



Women's Commissions in India

This editorial is based on [Failures of Commission](#) which was published in The Indian Express on 25/07/2023. It talks about the role of National Commissions for Women and challenges associated with the commission.

For Prelims: [National Commission for Women](#), [Section 497 of the Indian Penal Code](#), [Chief Justice of India](#), [Domestic Violence Act 2005](#), [Dowry Prohibition Act 1961](#), [Sexual Harassment of Women at Workplace \(Prevention, Prohibition and Redressal\) Act, 2013](#), [Lok Adalats](#).

For Mains: [Gender Equality](#), [Social Audits](#), Challenges of NCW

Women's commissions in India were **established with great promise and high expectations**, envisioned as institutions dedicated **to safeguarding the rights and interests of women** at both the national and state levels. Yet, as time has passed, the **need for a critical review of their functioning** and responses to pressing women's issues has become evident. Recent incidents of **molestation and rape in Manipur** have **brought these commissions into sharp focus**, revealing a disturbing saga of cruel disregard for human dignity and rights.

What are the Women's Commissions?

- **National Commission for Women (NCW):**
 - The NCW is the **statutory body of the Government of India**, generally concerned with **advising the government on all policy matters** affecting women.
 - It was **established in January 1992** under the provisions of the Indian Constitution, as defined in the 1990 **National Commission for Women Act**.
 - The **objective of the NCW is to represent the rights of women in India** and to provide a voice for their issues and concerns.
 - The subjects of their **campaigns have included dowry, politics, religion, equal representation for women in jobs**, and the exploitation of women for labour.
 - The NCW also **receives and investigates complaints** from women who are victims of violence, discrimination, harassment, or deprivation of their rights.
- **State Commissions for Women**
 - Apart from the NCW, there are also **State Commissions for Women in various states and union territories of India**.
 - These commissions are **also established under the respective state acts** or orders and have similar functions and powers as the NCW.
 - Some of the states and union territories that have their own commissions for women are Andhra Pradesh, Assam, Bihar, Chhattisgarh, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Punjab, Rajasthan, Sikkim,

What are the Objectives and Functions of the Women's Commissions?

▪ Objectives of Women's Commissions:

◦ Representation of Women's Rights:

- The primary objective of the [National Commission for Women](#) (NCW), is to **represent and advocate for the rights of women** in India.
- They **act as a voice for women's issues and concerns**, addressing various challenges faced by women in society.

◦ Policy Advice:

- Women's commissions are **tasked with advising the government on policy matters that affect women**.
- They provide valuable recommendations and suggestions to shape policies and legislation that **promote gender equality** and safeguard women's rights.

◦ Safeguarding Constitutional Provisions:

- Women's commissions are **responsible for investigating and examining all matters** related to the safeguards provided for women under the Indian Constitution and other laws.
- They **ensure that constitutional rights** and protections for women are upheld and implemented effectively.

◦ Handling Complaints:

- These commissions are mandated to **address complaints** related to women's rights violations.
- They **play a crucial role in investigating and resolving issues** of discrimination, harassment, violence, and other injustices faced by women.

◦ Suo Motu Actions:

- Apart from responding to complaints, women's commissions **can also take suo motu notice** of matters related to the deprivation of women's rights and non-implementation of laws aimed at protecting women.
- This allows them to proactively address emerging issues affecting women.

◦ Empowering Women:

- Women's commissions **work towards empowering women by promoting their economic development, education, and health**.
- They aim to **enhance women's employment potential and create opportunities** for their advancement in various sectors.

▪ Functions of Women's Commissions:

◦ Research and Study:

- Women's commissions conduct **research and studies on issues relevant to women's rights** and gender equality.
- They gather data and information to support evidence-based policy recommendations.

◦ Advocacy and Awareness:

- These commissions engage in **advocacy efforts to raise awareness about women's rights**, gender equality, and related issues.
- They **organize campaigns and events** to promote social awareness and change attitudes towards women.

◦ Legal Aid and Support:

- Women's commissions often **provide legal aid and support to women who have faced discrimination**, violence, or other rights violations.
- They assist women in accessing justice and navigating legal processes.

◦ Training and Capacity Building:

- Commissions offer **training programs and capacity-building initiatives** for various stakeholders, including law enforcement agencies, to sensitize them towards women's issues and improve their response to gender-based challenges.

