generate awareness on women rights in order to change the mind set of the people against the traditional issues and social evils. The objective is achieved through media campaign by press advertisements and other means of outdoor publicity. The National Commission for Women is undertaking Legal Awareness Programmes, seminars, workshops through State Commission for women and NGOs. During the year 2009-2010, press advertisements are issued on activities of

NCW on the occasion of Birth Anniversary of Late Shri Rajiv Gandhi and on International Women's Day.

1.65 In addition to these, NCW also put up signage boards on issues like female foeticide, sexual harassment at work place, dowry, etc. at public places for creating awareness among the public. NCW also highlights different issues and achievements through newspapers and different news channels.

CHAPTER II

State Commissions for Women

2.1 The State Commissions for Women (SCWs) are autonomous bodies constituted under their respective State Acts and are funded by the State Governments. The State Commissions for Women provide a forum for grievance redressal at the State level. Complaints including NRI cases, can be handled by them effectively as they are fully aware of the local language, cultural taboos and traditions of the area. Further, the State Commissions are closer to the places of victims and have interaction frequently with the victims, local authorities and civil bodies. This facilitates speedy disposal of the complaints/ disputes.

2.2 Raising concern over the growing number of cases of crime against women all over India, the Committee wished to know how many States have constituted States Commissions for Women and how many of them are functioning properly. In response to this, the Committee have been apprised by the Ministry of Women and Child Development that all the 28 states and Delhi have statutory Women Commissions, namely Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Chattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, Punjab, Rajasthan, Sikkim, Tamil Nadu, Tripura, Uttar Pradesh, Uttarakhand, and West Bengal. It has further been informed that the office of the Chairperson is vacant in the States of Andhra Pradesh and Rajasthan. The Committee also learnt from NCW that the Union Territories of Chandigarh, and Puducherry also have constituted State Commissions.

2.3 The Committee also observed that a number of cases from various States have been registered with the National Commission for Women. As per the list provided by the National Commission for Women, the top ten States which have registered a large number of complaints during the year 2010-2011 at the National Commission for Women are as follows:

Sl. No.	State	Nos. of Complaints
1.	Uttar Pradesh	6932
2.	Delhi	2280
3.	Rajasthan	1432
4.	Haryana	859
5.	Madhya Pradesh	691
6.	Bihar	449
7.	Maharashtra	375
8.	Uttarakhand	335
9.	Jharkhand	236
10.	Punjab	223

A State-wise details of complaints registered at the National Commission for Women in the year 2010-11 is given at **Annexure-II**.

2.4 Alarmed by the escalating atrocities against women all over India and concerned with the large number of cases pending with the National Commission for Women, the Committee wished to know how the Commission is going to cope up with the situation and deliver justice to the aggrieved women unless a system is in place between the State commissions and the National Commission for Women.

2.5 As far as the mechanism in place to ensure interaction between NCW and the State Commissions is concerned, NCW informed that they regularly interact with the State Commissions for Women by holding periodic meetings and involve the State Commissions in organizing legal awareness programmes with the intention to improve interaction and connectivity between NCW and the State Commissions. NCW also provides funds for such programmes. Regarding the specific number of meetings held in a year, it was informed that NCW and the State Commissions meet twice in a year. However, these meetings are not mandatory and one major glitch is funding. It has further been told that as of now there is no provision for funding for regular meetings between NCW and the State Commissions.

2.6 Adding further, the Member Secretary of the National Commission for Women submitted during interaction:

"As you know, the State Women Commissions are constituted by the State Acts. There is no in principle linkage between NCW and the State Women Commissions though it is desirable. Sometimes the federal structure is such that there are different political parties in power in the Centre and in the States and they generate their own tensions between NCW and the State Women Commissions also. Ideally, it would be very good if we had a structure like the Central Social Welfare Board where there is all-India kind of a structure. There are branches; there is connectivity. We are thinking of making a proposal and submitting it to the Government that we should have regional offices, at least, of NCW and we may have members positioned in each of the regional offices so that some relief could be provided to the complainants."

2.7 When the Committee enquired about the practicalities and legalities involved in opening the regional offices of NCW, the Member Secretary of the Commission, stated during interaction:

"The Act does not conceive of regional offices at all. For example, in the Central Social Welfare Board, the provision of the Field Offices is provided in their Act itself. Since it is not envisaged in the Act, it may require an amendment of the Act also but it would certainly require approval of the Government for opening of any office."

2.8 The Commission further submitted that they are also proposing connectivity via teleconferencing between NCW and the State Women Commissions to initiate a better dialogue. The Commission also informed that they have made a preliminary compilation of the state of affairs in the State Women Commissions as to what infrastructure, staff and budget they have and that they have got a study initiated about the state of affairs in the State Commissions.

2.9 The Committee during their study visits have had interactions with the State Women's Commissions of Kerala and Jammu & Kashmir. The Committee also called for information from State Commissions for Women all over India, pertaining to the various aspects of their working. The information received by the Committee has been complied and is given as **Annexure III**.

OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

1. *INTRODUCTORY*

The National Commission for Women was constituted on 31st January, 1992 with a view to integrating women in all walks of life by endowing them with a free and fair living environment and assuring them their due share of rights enshrined in the Constitution. In order to achieve this, the Commission is primarily mandated to monitor the constitutional and legal safeguards for women, review the existing legislations and suggest amendments wherever necessary, recommend remedial legislative measures, facilitate redressal of grievances and advise the Government on all policy matters affecting women. However, despite many laws being in place to ensure safety and justice to women, the plight of women, whether educated or illiterate is still deplorable. Lakhs of girls vanish every year due to foeticide and other forms of killings. A large number of women in our society is still not aware of their legal rights. Rape, trafficking and other forms of violence against women are quite rampant in the country. Atrocities against women have reached sickening heights in India and are only increasing day by day without any respite. The Committee view crimes against women as social crimes which disrupt the entire social fabric and having far reaching consequences affecting future generations. In this scenario, the relevance of an agency striving to bring in better conditions for women and fulfilling the function of a watchdog to save her person and spirit is incomparable. The Committee, hence, look forward to the National Commission for Women and State Commissions for Women as agents of social change and desire that they uphold and fulfill their duties with utmost dedication and care.

2. COMPOSITION OF THE NATIONAL COMMISSION FOR WOMEN

The National Commission for Women Act provides for a full time Chairperson, five Members and a Member Secretary. However, the Committee are unhappy to see that as on date the National Commission for Women is a truncated body. At present, the Commission has only the Chairperson, one member and the Member Secretary in place. Posts of four Members are lying vacant. The Committee note with dismay that these vacancies have arisen during 2009-2011. The Committee further find that the post of the Chairperson which fell vacant on 09th April, 2011 got filled up only on 2nd August, 2011. The Committee are of the considered view that any delay in filling up the key posts in any organization will lead to the underperformance of that organization and defeat the very purpose of having such an institution. The Committee are of the strong opinion that the Government should have initiated action well in advance to fill up the vacancies of the Chairperson and Members of the Commission. Under no circumstances, the Commission should be left with vacant posts. In view of the importance and multifarious functions of the Commission, the Committee urge upon the Government to fill up the remaining vacancies in the Commission on a post-haste basis. At the same time, the Committee expect the Government to ensure that the National Commission for Women is always helmed by persons of eminence, representing various regions in the country, committed to the cause of women and having immense professional expertise.

