

EVOLUTION OF NATIONAL COMMISSION FOR WOMEN

Mrs. Suresh Kumari

Assistant Professor in Law HIM CAPES Badhera (Una) H.P.

National Commission for Women Act 1990 is the first major step in the dissection of women's development. The idea of establishing a national commission for women is not *new*¹. The united nation commission on the status of women in its 25th report recommended to all member states the establishment of National Commission or a similar body with a mandate to review, estimate and recommend measure and priorities to ensure equality between men and women and the full integration of women in every sphere of national life, Acting on the resolution and on the demands of several women organizations the govt. of India setup a committee in 1971 known as the committee on the status of women (i) to evaluate the changes that had taken place in the status of women as a result of constitutional, legal and administrative measures adopted since independence (ii) to examine the impact of the complex process of social change on various sections of women (iii) to suggest measures to enable women to play their full and proper role in building up the nation. In 1974 the committee submitted a comprehensive report with a summary of its recommendations on (i) the social – cultural setting of women's status, (ii) women and the law, (iii) role, regent's and opportunities for economic participation (iv) educational development and (v) political status. In order to ensure the / implementation of various measures, the committee recommended the constitution of statutory autonomous commission at the centre and the *status*².

Beijing world conference on women.

As many as 35,000 women have gathered in Beijing for the largest conference ever. The fourth UN world conference on *women*³ The united Nations invited the fourth world conference on women at Beijing from 4-15 September 1975 and more than 35,000 women and champion of women empowerment assembled to for emulate a new strategy for amelioration of women on this globe. In place of traditional recommendation resolutions, action plan, this conference gave a new term / platform for action.

1) Journal of the Indian Law Institute Vol. 332 : 2 (1992) 299

2) Fatima Siddique and Sarla Ranganathan , Women and Human Rights (2001) 120-121



3) Vandana Shiva , Gender Justice and Global Apartheid, Mainstream 7 Sept. (1995)

The Beijing Platform for Act lists 12 “critical area of concern poverty, education, economic participation, power sharing and decision making, National and international machineries, human rights mass media, environment and development and the girl child.

The Govt. of India has set up the national commission for women to give special attention to women’s problems and promote equal opportunities for them. Beijing platform for Action has been a major source of inspiration and several programmers have been started in *India*⁴.

Constitution of the commission

The National Commission for women Act, 1990 (Act no. 2001 of 1990 of Govt. of India) constituted The National commission was constituted on 31st January 1992 with Mrs. Jayanti Patnaik at the Chairperson. The Act of 1992 under Section 3 provide for the constitution of the commission. This section lays down that the commission will consist of one chairperson, who is committed to the cause of women, five members from various field and the member secretary who shall be an expert in the fields of management, organizational structure, sociologic movement or a member of the civil service of the union. All the members of the commission are nominated by the central *Govt.*⁵ on 29th September 2014 Lalitha Kumaramangalam was appointed as chairperson.

The major function of the National Commission of Women :-

- First investigate and examining all matters relating to the safeguards provided for women under the constitution and other laws.
- Present reports to central government on work done towards these safeguards.
- Make recommendations for effective implementation of such safeguards to Union or state governments.
- Review women related to legislations and bring out inadequacies and shortcomings.
- Take up cases of violation of law against women to appropriate authorities.
- Look into complaints and take suo moto action over them.
- Work towards women’s rights
- Mitigating hardship of women and ensure welfare and relief
- Call for special studies or investigations into specific problems or situations.
- Participate in planning process of socio-economic development of *women*⁵⁽ⁱ⁾.

4) Fatima Siddique and Sarla Rangnathan, Women and human Rights (2001) 338-240.

5) Bhanu Pratap Singh - legal service India – National commission for women.

[http:// www.legalserviceindia.com/article1318](http://www.legalserviceindia.com/article1318)

5) (i) National Commission for Women Act 1992

Working of the commission:-

The commission processes the complaints received verbally or in writing. It also takes into account Suo moto notice of cases related to various categories of crimes against women such as domestic violence, harassment dowry torture murder kidnapping/abduction, complaint against NRI marriage, desertion, bigamy, rape police harassment brutality, cruelty by husband, deprivation of right gender discrimination, sexual harassment at workplace etc.