◦ Policy Recommendations:

- Based on their research and findings, women's commissions **make policy recommendations to the government to address systemic gender disparities** and create a more gender-inclusive society.
- **Collaboration and Partnerships:**
 - These commissions collaborate with various stakeholders, including NGOs, civil society organizations, and other government bodies, to **create a collective effort in promoting women's rights** and gender equality.

What are the Challenges Faced by Women's Commissions?

- **Lack of Adequate Resources and Autonomy:**
 - Women's commissions often face financial constraints, relying heavily on government funding, which can impact their independence and hinder their ability to function effectively.
- **Political Interference:**
 - Being **nominated by the ruling government**, women's commissions **may face pressure to avoid cases** that could potentially reflect negatively on the government or its allies.
 - This political interference can compromise their impartiality and commitment to women's rights.
- **Limited Awareness and Accessibility:**
 - Many women, especially in rural and remote areas, are **unaware of the existence and role of women's commissions**.
 - The lack of awareness hampers their ability to seek assistance and support from these commissions when faced with challenges.

What are the Controversies Surrounding Women's Commissions?

- **Manipur Incident Response:**
 - The NCW's response in Manipur case has been criticized for not acting swiftly and proactively.
- **Mangalore Pub Attack Response:**
 - **In 2009**, when a group of women was assaulted in a pub in Mangalore, the **NCW's response was criticized as insensitive and victim-blaming**.
 - The commission's **member blamed the victims for not protecting themselves** and questioned their reluctance to come forward.
- **Handling of Sexual Harassment Allegations:**
 - The NCW's response to **sexual harassment allegations against a former [Chief Justice of India](#)** in 2019 raised concerns about its proactiveness and willingness to safeguard women's rights.

What are the Achievements of NCW?

- **Strengthening of Law related to Women's Rights:**
 - The NCW has **helped strengthen the implementation of laws pertaining to women's rights**, such as the [Domestic Violence Act 2005](#) and the [Dowry Prohibition Act 1961](#).
- **Legal and Psychological Counselling:**
 - It has provided **legal and psychological counselling to victims of violence** and sexual harassment.
- **Sexual Harassment at Workplace:**
 - It has monitored and ensured the implementation of the [Sexual Harassment of Women at Workplace \(Prevention, Prohibition and Redressal\) Act, 2013](#).
- **Gender Profiles:**
 - It has **prepared Gender Profiles** to assess the status of women and their empowerment in all the states and Union Territories except Lakshadweep.
- **Child Marriage and Other Legal Issues:**
 - It has **taken up the issue of child marriage, sponsored legal awareness**

programmes, Parivarik Mahila [Lok Adalats](#) and 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.

- **Workshops and Consultations:**
 - It has **organized workshops/consultations, constituted expert committees on economic empowerment of women**, conducted workshops/seminars for gender awareness and took up **publicity campaigns against female foeticide, violence against women etc.** in order to generate awareness in the society against these social evils.
- **Newsletter:**
 - It has regularly published a monthly newsletter called **“Rashtra Mahila”** in **both Hindi and English.**

What are the Strategies for Improving Women's Commissions?

- **Transparent Appointment Process:**
 - Adopt a **merit-based and transparent process for appointing chairpersons** and members of women's commissions. Involving **representatives from various stakeholders**, including the Opposition, judiciary, and civil society organizations, can help ensure impartiality.
- **Social Audit:**
 - Conduct regular **social audits of women's commissions by external agencies** to assess their performance, utilization of funds, and impact.
 - This will hold them accountable and provide insights for improvement.
- **Enhanced Field Visits:**
 - Encourage commission members and staff to conduct more **field visits, interact with women** in different regions, and understand their unique challenges and needs.
- **Awareness and Accessibility:**
 - Promote greater awareness of women's commissions among women, **particularly in remote areas**, through various channels such as **helplines, online platforms, and mobile outreach.**
- **Empathy and Sensitivity Training:**
 - Provide **training to commission members and staff to develop empathy and sensitivity** towards women in distress. This will help create a supportive and victim-centered approach in dealing with cases.

Drishti Mains Question:

Critically evaluate the functioning and effectiveness of women's commissions in India.

UPSC Civil Services Examination Previous Year's Question (PYQs)

Mains:

Q. We are witnessing increasing instances of sexual violence against women in the country. Despite existing legal provisions against it, the number of such incidences is on the rise. Suggest some innovative measures to tackle this menace. **(2014)**