3. MANDATE OF THE COMMISSION

The Committee find that the prime mandate of the Commission is to monitor all matters relating to the constitutional/legal safeguards provided to women, review the existing legislations and to suggest amendments wherever necessary. In accordance to its mandate, the Commission has so far reviewed about 70 laws and suggested

amendments thereto. 'The Review of Dowry Prohibition Act, 1961', 'The Immoral Traffic (Prevention) Act, 1956', 'Indecent Representation of Women (Prohibition) Act, 1986', 'Amendments to Section 125 of the Code of Criminal Procedure regarding Maintenance', 'Amendments to the Laws relating to Rape and Related Provisions' are some among them. Further, the Commission has given pertinent recommendations on various programmes and schemes of the Government having a direct bearing on the wellbeing of women. However, the Committee note with dismay that many of these amendments/ recommendations are pending with the Ministry of Women and Child Development since long. The Committee also understand that the Commission does not necessarily get to know about the developments in the matter once these amendments/recommendations are submitted to the Government. The Committee do not find the extant situation very conducive to the expeditious implementation of the recommendations of the Commission even though the final decision is a time consuming process owing to the various stages of discussions with various Ministries which are *sine qua non* in the process of finalization. The Committee are of the firm view that if the recommendations/amendments suggested by NCW are left to languish in the quagmire of deliberations and discussions, the very purpose of making those recommendations/amendments would be defeated and many hapless women may be denied relief and justice. The Committee, therefore, recommend that the Government should adhere to a time frame, preferably 2 years, in effecting the amendments suggested by the Commission to any act and one year in case of general recommendations, from the date of initial submission of such amendments/recommendations. The Committee also desire that the Ministry, in consultation with the authorities concerned at various levels, should evolve a more streamlined approach in this regard. The Committee also suggest that the Ministry should apprise the

Commission, once in every 6 months, the status of implementation of the recommendations / amendments suggested by the Commission.

4. AMENDMENTS TO NCW ACT

The Committee find that the National Commission for Women has suggested certain amendments in the parent Act way back in 2006-07. These amendments include extension of jurisdiction of NCW to the State of Jammu & Kashmir; increasing the number of Members from five to seven; changes in the status of Chairperson and Members; insertion of a new chapter dealing with the powers of the Commission with respect to enquiries/investigations and the provisions for a Director (Investigations). The Committee, however, find that these amendments are pending with the Ministry of Women and Child Development for the last 5 years and in March, 2010 the Ministry has returned them with a direction that a committee may be set up to study the performance of NCW and identify the interventions required including the suggested amendments to the NCW Act, 1990. The Committee are deeply concerned about the present status of such a study which was proposed about one and a half years before and hence desire that the performance assessment of NCW by the Government Committee may be completed within six months from the presentation of this Report under intimation to this Committee. The Committee further hope that the said study would identify areas requiring added thrust and thereby end the uncertainty over the amendments suggested by the Commission. However, such an exercise should be undertaken basically to strengthen the hands of the Commission and not to weaken it.

5. *ADDITIONAL LEGAL AND INVESTIGATIVE POWERS TO THE COMMISSION*

The Committee have learnt that the Commission has asked for certain additional legal/ investigative powers and these are pending with the Government for long. On the legal front, the power sought for is to forward any case to a Magistrate having the jurisdiction to try the case and the case so forwarded shall be heard as if it has been forwarded to him under Section 346 of the Code of Criminal Procedure. Though the Commission already has the powers of a civil court while trying a case, having the legal power to forward a case to a magistrate directly for trial is a totally different thing. The Committee note that such a provision exists in section 14 of the Commission for protection of Child Rights Act, 2005. The Committee have further been apprised that the Commission has also sought powers to cause investigation into a matter in which there is reason to believe that the orders of the Commission have not been complied with by the person(s) concerned. At present, the National Human Rights Commission enjoys this power to cause investigation. In this context, the Committee wonder what is holding back the Ministry from conferring these powers to the National Commission for Women also. This adds to the Committee's belief that the Ministry of Women and Child Development is not giving adequate importance to the role of the Commission as an agency for ensuring the rights of women. Moreover, the Committee strongly feel that if the Commission is endowed with these powers, it will ensure fast and effective trial of cases. Concurring with the maxim 'justice delayed is justice denied', the Committee would urge the Ministry to analyze the practicalities and legalities involved in conferring such powers upon the Commission and take a decision accordingly.

6. DISPOSAL OF COMPLAINTS

The Committee find that the Complaints and Investigations cell of the Commission deals with complaints received from all over the country involving issues related to violation of rights of women or grave injustice to women. This Cell of the Commission not only deals with complaints that are registered at the Commission but also those registered online. The Commission also takes up cases suo-moto with the aim to deliver justice to women. The Committee observe that the Commission has had many successful interventions and investigations to its credit wherein many cases were amicably settled or justice ensured to the women complainants concerned. The Committee are happy to note that the Commission has successfully disposed of 71% of the cases registered with them during 2010-2011 and has taken measures on a war footing to dispose of all the pending cases. While appreciating the efforts made by the Commission in these respects, the Committee would like to exhort them to make all efforts possible to speed up the process so that the lead time taken from the date of receipt of a complaint to its final disposal is minimized. With regard to final closure of complaints, the Committee have been apprised that a case is not treated as closed as long as it is pending in the court. The Committee, however, would like to be apprised of the average time taken in the disposal of those complaints which are treated as closed during 2010-11.

7. RESEARCH STUDIES

The Committee are happy to note that the National Commission for Women undertakes promotional and educational research and sponsors research studies by individuals and NGOs. In 2009-2010, twenty research studies were sponsored by NCW and in 2011 it was thirty three studies. 'Issues on Government Schemes and their Impact in the Lives of Women', 'Minority Women and their Problems', 'Media

and Women', 'Cyber Crime and Women', 'Conditions of Women Prisoners' are some of the areas in which research studies have been undertaken/sponsored by the Commission. Considering the importance of research in formulating policies and programmes related to women, the Committee recommend that the Commission should carefully monitor every facet of research work right from the selection of subject. The subjects approved should be of utmost relevance and duplication of topics should not happen. Moreover, the award of research projects should be done in a fair and transparent manner based on proper procedures. The Committee also desire that the progress of study and line of research should be monitored regularly to ensure timely completion and to justify the money spent on such research.

8. *ACCOUNTABILITY TO PARLIAMENT*

The Committee note that under Section 14 of the National Commission for Women Act, 1990, the Central Government is required to lay the Annual Report of the Commission together with a Memorandum of Action Taken on the recommendations contained therein and the reasons for non-acceptance, if any, of such recommendations along with the audit reports before each House of Parliament. It is seen that the first annual report of the Commission along with the ATR was presented to Parliament in December 1995. The Annual Report which pertains to the year 2008-09 was presented to Parliament in March 2011. In 2008, the Annual Reports for the years 2003-04, 2004-05, 2005-06 and 2006-07 were laid before the Parliament. On analyzing the pattern and practice of submission of Annual Reports of the Commission, the Committee note that delay in submission is a recurring feature. In this regard, the Ministry of Women and Child Development which is responsible for laying the Annual Reports of the Commission in Parliament submitted before the Committee that NCW had been taking time in furnishing Annual Reports to them thereby

delaying the process of obtaining Action Taken Reports from the concerned Ministries/Departments. This delay translates into further delay in the process of laying of Annual Reports before the Parliament. However, the Committee feel that if the Annual Reports are not laid before Parliament in time, the very purpose of their laying is defeated. The Committee, therefore, recommend that the Ministry of Women and Child Development should effectively coordinate with the Ministries and Departments concerned and procure the requisite action taken reports from them in a time bound manner so that timely presentation of the Annual Reports of the National Commission in both the Houses of Parliament is ensured. The Committee would also like the Commission to endeavour to submit their Annual Reports to the Ministry in time so that the Ministry could initiate the necessary action without delay.