The complaints are acted upon in the following manner:-

1. Specific cases of police apathy are sent to the police authorities for investigation and cases are monitored.
2. Family disputes are resolved or compromises struck through counseling.
3. Disaggregated data are made available to various state authorities to facilitate action.
4. In sexual harassment complaints the concerned organization are urged to expedite cases and the disposal is monitors.
5. For serious crimes, the commission constitute on enquiry committee to provide immediate relief and justice to the victims of violence and atrocities.

Strategies of the commission:-

In keeping with its mandate the commission evolved the following strategies to improve upon the status of women and women's development.

1. Economic empowerment through building up skill and securing access to gainful employment.
 2. Political empowerment through awareness, training and mobilization for equitable representation in all fora.
- Prevention of violence and discrimination against women inside and outside the home through legal reform and sensitive enforcement
 - Amelioration of condition of disadvantaged women, such as physically challenged women including those who are visually disables or mentally affected.
 - Socially challenged women including Muslim women, women from S.C. and ST widows and prostitutes.
 - Prevention of indecent representation of women in the media through legal and social *sanction*⁶
- 6) National Commission for women updated March 16, 2017
[http:// www.gktoday.in/blog/nationalcommissionforwomen.](http://www.gktoday.in/blog/nationalcommissionforwomen)



Short Comings:-

The commission has no concrete legislation powers. It only has the powers to recommend amendments and submit reports which are not binding on state or union Governments.

- The commission does not have the power to select its own members. This power is vested with the union govt. and in India's volatile political scenario the commission may be politicized.
- The commission is dependent on grants from the union govt. for its financial functioning and this could compromise the independence of the *commission*⁷

Achievements:-

Some of the key achievements of NCW are as follows:-

- Prepared gender profiles of all states and UTs except Lakshadweep
- Took up women related issues and was proactive in Parivarak Mahila Lok Adalats
- Reviewed laws such as dowry prohibition Act, 1961 PNDT Act 1994, Indian Penal Code 1860 and the National Commission for women Act 1990 to make them more stringent and *effective*⁸

The commission regularly publishes a monthly newsletter, Rashtra Mahila in both Hindi and English.

The National Commission of Women publish annual reports.

There are following data's regarding violence against women in annual reports of National Commission of Women.

Annual report 2011-2012

Complaints registered during the financial year 2011-2012 (category-wise)

During the year 16637 numbers of complaints/cases were registered at the C & I Cell. The category wise & state wise distribution of the complaints registered by the commission for the financial year 2011-2012 is as annexure IV The complaint have been registered under 37 Categories/head/

The largest number of complaints numbering 4029 received by NCW was regarding domestic violence, followed by 3699 complaints of police apathy. The complaint of property (widows properly, parents property, istree-dhan property etc.) were 1221. The complaints lodged by in – laws Police Harassment/Atrocities of police were 558. The complaint of Dowry Death numbered 505, of Molestation/Eye Teasing were 476. The complaints related to harassment at workplace were 468 and service matter were 402 while 2343 complaints registered were in miscellaneous category.

The state-wise segregation of the complaints cases received by the commission for the financial year 2011-2012 is enclosed as Annexure :-

Sr. No.	Name of the state	Number of Complaints
1.	Utter Pradesh	8986
2.	Delhi	2390
3.	Rajasthan	1268
4.	Haryana	997
5.	Madhya Pradesh	612
6.	Bihar	463
7.	Uttarakhand	342
8.	Maharashtra	280
9.	Jharkhand	225
10.	Punjab	206

Analysis of complaints registered during the year 2012-2013

During the year 16584 numbers of complaints/cases were registered at the C & I cell and action has been taken on all the complaints registered in the commission.

