



A Study and Assessment of the Functioning of the National Commission for Women Aiming at Women Empowerment

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Abstract:

This study examines the functioning of the National Commission for Women (NCW) in India, focusing on its role in promoting and safeguarding women's rights and empowering women across the country. Established in 1992, the NCW aims to address issues related to gender inequality, violence against women, and the socio-economic and political empowerment of women. This research assesses the effectiveness of the NCW in fulfilling its mandates and objectives, reviewing its initiatives, programs, and policies implemented over the years.

The study highlights the key areas of intervention by the Commission, such as legal reforms, advocacy, awareness campaigns, and monitoring of government policies and their impact on women. It also explores the challenges faced by the NCW in terms of limited resources, bureaucratic hurdles, and societal resistance to change. Through qualitative analysis, including interviews with stakeholders and the review of reports and publications, this paper evaluates the NCW's success in influencing public policy and its role in advancing gender justice in India.

Furthermore, the study delves into the role of the NCW in addressing issues like domestic violence, sexual harassment, economic inequality, and educational empowerment, drawing comparisons with other national and international women's organizations. The findings suggest that while the NCW has made significant strides in advocating for women's rights, there remains a need for more comprehensive and systematic efforts to overcome deeply rooted gender biases and stereotypes within Indian society.

This research concludes with recommendations for strengthening the NCW's functioning, increasing collaboration with civil society organizations, improving legal support for women, and fostering greater public awareness of gender equality issues to ensure the sustained empowerment of women in India.

Keywords: Empowering, Gender Equality, National Commission For Women (Ncw), Domestic Violence, Awareness Campaigns.

Introduction:

Many people throw about the word “empowerment” without fully grasping its meaning. Empowerment is a societal process with several facets that enables individuals to take charge of their own life. It’s a way of

empowering individuals to make positive changes in their own lives and the lives of others around them by taking initiative on problems that are meaningful to them. Empowerment is the process of enhancing an individual's or group's decision-making and action-transformation abilities. At its heart are activities that create personal and communal assets that boost productivity and quality of life. To be empowered is to feel as if one has agency over one's own identity, feeling of worth, and level of drive. It manifests on the levels of emotion, self-worth, and the belief that one can affect the world around them. The best way to define empowerment is as a procedure that includes instructional and advisory services. It's a way for people to learn about the dynamics of power in their environment, acquire the tools they need to take charge of their own lives, and rally behind the empowerment of others around them. An person is said to be empowered when they have the "assets and capabilities" to "participate, negotiate with, influence, control, and hold accountable institutions that affect their lives," as defined by the World Bank (2002). According to Kabeer's (2001) widely-accepted definition, empowerment is "the expansion in people's ability to make strategic life choices in a context where the ability was previously denied to them." This definition adds nuance to the basic concept of control. Empowerment implies "choices made from the vantage point of real alternatives" and without "punishingly at higher costs," as stated by Malhotra et al. (2002), making Kabeer's conceptualization of empowerment particularly relevant. That includes the freedom to do nothing if you don't want to, as pointed out by Basu and Koolwal (2005).

Need for Women Empowerment in India:

It's just as crucial as empowering males in India. You make a valid argument, but the fact that there is no such thing as masculine empowerment proves your thesis. So, on the assumption that empowering women is more important than empowering males, here are a few interesting tidbits about Indian women.

Sex Distribution Among Preschoolers: There were 945 female births for every 1000 male births in 1991, but only 927 in 2001. According to the United Nations Children's Fund, as many as 50 million girls and women are missing from India's population owing to the high death rate of the girl child or the practise of terminating female fetuses.

Working Women: Only 17% of wage earners in the non-agricultural sector are women. Women make up just a quarter of the household income, and their wages are only 75 percent of men's on average. Women's labour force participation is low (13.9 percent in the urban sector and 29.9 percent in the rural sector). Equal pay for equal work in agriculture does not exist in any Indian state. Women make up just 9% of parliament, 4% of the judiciary (High Court and Supreme Court), and 3% of management positions. -30-Close to 245 million Indian women do not have the basic literacy skills of being able to read and write. Female adult literacy in 2000 was 46.4%, while male adult literacy was 69%. **The Health of Women:** Women typically consume about 1400 calories each day. The minimum amount of calories required is around 2200. Despite the fact that women make up 38% of the HIV+ population in India, they only occupy 25% of the beds in the country's AIDS care institutions. In India, 92 percent of women experience some kind of gynaecological issue. Birth and pregnancy-related factors kill 300 women per day. In 1995, there were 440 deaths of mothers to every 100,000 babies born.