9. *MANDATORY CONSULTATION BY THE MINISTRY AND OTHER DEPARTMENTS*

The Committee observe that as per section 16 of the NCW Act, the central Government has to consult the Commission on all major policy matters affecting women. The Committee are given to understand that the Ministry of Women and Child Development do consult the Commission on policy matters but other Ministries/Departments necessarily do not do so. The Committee believe that the National Commission for Women, which is mandated to ensure the legal and other rights of women in the country and which executes a surveillance function on the well being of women is the best agency to be consulted while women and child oriented policies are made by various departments and Ministries of the Union Government. The Committee, therefore, desire that the Government should come out with a set of clear cut guidelines for the ministries/departments regarding how they should go about with regard to consulting the Commission on all women and girl child oriented matters.

10. FUND ALLOCATION

The National Commission for Women is an autonomous body having full powers to spend the money from the grant provided by the Government to carry out its functions. The Committee find that during 2008-09, 2009-10 and 2010-11, the budget allocation to NCW was Rs. 5 crore. In the current year i.e. in 2011-12, the allocation is Rs. 9 crore. However, the Committee find that the Commission has proposed certain new schemes including publicity campaigns, documentation, legal awareness workshops, setting up of a exclusive helpline number, call centres, online counseling, etc. which require more funds. In this regard, the Committee desire that the Government should look into these demands favourably so that the schemes envisaged by NCW are translated into reality. The Committee need hardly point out that if hamstrung on funds availability, these ambitious projects of the Commission could get delayed, in turn affecting the well being of the women in the country. The Committee, therefore, desire that the Ministry should come up with a road map to provide funds to the Commission once they firm up respective proposals. Timely release of funds to the Commission should also be ensured. At the same time, the Committee would like to caution the Commission that the feasibility and viability of the Schemes should be well thought out and clearly defined before submitting the proposals to the Government.

11. STAFF STRENGTH

The Committee are much concerned that there is a shortage of staff in the Commission. In 2007-2008, the Staff Inspection Unit (SIU) of the Ministry of Finance conducted a study on the staff requirement of NCW and recommended a total of 94 posts for NCW. As per the said recommendation, out of these 94 posts, 8 posts (Coordinators & Counsellors) are to be filled on contract basis and another 26 posts

(staff car drivers & peons) to be outsourced. However, the Committee find that over the years, due to manifold increase in the quantum of work, the Commission has been engaging a good number of officials on contract/daily wages over and above the sanctioned strength. The quantum jump in the number of complaints registered at the Commission under various heads, the number of legislations reviewed/being reviewed, the number of suo-moto cases being taken up, the research studies undertaken, the working of various cells including the NRI cell, etc. bear testimony to the increased work load of the Commission. There is no doubt that to handle such a quantum of work, the Commission requires adequate officers/staff on a permanent capacity. In this regard, the Commission has recently projected a staff requirement of 140 and suggested certain changes in the method of recruitment. The Committee are of the considered view that to ensure continuity and efficiency, more regular appointments are required at various capacities, especially at the level of law officers, coordinators and counsellors in the Commission. The Committee, therefore, recommend that the Ministry may review the requirement at the earliest and sanction appropriate number of staff at appropriate levels, keeping in view the concerns of this Committee. At the same time, the Committee would like NCW to come up with proper recruitment rules and service conditions for its employees.

12. AWARENESS PROGRAMMES

The Committee find that NCW has taken various steps to bring their activities to the public through advertisements, outdoor publicity, etc. The NCW also undertakes legal awareness programmes, seminars, workshops, etc. Signage boards on various women related issues are also put up at metro stations and other prominent places for bringing awareness. While acknowledging the efforts made by the Commission for publicizing their activities, the Committee would like to point out that

the majority of Indian women are still unaware of their rights or the existence of bodies like National or State Commissions for Women to protect their interests. In fact, many living in urban areas, let alone in rural areas, are still not aware of the means to approach the National or State Commissions. The Committee, hence, exhort the Commission to bring in more vigour in their awareness campaign as the knowledge about such Commissions and the means to approach them would definitely give courage and solace to the aggrieved millions. The Committee, therefore, recommend that the Commission should strongly project its image as a haven of justice for women and concerted efforts should be made to make its presence felt using all modes of communication/publicity.

13. EXCLUSIVE HELPLINE NUMBER OF THE COMMISSION

The Committee find that the Commission has proposed setting up of an exclusive phone number that can act as a helpline number of the Commission. Whenever a woman victim calls on this particular helpline number, it would automatically get connected to the concerned police station and a computerized FIR would be registered. The Commission has included this project in their new Schemes and the Ministry has asked the Commission to develop firm proposals in this regard in consultation with the Child India Foundation as they have a similar satisfactory working model. The Committee feel that an exclusive helpline number for the Commission can go a long way in delivering fast and efficient justice to women victims. Just as number '100' rings the memory of Police, this exclusive number would serve as the face of the Commission. Being an automatic and computerized programme, it would help to solve problems like delays and denials in registering the complaints by the police. The Committee, therefore, call upon the Commission to develop firm proposals in this regard and also exhort

the Ministry to provide the Commission with necessary funds and other assistance in this regard.

14. STATE COMMISSIONS FOR WOMEN

The Committee observe that the State Commissions for Women are autonomous bodies and their constitution is the sole prerogative of the States. When NCW was constituted under the NCW Act, the States were advised to constitute similar commissions in the States. The Committee are given to understand that all the States have statutory Women's Commissions. However, the Committee note with disappointment that many State Commissions are not functioning properly. Some of them do not have a Chairperson or the required number of Members or officials. Some others are not reconstituted in time on account of political considerations. Many others are constrained with lack of funds and infrastructure. Keeping in view the large number of complaints registered by women from all over the country at NCW, the Committee feel that the State Commissions should be strengthened so that the burden of NCW may be reduced. They, therefore, urge upon the Government to impress upon the States to strengthen the State Commissions with required funds, infrastructure, working environment, etc. Priority also should be accorded to the timely reconstitution of the State Commission once the Chairperson or Members complete their tenure.

15. NECESSITY FOR ENHANCED COORDINATION WITH STATE COMMISSIONS

The Committee are constrained to note that there is a total lack of coordination between the State Commissions and the National Commission for Women. At present, there is no mechanism in place to ensure the networking between NCW and the State Commissions. Though NCW meets the State Commissions twice a year as of now,

these meetings are not mandatory. In addition, NCW involves State Commissions in conducting legal awareness camps, etc. and funds them with an aim to improving the coordination between the National and the State Commissions. Even then, the Committee feel that the prevailing situation is not very beneficial to the effective functioning of the State Commissions. Better coordination between NCW and the State Commissions is a prerequisite for a conducive environment for women. The Committee are happy to note that the Commission has proposed teleconferencing as a means to enhance coordination with the State Commissions. They, therefore, impel the Commission to develop firm proposals in this regard and put this mechanism in place at the earliest. In fact, the Committee would like to assert that all State Commissions should be connected to the National Commission for Women as well as to one another through a state-of-the-art broadband network. The Committee also recommend that a coordination cell be set up at the National Commission for Women to coordinate with States, collect & compile data and ensure feedback/sharing of information. Moreover, the meetings with the State Commissions and the National Commission for Women should be made mandatory and be held at least once in 6 months. This would help NCW and State Commissions to work and strive together as one individual entity for the well being of women.