The largest number of complaints numbering 3773 received by NCW was regarding Domestic Violence of allowed by 3303 complaints of police apathy. The complaint relating to Molestation/ Eve Teasing / outraging modesty of women/stalking numbered 932, followed by 927 complaints of property disputes and 723 complaints by in laws. The complaints of rape were 713, & of Dowry Death were 553. The complaints against police Harassment were 505, caste and community based violence were 475 followed by 467 complaints of Dowry Demand / harassment for dowry. The complaints of harassment at workplace were 413 and related to service matter were 337. The complaints of kidnapping were 241 and attempt to rape were 200. The complaints of sexual harassment at work place were 119, desertion were 70, 21 complaint of cyber crime and 12 complaints of Acid attack were also registered by the commission. 1982 complaints were registered in miscellaneous category.

Analysis of complaint registered during the year 2013-2014

The largest number of complaints numbering:-

1.	Domestic violence	3000
2.	Police Apathy	2855



3.	Dowry Demand/Harassment for dowry	1162
4.	Molestation Eve-Teasing/outgoing modesty of women	1296
5.	property	1097
6.	complaints by in – laws	750
7.	police harassment/atrocities of police	502
8.	Kidnapping / Abduction	459
9.	Dowry Death	417

State-wise complaints:-

Sr. No.	Name of the state	Number of Complaints
1.	Utter Pradesh	9226
2.	Delhi	2784
3.	Haryana	1159
4.	Rajasthan	1139
5.	Madhya Pradesh	654
6.	Bihar	449
7.	Maharashtra	435
8.	Uttarakhand	331
9.	Jharkhand	235
10.	Punjab	211
11.	West Bengal	198
12.	Chhattisgarh	87
13.	Gujarat	71

Analysis of complaint registered during the year 2014-2015

During the year 32118 numbers of complaints / cases were registered at the C & I Cell. The nature wise & state-wise distribution of the complaints registered by the commission during 2014-2015

Top ten categories under which complaints have been registered

Sr. No.	Category	Complaints
1.	Police apathy against women	6775
2.	Right to live with dignity	6421

3.	Outraging modesty of women	2659
4.	Dowry harassment/cruelty to married women	1338
5.	Property Dispute	1327
6.	Rape	1041
7.	Dowry Harassment/Dowry Death	975
8.	Violence against women	911
9.	Complaint by in laws	863
10.	Attempt to Rape	709

List of top ten states on the basis of number of complaints registered

1.	Uttar Pradesh	19385
2.	Delhi	3619
3.	Haryana	1720
4.	Rajasthan	1473
5.	Madhya Pradesh	1086
6.	Bihar	775
7.	Maharashtra	758
8.	Uttrakhand	530
9.	Punjab	403
10.	Jharkhand	357 ⁹

The conclusion & suggestions :-

The above mentioned causes have it both positive and negatives but every short coming has its own way out. It may be useful to incorporate the following suggestion.

- The commission must be granted the power to select its own members of needed a separate body, selected from within commission should be constituted in order to carry these functions.
- The commission suggested that the chairperson of NCW be given the status of the union cabinet minister & the member that the minister of state. This will put more power in the commissions hands and thus it recommendation will have a great degree of force.
- Law can not enough to attain the objective to gender balance that one has to work on the minds of people and sensitize them on value and social behaviour, this call for a mighty efforts through education training and communication in many ways. There has to be a



change in the outlook of the common man. The change is possible only proper and effective education to all.

- On this context we also have to see that how much the government implements the above mentioned clauses and suggestion. More over its not only the duty of the state but also its duty of the citizens as a whole to look into if such misconducts in our society is taking place or not. There should be more public awareness and participation for the women oppression so as make the work of the national commission for women more justifiable.

Reference:

BOOKS

1. Journal of the Indian Law Institute Vol. 332 : 2 (1992) 299
2. Fatima Siddique and Sarla Ranganathan, Women and Human Rights (2001) 120-121
3. Vandana Shiva , Gender Justice and Global Apartheid, Mainstream 7 Sept. (1995)
4. Fatima Siddique and Sarla Ranganathan, Women and human Rights (2001) 338-240.
5. Bhanu Pratap Singh - legal service India – National commission for women.

ACT

1. National Commission for Women Act 1992

WEB SITES:-

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9. <http://www.gktoday.in/blog/nation-commission.forwomen>
10. National Commission for women : updated 18 May 2017
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