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***For 6th sem. (Major), paper-6.6.***

**TOPIC:**

**National Commission for Women:**

The National Commission for Women (NCW) is an apex statuary body under the Central Government. It was established in 1992 by a provision under the National Commission for Women Act 1990. It is an apex national organisation of India with mandate of protecting & promoting the rights of women. Besides NCW, many states of India have already established State Women’s Commissions.

**Composition:** The NCW consists of à -

1. Chairperson, nominated by the Central Government,
2. Five members, out if which one member should belong to a scheduled caste or a scheduled tribe,
3. A member secretary, who is an IAS officer and
4. An expert in management of affairs.

**Terms and Conditions of Service:** The terms and conditions of service of Chairman and Members of the Commission are-

1. The Chairman and Members of the NCW are nominated by the Central Government for a period of three (3) years.
2. However, the Central under Sub-Sec. 2, can discharge Chairman and members from their post on the ground that (a) if she is declared bankrupt, (b) if she is imprisoned for any serious crime committed, (c) if she is suffering from illness declared by a Court, (d) if she resign from the post on their own, and (e) if she remains absent consecutively in three meeting of the NCW, without taking prior official leave.

**Cells and Committees of the NCW:** The NCW is consists of different Cells and Committees and sub-committees while performing its functions. It can constitute Inquiry Committee for making enquiry into cases of women rights violation. Different Cells of the NCW are Legal Cell, Public Relations cell, Complaints and Counseling Cell and Research and Counseling cell. Each of the cell address specific issues related to women. For example, the Complaints and Counseling Cell of the Commission processes the complaints received oral, written or suo moto under Section 20 of the NCW Act. **Objectives:** The main objective behind setting up of the NCW is to improve the conditions of the country. This includes the checking discrimination and incidents of violence against women and to promote social, legal and economic equality of women.

**Functions:** As the problem of violence against women is multifaceted, the NCW has adopted a multi-pronged strategy to tackle the problem. Chapter III of the National Commission for Women Act 1990 deals with the functions of the Commission. They are-

1. To review and examine the matters relating to safeguards of the rights of women under the constitution of India.
2. To take up the cases of women rights violation under the laws and constitution of India.
3. To make recommendations for prosecution in individual cases. Even it can summon any person to appear before it and can question witness and record their statement.
4. It can ask for any public document to be produced before it.
5. Participate and plan the socio-economic development of women.It assess the women related developmental schemes taken by the Central and State governments.
6. To facilitates the redress of the grievances of women and can demand or suggest for compensation to the victims of violence.
7. It recommends the Government to initiate legislative and remedial measures for the protection of women’s rights.
8. It conducts studies inadequacies in existing laws and monitor enforcement of laws.
9. It organizes workshops, seminars, studies to spread awareness about women's right.
10. Visit remand home, women’s prison and other places where women's are kept and make sure their rights are protected.
11. Advise the Government on various policy matters that affect the women.
12. To consult, supervise or observe on any matter submitted to by the Central Government.
13. To prepare the Annual Report on the activities of the Commission and submit the same to the Central Government.

**Limitations:** Since formation of the NCW, it has been criticised from different angles for its dubious role. It has often been called 'a talking shop' and 'toothless body'. Some of the allegations leveled against the Commission are-

1. The nominated Chairperson or Members of the NCW always maintained close links with the political party which remain in power and never act against the interests of the ruling party. Nominating its Chairperson and other Members are prone to political patronage always.

2. Another criticism leveled against the NCW is that its composition is basically of Government nominated members. As such, the independence of working is lacking in the NCW. It cannot appoint its own members. This definitely hampers the autonomy in the working of the Commission.

3. It has been found that the Members of the commission are void of experience in dealing with women issues. Chauvinist and controversial remarks by the Members are often occupying the front pages in news papers.

4. The commission is not provided with adequate funding to support the complainants and publicity of their organisation. The commission is not financially independent.

5. The Commission is a wingless body that it does not have the power to summon, search and seizure like other Commissions.

(6) It is also depend on government with no legislative powers and its reports are advisory in nature reducing NCW into a recommendatory body. It can only recommend but cannot prosecute.

**Role of the NCW:** Despite criticism over the years, the NCW has been continuously taking forward the causes of women or its objectives by undertaking several studies related to socio-economic development of women and subsequent reports or recommendations on policy matters, organizing workshops and public hearings on various issues like gender sensitization, receiving complaints and expediting legal process, intervening in court cases whenever gender bias is seen. Specific areas of work done by the Commission so far may be summarized under the following points:

1. The NCW made more than 400 valuable recommendations towards protect of rights and dignity of women in the country since its inception in 1992.
2. The NCW had been instrumental in setting up enquires, reviewing various women related laws, suggesting amendment or additions to existing laws such as Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse )Act, 1994, 73rd and 74th Constitutional Amendment Act, 1993 etc.
3. It has helped in framing the code of conduct at work place to prevent sexual harassment of women. The code of conduct was framed in accordance with the Apex Court’s verdict (Vishaka Vs State of Rajasthan, 1997) has been dispatched to all Government, Ministries, industrial offices with the hope that employees and employers would become more aware about women’s rights.
4. The role of the NCW in undertaking special studies or investigations into specific problems arising out of discrimination and atrocities against women and to recommend strategies for their removal is significant in protecting the rights and dignity of women.
5. Most recently the NCW has taken up numerous cases of rape, kidnapping, killing, torture, domestic violence, discriminations at the national and international level.
6. The NCW arranges several workshops and meetings regarding the gender awareness as well as the problem female feticide among the people of India.
7. A number of educational research and promotional devices have been done by the NCW and published its reports on the following important matters-
* Women and children prostitution;
* Formation and Codification of laws pertaining to women;
* Family Courts;
* Representation of women in politics,
* The conditions of jail, remand home, place of custody where women are kept as prisoners;
* Required amendment in the existing laws and framing new Bills for empowerment of women etc.

Thus, the above points show the significant role of the NCW in protecting the rights of women. It works as a watchdog of the rights of women in the country. Keeping in mind the growing incidents of crimes against women, there is an urgent need to reform the commission. The necessary autonomy both financial and administrative with legislative powers can increase its efficiency to a great extent. The commission needs to be given more powers by giving higher autonomy, more funding, powers of a Civil Court and most importantly selection of politically neutral members, who have contributed to or have a deep understanding of issues related to women’s' rights. The commission has tremendous potential to ensure the women’s rights in India.

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