NEW DELHI
15 December, 2011
24 Agrahayana 1933 (Saka)

SMT. CHANDRESH KUMARI
CHAIRPERSON
COMMITTEE ON EMPOWERMENT OF WOMEN

PART-II

Annexure I

Laws Reviewed by the National Commission for Women since inception till April, 2011

Sl. No	Laws reviewed by National Commission for Women	Commission's recommendations sent to the Ministry/Deptt.On	Remarks
	Laws reviewed during the Year	1992-1993	
1	The Commission of Sati (Prevention) Act, 1987 (3 of 1998)6-80/97	F.No.7-8/93-NCW(L), Dt.27.4.93, to Deptt. Of WCD. Minutes of the meeting held on 25.7.2000 in WCD (F.No.6-80/97-NCW(L)	Sent to cabinet
2	The Dowry Prohibition Act, 1961 (28 of 1961)	F.No.7-8/93-NCW(L), Dt.27.4.93, to Deptt. Of WCD Revised views sent in 2007	Revised views sent on 23.07.01. (F.No.6-11/2001-NCW(L). The recommendations have again been revised in 2007. So far no action has been initiated the fresh recommendations are being studied by the Ministry
	Laws reviewed during the Year	1993-1994	
	Laws reviewed during the Year	1994-1995	
1	The Marriage Bill, 1994	Reference in Annual Report in 1994-95	Bill to consolidate and amend the law relating to marriages in India and to provide for Compulsory Registration of Marriages. Not agreed to as it was a step towards uniform civil code and not acceptable by all communities – dropped

2	The Domestic Violence to Women (Prevention) Bill, 1994	Reference in Annual Report in 1994-95	Lapsed redrafted and sent to Ministry in 2005 Law enacted
3	Scheme Compensation to Rehabilitation of Victims of Rape and Sexual Assault	Reference in Annual Report in 1994-95	The Scheme was redrafted in the year 2005
	Laws reviewed during the Year	1995-1996	
1	Rape and Incest	Reference in Annual Report in 1995-96	Recommendations proposed to Section 354 and 375, 376 and Section 509 of IPC Reviewed in 2006 and draft bill sent
	Laws reviewed during the Year	1996-1997 and 1997-1998	
1	The Guardians and Wards Act, 1890 (9 of 1890)	F.No.6-11/96-NCW(L) Dt. 05.09.97, to Deptt. Of WCD	Revised views sent on 12.08.2000 (F.No.6-66/97-NCW(L)) Under consideration
2	The Indecent Representation of Women (Prohibition) Act, 1986	F.No.6-64/97-NCW(L) Dt.10.7.98, to Deptt. Of WCD	Revised views sent on 25.7.2000 & 27.11.2000 (F.No.6-101/97-NCW(L)) Under consideration
3	The Immoral Traffic (Prevention) Act, 1956	F.No.6-64/97-NCW(L) Dt.10.7.98, to Deptt. Of WCD	Revised views sent on 12.08.2000 (F.No.6-64/97-NCW(L)) Under consideration
4	The Medical Termination of Pregnancy Act, 1971 (34 of 1971)	F.No.6-11/96-NCW(L) Dt. 05.09.98, to Deptt. Of WCD	Revised views sent on 25.08.2000 (F.No.6-68/97-NCW(L)) Under consideration
5	The Child Marriage Restraint Act, 1929 (19 of 1929)	F.No.6-11/96-NCW(L) Dt. 05.9.98, to Deptt. Of WCD, minutes of the meeting held in WCD on 7.7.2000 (F.No.6-58/97-NCW(L))	Act passed No further action
6	The Foreign Marriage Act, 1969 (33 of 1969)	F.No.6-11/96-NCW(L), Dt. 05.9.98, to Deptt. Of WCD.	Revised views sent on 30.08.2000 (F.No.6-29/2000-NCW(L))

7	The Indian Succession Act, 1925 (39 of 1925)	F.No.6-11/96-NCW(L), Dt.05.9.98, to Deptt. Of WCD.	Revised views sent on 16.08.2000 (F.No.6-71/97-NCW(L) Views reiterated on 30.10.2001. Under consideration
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	Laws reviewed during the Year	1998-1999	
1	The Christian Marriage Act, 1872 (15 of 1872) [Comments on Christian Marriage Bill, 2000]	F.No.6-144/99-NCW(L), Dt. 19.12.99, to Deptt. Of WCD.	Additional comments sent on 15.12.2000.
2	Child Marriage (Restraint) Act, 1929	Reference in Annual Report in 1998-99	No further action Act passed

	Laws reviewed during the Year	2000-2001	
1	National Commission for Women Act, 1990 (20 of 1990)	F.No.6-99/97-NCW(L), Dt. 06.11.2000 to Deptt. Of WCD	Revised draft sent in 2007
2	The Hindu Adoption & Maintenance Act, 1956	F.No.6-43/2000-NCW(L), Dt. 23.11.2000 to Deptt. Of WCD	Under consideration
3	The Pre-Natal Diagnostic Techniques (Regulation & Prevention of Misuse) Act, 1994	F.No.6-129/99-NCW(L), Dt.08.12.2000, to Deptt. Of WCD	Under consideration
4	The Factories Act, 1948	F.No.6-48/2000-NCW(L), Dt. 19.12.2000, to Deptt. Of WCD	Under consideration
5	The Hindu Succession Act, 1956	F.No.6-44/2000-NCW(L), Dt. 20.12.2000, to Deptt. Of WCD	Under consideration
6	The Minimum Wages Act, 1948	F.No.6-35/2000-NCW(L), Dt. 26.12.2000, to Deptt. Of WCD	Under consideration

7	The Employees State Insurance Act, 1948	F.No.6-47/2000-NCW(L), Dt. 26.12.2000 to Deptt. Of WCD	Under consideration
8	The Bonded Labour System (Abolition) Act, 1976	F.No.6-87/2000-NCW(L), Dt.11.5.2001, to Deptt. Of WCD.	Under consideration
9	Juvenile Justice Act, (Care & Protection of Children) 2000	F.No.6-134/99-NCW(L), Dt.08.05.2001, to Deptt. Of WCD	Cabinet Note Concurred on

10.	The Hindu Marriage Act, 1955 (25 of 1955)	F.No.8-8/92-NCW(L), Dt. 14.7.92, Min. Of Law, Justice & CA (Legislative Deptt.).	Revised views sent on dt. 05.09.97, to Deptt. Of WCD. [F.No.6-80/2000-NCW(L) dated 22.05.2001]
11.	The Special Marriage Act, 1954	F.No.6-45/2000-NCW(L), Dt.28.05.2001, to Deptt. Of WCD.	Under consideration
12.	The Equal Remuneration Act, 1976	F.No.6-36/2000-NCW(L), Dt.21.6.2001, to Deptt. Of WCD	Under consideration
13	The Hindu Minority & Guardianship Act, 1956	F.No.6-46/2000-NCW(L), Dt. 07.08.2001, to Deptt. Of WCD.	Under consideration
14	The Family Courts Act, 1984	F.No.6-11/96-NCW(L), Dt. 05.09.98, to Deptt. Of WCD.	Revised views sent on 12.08.2000 [F.No.6-66/97-NCW(L)]
	Laws reviewed during the Year	2001-2002	
1	Contract Labour (Regulation & Abolition) Act, 1979	F.No.6-63/2000-NCW(L), Dt. 27.08.2001, to Deptt. Of WCD.	Under consideration
2	Inter-State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979	F.No.6-103/2000-NCW(L), Dt. 10.09.2001, to Deptt. Of WCD.	Under consideration

	Laws reviewed during the Year	2002-2003	
1	The Protection from Domestic Violence Bill, 2002	Reference in Annual Report in 2002-2003	Lapsed
	Laws reviewed during the Year	2003-2004	
1	Meeting of Expert Committee		

2	The Protection of Civil Rights Act, 1955 Amendment propose to Section 3 of the Act.		
3	Employees State Insurance Act, 1948		
4	Monitoring of the Dowry Prohibition Act, 1961		
	Laws reviewed during the Year	2004-2005	
1	The Cinematograph Act, 1952		Under consideration
	Laws reviewed during the Year	2005-2006	
1	Scheme for Relief and Rehabilitation for Victims of Rape	(F.No.6-16/96-NCW(L) Dt.13.12.2005 to DWCD	Sent to Ministry and presently with Planning Commission
2	Compulsory Registration of Marriages Bill, 2005	(F.No.6-11/2003-NCW(L) Dt. 20.12.2005 to DWCD	Supreme court had taken note of the NCW Bill and issued directions to State Government to frame rules regarding implementation of compulsory registration of marriages

3	The Protection of Women from Domestic Violence Rules, 2005	(F.No.6-70/2005-NCW(L) Dt. 3.1.2006 to DWCD	Law enacted and rules notified
4	Amendments to the Laws relating to Rape and related provisions	(F.No.6-37/2003-NCW(L) Dt. 6.1.2006 to DWCD	Pending with Ministry of law and justice
5	The Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Bill, 2006	(F.No.6-1/2004-NCW(L) Dt. 7.2.2006 to DWCD	Draft Bill with MWCD
6	Review of Section 125 of Code of Criminal Procedure: Order for Maintenance of Wives, Children and Parents	(F.No.6-76/2006-NCW(L) Dt. 5.1.2007 to DWCD	Sent to MWCD in 2007

7	Family Courts (Amendment) Bill, 2005	(F.No.6-53/2005-NCW(L) Dt. 22.10.2005 to DWCD	Lapsed
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8	Older Persons (Maintenance, Care and Protection) Bill, 2005	(F.No.6-65/2005-NCW(L) Dt. 2.12.2005 to Min.of Social Justice & Empowerment	Sent to Min of social Justice
9	The Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill, 2005	(F.No.6-49/2005-NCW(L) Dt. 8.2.2006 to DWCD	MHA
10	Review and Monitoring of the PC&PNDT Act, 1994		MWCD/Min of Health
11	A study on Pendency of Cases in the Delhi Courts filed under PC&PNDT Act, 1994	(F.No.6-76/2005-NCW(L)	MWCD/Min of Health

12	Report on Conditions of Women in Detention in the State of Punjab	(F.No.6-4/2004-NCW(L)	Punjab Government
	Laws reviewed during the Year	2006-2007	
1	The National Commission for Women (Amendment) Act, 2007	(F.No.6-99/97-NCW (L)	Sent to MWCD
2	Amendments to the Dowry Prohibition Act, 1961	(F.No.6-23/2005-NCW(L) Dt.11.04.2007 to DWCD	Sent to WCD
3	Minimum Age for Emigration Clearance to Women as Housemaids/Domestic Workers	F.No.6-25/2001-NCW(L) Dt. 16.11.2006 to DWCD/Min. of OIA	Min of Overseas
4	Amendments in Laws relating to Adultery – Section 497 IPC	(F.No.6-59/2006-NCW(L) Dt.16.11.2006 to DWCD	Sent to DWCD

	Laws reviewed during the Year	2007-2008	
1	NCW views on section 498A IPC		Sent to MWCD in Feb2008
2	Regulation of placement agencies Act 2008		Under consideration
3	Domestic workers Bill		Under consideration
4	Prevention of offences (by acids) Act 2008	6-27/2006-NCW (L)	Under consideration
5	Implementation of the protection of women from domestic violence Act, 2008		Under consideration
6	ACTION plan to combat trafficking in women and children	6-41/2004-NCW (L)	Under consideration

7	Amendments to section 125 crpc	(F.No.6-76/2006-NCW(L) Dt. 5.1.2007 to DWCD	Under consideration
	Laws reviewed during the Year	2008-2009	
1	Scheme for relief and rehabilitation of Offences (by Acids) on women and children	6-27/2006-NCW (L)	Under consideration
2	REVISED SCHEME FOR RELIEF AND REHABILITATION OF VICTIMS OF RAPE(18/8/2008)	(F.No.6-16/96-NCW(L) Dt.13.12.2005 to DWCD	Under consideration
3	Dowry Prohibition Act.	6-29/2008-NCW (L)	Under consideration
4	Revised Bill on Protection to women from Sexual Harassment at Work Place Bill, 2008		

5	Review of the Supreme Court Judgement in SR Batra and Anr. Vs. Smt. Taruna Batra, SLP (Civil) 6651-6652 of 2005.	6-36/2008-NCW (L)	Under consideration
6	Indecent Representation of Women (Prohibition) Act, 1986.		Under consideration
7	Review of Section 125 of Code of Criminal Procedure: Order for Maintenance of Wives, Children and Parents	(F.No.6-76/2006-NCW(L) Dt. 5.1.2007 to DWCD	Under consideration

	Law reviewed during the Year	2009-2010	
1	Indecent Representation of Women (Prohibition) Act, 1986.		Under consideration
2	Review of Section 125 of Code of Criminal Procedure: Order for Maintenance of Wives, Children and Parents		Under consideration
3	Domestic workers welfare and social security Act 2010		Under consideration

	Law reviewed during the Year	2010-2011	
1	Scheme for Relief & Rehabilitation of Violence of Rape		Under consideration
2	Prevention of Crimes in the Name of Honour & Tradition Bill 2010		Under consideration
3	Domestic Workers Welfare & Social Security Bill, 2010		Under consideration
4	Study on Widows at Vrindavan		Under consideration
5	Amendments to Section 125 Cr.PC regarding Maintenance		Under consideration
6	Recommendation for inclusion of 326 B IPC on Acid Attack.		Under consideration
7	Recommendation on inclusion of Section 509 IPC		Under consideration

8	Review Petition filed in case of Baldev Singh case.		Under consideration
9	Marriageable age		Under consideration
10	Irretrievable Breakdown of Marriage as ground for divorce.		Under consideration

Annexure – II

**STATE-WISE DETAILS OF COMPLAINTS REGISTERED AT NCW
(FINANCIAL YEAR : 2010 - 2011)**

Sl. No.	State / Union Territory	Financial Year 2010 - 2011 (As on 17/03/11)
1.	Andhra Pradesh	126
2.	Arunachal Pradesh	02
3.	Assam	30
4.	Bihar	449
5.	Chhattisgarh	87
6.	Goa	04
7.	Gujarat	104
8.	Haryana	859
9.	Himachal Pradesh	44
10.	Jammu & Kashmir	34
11.	Jharkhand	236
12.	Karnataka	55
13.	Kerala	31
14.	Madhya Pradesh	691
15.	Maharashtra	375
16.	Manipur	03
17.	Meghalaya	NII
18.	Mizoram	02
19.	Nagaland	02
20.	Orissa	55
21.	Punjab	223
22.	Rajasthan	1432
23.	Sikkim	NIL
24.	Tamil Nadu	101
25.	Tripura	01
26.	Uttar Pradesh	6932
27.	Uttarakhand	335
28.	West Bengal	171
29.	Andaman & Nicobar Islands (UT)	06
30.	Chandigarh (UT)	19
31.	Dadra & Nagar Haveli (UT)	08
32.	Daman & Diu (UT)	03
33.	Lakshadweep (UT)	NIL
34.	NCT of Delhi	2280
35.	Puducherry (UT)	05
	Total	14705

Annexure – III

Compilation of information collected from the State Commissions for Women regarding their working.

Points on which information was sought by the Committee from State Commissions	Information furnished by State Commissions
<p>When was the State Commission constituted.</p>	<p>Andhra Pradesh The Commission was constituted for the first time in 1999</p> <p>Assam The Commission was constituted for the first time as per Assam State Commission for Women Act, 1994</p> <p>Chhattisgarh The Commission was constituted for the first time in 2001 as per Madhya Pradesh State Women Commission Act.</p> <p>Goa The present Commission was last constituted in 2010</p> <p>Gujarat The present Commission was constituted in 2009</p> <p>Haryana The Commission was constituted for the first time in 1999.</p> <p>Himachal Pradesh The Commission was constituted in 1997</p> <p>Jammu & Kashmir The Commission was constituted in the year 1999 by an Act called as State Commission for Women Act, 1999 (Act No. V of 1999)</p> <p>Jharkhand The Commission was constituted in 2010</p> <p>Karnataka The Commission was constituted in 1995</p> <p>Kerala The Commission was constituted in 2007</p>

	<p>Madhya Pradesh The Commission was constituted for the first time in 1998.</p> <p>Maharashtra The Commission was constituted for the first time in 1993.</p> <p>Mizoram The Commission was constituted for the first time in 1998</p> <p>Manipur The Commission was constituted in 2006.</p> <p>Meghalaya The Commission was constituted in 2004.</p> <p>Nagaland The Commission was constituted in 2006.</p> <p>Orissa (Odisha) The Commission was constituted in 2009.</p> <p>Punjab The Commission was constituted in 1998.</p> <p>Rajasthan The Commission was constituted for the first time in 1999.</p> <p>Sikkim The Commission was constituted in 2003.</p> <p>Tamil Nadu The Commission was first constituted in the year 1993 and lastly reconstituted in 2010.</p> <p>Tripura The Commission was set up for the first time in February 1994.</p> <p>Uttarakhand The Commission was constituted in 2003.</p> <p>Uttar Pradesh The Commission was constituted in 2007.</p> <p>West Bengal The Commission was constituted in 2008</p> <p>Puducherry The Commission was constituted in 2004.</p>
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<p>What are the major recommendations made by the Commission in the last three years</p>	<p>ANDHRA PRADESH</p> <p>No major recommendation made by the Commission in the last three years. The services of the Chairperson and Members were dissolved in July 2007 and the posts are vacant till date.</p>
	<p>ASSAM</p> <p>Create a separate department like Women and Child Department of the Govt. of India by bifurcating the present Department of Social Welfare existing in the state.</p> <p>Create posts of ASI & SI for women in the Police Service.</p> <p>Monitor proper implementation of gender budgeting programmes and other schemes related to women.</p> <p>Gender sensitization programme for the police officers.</p> <p>Prevent trafficking by imparting training to the Gaon Burahs and appointment of a Counsellor at the Commission to tackle the issue of trafficking.</p> <p>Inclusion of lesson on superstition and evil practices in the Text Book of Primary or elementary level education to counter the rising incidents of witch hunting, etc.</p> <p>CHATTISGARH</p> <p>The Commission has initiated 'Betiyani' Scheme to guide and encourage and provide awareness to girl children in school.</p> <p>Balika Janmotsav programme to change the attitude of the society to differentiate between girl and boy children</p> <p>Girl education campaign to promote education of girls living in slums, legal awareness camps, Mahila Adalat Camps are some of the initiatives taken by the Commission.</p> <p>GOA</p> <p>Setting up of fund in the Protective Home to meet travel and escorts expenses for the benefits of inmates lodged in the Protective Home to repatriate them to their home town, if they are from outside States.</p> <p>To set up Temporary shelter Homes for women in distress.</p> <p>To upgrade Women Cell in all 23 Police Stations in Goa</p> <p>Demand for South Goa Women Police Station.</p> <p>GUJARAT</p> <p style="text-align: center;">-</p> <p>HARYANA</p> <p>Acting on the reports of newspapers, the cases of honour killing, providing protection and decision of Khap Panchayats were referred to the Home Secretary for appropriate action.</p> <p>Labour Department has been suggested to display facilities available to women workers under various laws and also to monitor the crimes committed against women/girl child in their workplaces/residential colonies.</p> <p>Hon'ble Chief Minister of Haryana has been requested to consider providing examination / application fee concession to women</p>

candidates applying through Haryana Staff Selection Commission and other sources as well as explore employment opportunities for women in industries to increase female participation.

Recommended awareness generation on continuous basis to curb the menace of female foeticide.

Education Department has been suggested to take remedial measures to prevent showing of indecent films/pictures by teachers to girl students in school computer rooms.

HIMACHAL PRADESH

Inspection of NGOs should be done quarterly by an appropriate officer.

Lady Warden should be appointed in Girl's Hostel and her full time presence in the hostel is to be ensured.

In co-ed schools, at least 50% of the teachers should be women.

Protection Officers in the State have been advised to send monthly report to the Commission on cases of domestic violence.

JAMMU&KASHMIR

To address a few deficiencies in the J&K State Commission for Women Act, 1999, the Commission has recommended for certain amendments in the State Commission for Women Act.

In addition, the Commission has asked for sufficient funds to set up shelter homes for women victims coming to the Commission offices for counseling and rehabilitation of destitute women and has also asked the Government to open offices of the Commission at district level.

JHARKHAND

To solve the problems coming in implementation of provisions of Domestic Violence Act-2005 is a major recommendation to the Government by the State Commission for Women.

KARNATAKA

KERALA

Based on the observations made by the Commission in its Report on the problems faced by women who are working in the field of building construction, necessary actions are being initiated by the Government.

A proposal submitted by the Commission on the problems faced by the unmarried women has been placed before the Assembly by the Social Welfare Department.

Based on the recommendations of the Commission, the Government has issued necessary instructions to provide land to build house to 18 tribal families without proper shelter or any means to live.

The Commission has brought to the notice of the Government, the problems faced by female athletes from male coaches.

MADHYA PRADESH

The Madhya Pradesh State Commission for Women recommended for setting up of family courts in every district to provide justice to women belonging to poor families in cases of domestic violence.

It recommended formulation of a policy to bring the NRI offenders before the Court to deliver justice to women in cases of Domestic Violence.

Recommendation to appoint Women Principals in Girls School and Colleges for Women.

Recommendation to Provide standard facilities in Hostels for girl Students and working women.

Recommendation to set up sexual harassment cell in every department and district to deal with such cases .

MAHARASHTRA

Keeping in mind the recommendation made by the Commission to provide basic amenities to women, Women's jail at Byculla was formed.

The Commission made the Protection authority of public/ private enterprises/corporate area liable to share the compensation amount if any violent crime occurs in the premises of the said protection authority.

The Commission also suggested a national policy for women in agriculture to the NCW.

MIZORAM

The Commission has made a few recommendations pertaining to the status of the Chairperson and Members of the Commission, as well as provision of vehicle, separate building and staff for the Commission to ensure its smooth functioning.

MANIPUR

The Commission recommended to have a "Distress Relief Fund" to provide financial benefit of Rs. 1000 to women in distress to encourage and support them

To have a "Short Stay Home" of the Commission to provide shelter to victims.

To have a "police extension service/out post" to aid the Commission to investigate violation of women's rights.

For overall improvement of the Manipur Central jail infrastructure and provision of various amenities and vocational training to women inmates.

Promote campaigns and community dialogue, engage men and boys to eliminate violence against women and girls.

To prepare a State Level Policy to combat trafficking, especially of children.

To improve the overall working and infrastructure and other facilities available at the primary health centres.

To have special reservation for women and girls to be trained as nurse, midwife, dais to assist women in maternal and child health care in villages where there are no primary health centres and doctors.

MEGHALAYA

Setting up of a DNA unit to solve crimes against women.
Setting up of short stay homes in all the seven districts of Meghalaya by the Government for victimized women.
To give wide publicity about the contents of Protection of Women from Domestic Violence Act.
Setting up of Fast Track Courts in all the seven districts of Meghalaya .

NAGALAND

A strong directive is needed from NCW to all State Governments in the North Eastern States to provide adequate budget for State Women Commissions
Necessary directives are needed from NCW to carry out necessary amendments in the SCW Act and make the State Commissions a powerful body
Directive is needed from NCW for the proper implementation of Domestic Violence Act in NE States
NCW must support the State Women Commission to protest against State armed violence and atrocities against women in the region etc.

ORISSA

Display about Sexual Harassment Committee in Notice Board of all Departments.
To provide power of contempt to the Commission in case of violation of Commission's directions.
Recommendation to I.Gs of Prisons and Collectors to direct the Legal Services Authority in district levels for release of women in custody for minor faults.
Recommendation to Principal Secretary to Revenue Department regarding special packages to ladies of Kanhpur village.

PUNJAB

No major recommendation has been made by the Commission during the last three years.

RAJASTHAN

Recommended for providing 180 days Maternity Leave and two years Child Care Leave to women employees in state government.
Recommended for providing one third reservation to women.

SIKKIM

Active participation of local NGOs, Panchayats, general public to protect the rights of women in rural as well as in town areas.
Information centres to be set up at Panchayat level to educate the people about the women oriented schemes.

TAMIL NADU

The Commission has recommended for constitution of Family Courts in all the Districts of Tamil Nadu.

In addition to the above, the Commission has also made recommendations pertaining to changes to be made in Chapter IX of the Code of Criminal Procedure, Hindu Minority and Guardianship Act, Registration of Marriages, amendments to the law relating to trafficking in women, enacting law to make 'eve teasing' an offence and introduction of legal provision to curb domestic violence.

TRIPURA

Setting up of short stay homes in four districts in Tripura.

Installation of DNA test facility in the present State Forensic Science Laboratory.

Regular monitoring and supervision of living conditions of the prisoners in the female jail.

Setting up of a Women Development Corporation in Tripura for social, economical and educational uplift of women.

Police should register cases under proper section of IPC and start immediate investigation of cases, charge sheet of a case should be submitted within three months and create a separate desk in all police stations of the State to deal with crimes against women.

Appointment of POs with exclusive responsibility for implementing Prevention of Domestic Violence Act (PWDVA), 2005.

Judicious use of Section 498 A IPC & sensitization of officers-in-charge of all police stations regarding PWDVA.

UTTARAKHAND

A draft Policy on Women has been forwarded to the Government to implement the policy in the State.

Recommended for attaching the services of G.V.K.E.M.R.I 108 emergency service to the Commission to provide speedy medical and police aid to women victims.

A draft on Compulsory Registration of Marriage Act has been forwarded to the Government.

UTTAR PRADESH

Recommendation regarding the Mobile and Convenient Banking facility for the Domestic Working Ladies.

Recommendation to prevent the acts of abandoning the girl child.

Recommended for establishment of Fast Track Court for hearing the crimes against women and appointment of Lady Presiding Officers as far as possible for hearing of such cases.

	<p>WEST BENGAL Recommendation to set up a State Inspection and Monitoring Committee as well as District Level Committees for regular inspection and monitoring of licensed USG Clinics. Recommendation of various measures for effectively implementing Domestic Violence Act. Recommendation to set up camps at the block level to compute the number of disabled persons in the state. Setting up of Anti-Trafficking Cells and Shelter Homes. Recommendation to develop a procedure for rehabilitation and restoration of women abandoned in District Hospitals.</p> <p>PUDUCHERRY Recommendation given to Government regarding prohibition of child marriages. Recommended for constitution of a women bench in every police station and appointment of a lady constable in the bench. Recommended for training programmes for the government officials to make them aware of their roles and responsibilities.</p>
<p>Major Problems faced by the State Commission in the execution of its duties</p>	<p>ANDHRA PRADESH The Commission is not constituted for last three years. The Present Act needs to be amended There are no clear guidelines on powers and duties of Chairperson and the Members The sanctioned posts are less The allocated budget is not sufficient to take up the activities of the Commission.</p>
	<p>ASSAM Fund crunch is the major problem faced by the Commission. The Commission also lacks office staff and officer.</p> <p>CHATTISGARH -</p> <p>GOA The accommodation provided by the Government to attend to complaints is inadequate. The vehicle provided to the Commission is very old and requires replacement. There is need for a full time Member Secretary to look after administrative and other works of the Commission. There is a lack of staff to cope up with the present work load of the Commission.</p> <p>GUJARAT -</p>

HARYANA

The State Government has not constituted the Haryana State Commission for Women under the Act.

As per the notification of Haryana State Commission for Women, functions have been assigned to the Commission but no power.

HIMACHAL PRADESH

There are no major problems faced by the Commission in the Execution of its duties.

JAMMU & KASHMIR

The orders passed by the Commission in favour of the complainants are not sometimes implemented because of lack of powers of the Commission.

JHARKHAND

The Commission does not have sufficient funds to carry out its activities.

Besides funds problem, it has no judicial power to impose penalty/fine on the erring persons defying decisions of the Commission.

KARNATAKA

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KERALA

The Commission has no financial autonomy.

Staff is insufficient to handle the workload of the Commission.

There is delay in filling up of vacancy on deputation.

MADHYA PRADESH

Instant action is not initiated by the Government on the recommendations of the Commission.

Delay in receiving information from departments pertaining to the complaints given by women victims is delaying justice to women.

MAHARASHTRA

The Commission does not have its own investigation wing and research wing.

State Commission for Women should be constituted as autonomous statutory body and vested with powers of prosecution and with power to enforce attendance of the accused and witness.

Commission need to set up a State Resource Centre for Women as the focal point of all data on gender issues. It could be set up as a part of Commission.

MIZORAM

Lack of vehicle for the Commission and lack of a computer operator.

MANIPUR

Insufficiency of staff is hampering the smooth functioning of the Commission.

The Commission does not have adequate number of vehicles to ensure smooth functioning.

Inadequate Grant-in-aid is hindering the functioning of the Commission

The Commission requires security personnel during court days to conduct complaint cases without any disturbance.

MEGHALAYA

Lack of sufficient funds is the major problem faced by the Commission.

The Commission requires more powers and hence the Act needs to be amended.

Individuals going to the court defying the State Commission for Women regarding cases taken up by the Commission.

NAGALAND

No major problem faced by the Commission in the execution of its duties.

ORISSA

Paucity of funds is a major problem faced by the Commission.

The Commission lacks proper security arrangement in the Commission office.

PUNJAB

Paucity of funds is the major problem faced by the Commission.

Lack of facility for video conferencing is another hurdle.

The Commission needs special powers to ensure the compliance of the orders of the Commission.

The Commission requires some amount of Discretionary Fund at the disposal of the Chairperson to provide temporary monetary benefit to needy women.

RAJASTHAN

No major problem encountered.

SIKKIM

To provide awareness to women folk in the remote areas.

TAMIL NADU

Though the Commission is empowered with the power of a Civil Court, its functions are limited to a redressal body. The Commission cannot take any action against the accused even if the charges are proved.

The Commission cannot take action against those who do not take action to implement the recommendations of the Commission.

Sometimes, some counter petitioners involve the Commission as the first respondent.

TRIPURA

According to the Tripura Commission for Women Act, it can summon and enforce any person to appear before the Commission. But the method to be adopted to enforce a person to appear before the Commission is not spelt anywhere in the Act.

Status of the Chairperson and the Members are not specified.

Commission has the power only to recommend and submit reports which are not binding either on the State Government or on the authorities.

Rules on the Act has not been framed.

UTTARAKHAND

Lack of staff to handle the work of the Commission

Non-creation of full time posts.

UTTAR PRADESH

No major problem faced by the Commission in the execution of its duties.

WEST BENGAL

Execution of summons is not always possible.

Department and judiciary not favourable to preparation of database on Prevention of Domestic Violence Act undertaken by the Commission.

Government gives Action Taken Reports on Commission's recommendations very rarely.

PUDUCHERRY

The Commission is fully dependent on the grants received from the State Governments and hence it can not function in a fully independent way.

The Commission is not vested with full legislative powers. Its powers are of recommendative nature only.

The status given to the Chairperson and Members of the Commission should be high to discharge its duties in a more effective manner.

**MINUTES
COMMITTEE ON EMPOWERMENT OF WOMEN (2010-2011)**

**Seventh Sitting
(28.04.2011)**

The Committee sat on Thursday, the 28th April, 2011 from 1515 hrs. to 1700 hrs. in Committee Room 'D', Parliament House Annexe, New Delhi.

PRESENT

Smt. Chandresh Kumari - Hon'ble Chairperson

MEMBERS

LOK SABHA

2. Smt. Ashwamedh Devi
3. Smt. Jyoti Dhurve
4. Shri T.K.S. Elangovan
5. Smt. Sumitra Mahajan
6. Dr. Jyoti Mirdha
7. Kumari Meenakshi Natrajan
8. Smt. Sushila Saroj
9. Smt. Annu Tandon

RAJYA SABHA

10. Smt. Shobhana Bhartia
11. Smt. Naznin Faruque
12. Shri Jabir Husain
13. Shri Ambeth Rajan
14. Smt. Maya Singh
15. Smt. Vasanthi Stanley
16. Dr. Prabha Thakur

WITNESSES

REPRESENTATIVES OF THE NATIONAL COMMISSION FOR WOMEN

1. Ms. Yasmeen Abrar Acting Chairperson
2. Ms. Wansuk Syiem Member
3. Ms. Zohra Chatterji Member Secretary

SECRETARIAT

1. Shri Raj Shekhar Sharma Joint Secretary
2. Shri C.S. Joon Director
3. Smt. Mamta Kemwal Deputy Secretary

2. At the outset, the Chairperson welcomed the representatives of the National Commission for Women to the sitting of the Committee and drew the attention to Direction 58 of the Directions issued by the Speaker, Lok Sabha relating to evidence before the Parliamentary Committees.

3. Thereafter, the Acting Chairperson, National Commission for Women made a brief statement on the subject 'Working of National Commission for Women'. The Chairperson and Members of the Committee on Empowerment of Women then raised queries on various points including Government response to the recommendations of the National Commission for Women; opening of regional offices by National Commission for Women in all States; vacancies of Chairperson, Members and other staff in National Commission for Women; need for better coordination between National Commission for Women and State Commissions for Women; bringing out awareness publications in regional languages; steps taken to deal with honour killings; any study on crime rate in Delhi; fund requirement of National Commission for Women; exclusive helpline numbers to address the grievances of the victims; pendency of cases with National Commission for Women, etc. Explanations/clarifications on some of the points were given by the representatives of the National Commission for Women. However, information on some of them was not readily available with the representatives of the Commission. They were, therefore, asked to furnish the same to the Committee Secretariat at the earliest.

4. A verbatim record of the proceedings of the sitting has been kept.

The Committee then adjourned.

**MINUTES
COMMITTEE ON EMPOWERMENT OF WOMEN (2010-2011)
Tenth Sitting
(24.06.2011)**

The Committee sat on Friday, the 24th June, 2011 from 1130 hrs. to 1330 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi.

PRESENT

Smt. Chandresh Kumari - **Hon'ble Chairperson**

**MEMBERS
LOK SABHA**

2. Smt. Shruti Choudhary
3. Smt. Ashwamedh Devi
4. Dr. Jyoti Mirdha
5. Shri. Sidhant Mohapatra
6. Smt. Jayashree Ben Patel
7. Smt. Sushila Saroj
8. Smt. Rajesh Nandini Singh
9. Shri. Uma Shankar Singh
10. Smt. Seema Upadhyay

RAJYA SABHA

11. Smt. Naznin Faruque
12. Shri. Jabir Husain
13. Shri. Ambeth Rajan
14. Smt. Vasanthi Stanley
15. Dr. Prabha Thakur

REPRESENTATIVES OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT

1. Shri Sudhir Kumar - Additional Secretary
2. Smt. Sangeeta Verma - Economic Advisor
3. Smt. Vinita Aggarwal - Director

SECRETARIAT

1. Smt. Mamta Kemwal - Deputy Secretary
2. Smt. Reena Gopalakrishnan - Under Secretary

2. At the outset, the Chairperson welcomed the officers of the Ministry of Women and Child Development (MWCD) to the sitting of the Committee and drew their attention to Direction 58 of the Directions issued by the Speaker, Lok Sabha relating to evidence before the Parliamentary Committees.

3. Thereafter, the Additional Secretary, Ministry of Women and Child Development made a brief statement on the subject 'Working of National Commission for Women and State Commissions for Women'. The Chairperson and Members of the Committee on Empowerment of Women then raised queries on various aspects pertaining to the subject, viz.,

implementation of the recommendations of the Commission in a time bound manner, coordination between the State Commissions and the National Commission for Women, opening of regional offices of the Commission, filling up the vacancies of the Chairperson and Members in the Commission, the shortage of staff in the Commission, fund allocation to the Commission, conferring NCW with more powers in matters of investigation and prosecution, mandatory consultation of the Commission by the Central Government Ministries/Departments in matters relating to women etc. The explanations/clarifications on the same were given by the representatives of the Ministry of Women and Child Development. However, information on some of the points was not readily available with the representatives of the Ministry. They were, therefore, asked to furnish the same to the Committee Secretariat at the earliest.

4. The Committee also decided to undertake a study visit in the last week of July in connection with the examination of the subjects selected by them.

5. A verbatim record of the proceedings of the sitting has been kept.

The Committee then adjourned

MINUTES
COMMITTEE ON EMPOWERMENT OF WOMEN (2011-2012)
Second Sitting
(15.12.2011)

The Committee sat on Thursday, the 15th December, 2011 from 1530 hrs. to 1730 hrs. in Committee Room 'E', Parliament House Annexe, New Delhi.

PRESENT

Smt. Chandresh Kumari - Hon'ble Chairperson

MEMBERS

LOK SABHA

2. Smt. Susmita Bauri
3. Smt. Ashwamedh Devi
4. Smt. Rama Devi
5. Smt. Jyoti Dhurve
6. (Dr.) Smt. Botcha Jhansi Lakshmi
7. Dr. Jyoti Mirdha
8. Smt. Raneer Narah
9. Kum. Meenakshi Natrajan
10. Smt. Jayshreeben Kanubhai Patel
11. Smt. Yashodhara Raje Scindia
12. Rajkumari Ratna Singh
13. Shri M. Thambidurai

RAJYA SABHA

14. Smt. Naznin Faruque
15. Shri Jabir Husain
16. Shri Ambeth Rajan
17. Smt. Maya Singh
18. Smt. Vasanthi Stanley
19. Dr. Prabha Thakur

SECRETARIAT

- | | | |
|----|---------------------------|------------------|
| 1. | Shri C.S. Joon | Director |
| 2. | Smt. Mamta Kemwal | Deputy Secretary |
| 3. | Smt. Reena Gopalakrishnan | Under Secretary |

2. At the outset, Chairperson welcomed the Members to the sitting of the Committee.
 3. The Committee then took up the following draft Reports for consideration:
 - i) Draft Report on the subject 'Working of National Commission for Women and State Commissions for Women'; and
- X X X X X X
4. After some deliberations, the Committee adopted the draft Reports with some changes and authorised the Chairperson to finalise the Reports and present the same to the Parliament.
 5. The Committee then adjourned.