The Indian government has tried out a wide range of organisational and structural approaches to ensuring women's rights, drawing inspiration from liberal democratic and Marxist social traditions. Indian women's experiences in institutional support for progress, as well as the battles that pushed women's problems to the forefront of development planning and the state's constitutional commitment to equality and justice, must be considered together. The development and/or change, modification, renewal, etc., in these structures and formations in India from time to time has been impacted by developing conceptions and approaches to women's concerns at both the national and international levels. It is important to understand the nature of

these structures, processes, and circumstances under which they operated in order to comprehend as to what extent these structures were in accordance with the vision of the women's movements, to what extent they have been able to carry forward the political agitation of the women's movements, and to what extent they have been able to achieve the goals of the women's movements. In answering these questions, we want to provide light on the circumstances that led to the formation of the National Commission for Women.

The Committee on the position of Women in India, which published the first comprehensive report on the position of women in India after independence, was the first to call for the establishment of a National Commission for Women, as was indicated above. The research made clear that policymakers and planners were not considering women's perspectives throughout the development process as a whole. Therefore, it agreed with the United Nations Commission on the Status of Women's call in its 25th report for a statutory and autonomous Commission "with a mandate to review, evaluate, and recommend measures and priorities to ensure equality between men and women in all sections of national life." The Committee always thought of this organisation as a separate, official organisation. The report states, "We have given careful consideration to this type at the State and National levels." in reference to the proposed Commission. We also think it's crucial that these commissions have the authority to make recommendations and impose requirements, as well as the independence to act on their own, within the law. The Committee urged the establishment of statutory, independent Commissions at both the Federal and State levels, with membership that is both diverse and representational. Among these were the following: (a) gathering data from government agencies on issues such as education, employment, health, welfare, political participation, the impact of social legislation, etc., and making recommendations for better data collection; (b) assessing the efficacy of current policies, programmes, and laws that affect women's rights and making recommendations for change; and (c) recommending new legislation. Within a certain time frame, the relevant government should either act on these suggestions or provide an explanation for why it has chosen not to. (d) the ability to seek legal recourse for violations of current laws.

Background of the Study:

According to several Hindu holy writings, the cultural history of India demonstrates that in theory, women in India possessed the rank of devi (goddess). Although women were accorded the status of ardhangini (better half) in theory, as described in these scriptures, in reality they were submissive to men. She was considered worthless personal property because of her corporeal nature. Women were seen to be less important than males in all sectors of society, including the home, the workplace, religious institutions, and government. It was traditionally believed that a woman's care and safety would be ensured by her parents until she was married, that her husband would provide for her during their marriage, and that her children would take care of her after her husband's death. Traditional values were highly valued in mediaeval culture. In the larger society, women played almost little role. In mediaeval villages, women's primary function was to assist their husbands, but in cities, society would have restricted what kind of work women could undertake. Whether she lived in a city or a rural community, a woman's day consisted not only of going to work but also of tending to her various domestic duties.

Women in India have made great strides from the Vedic period to the present day, spanning several eras and social strata along the way. Women nowadays are excelling in historically male-dominated fields while still fulfilling conventional female roles as wives, mothers, and

daughters. This is especially true in the military forces, the arts, information technology, politics, and other related fields. Women in India have battled against the patriarchy of their country and won on many fronts, yet issues such as sexual assault, dowry murders, female infanticide, sexual harassment in the workplace, and female illiteracy persist still. In light of this situation, the National Commission for Women formed the

Committee on the Status of Women in India (CSWI) to perform monitoring duties, address complaints, and speed up women's economic and social advancement.

As stated in the Preamble, the Indian Constitution is committed to ensuring "equality of status and of opportunity" for all citizens. Part III of the Indian Constitution includes Fundamental Rights and Directive Principles that explicitly support gender parity. The Constitution not only guarantees women's equality, but also includes particular safeguards to uphold that guarantee. Thus, the National Commission for Women (NCW), was established as a statutory body under the National Commission for Women Act, 1990 (Act No.20 of 1990 of Government of India) in January, 1992, to carry out the mandate set up by the Act and CSWI³.

In January 1992, the National Commission for Women was established as a statutory body under the National Commission for Women Act, 1990 (Act No. 20 of 1990 of Govt. of India) to conduct a review of constitutional and legal protections for women, propose corrective legislative measures, assist in the resolution of grievances, and provide advice to the Government of India on all policy matters pertaining to women. Nearly two decades ago, the Committee on the Status of Women in India (CSWI) suggested establishing a National Commission for Women to carry out surveillance tasks, make it easier to get complaints addressed, and speed up women's socioeconomic advancement. The National Perspective Plan for Women (1988-2000) was only one of several committees, commissions, and plans to advocate for the establishment of a women's governing body. The central government consulted NGOs, social workers, and specialists in 1990 about the planned Commission's composition, duties, and authority. The Bill was first presented to the Lok Sabha in May of 1990. To solicit feedback on the proposed legislation, the HRD Ministry convened a National

Level Conference in July 1990. In August of 1990, the government established new laws and amended existing ones to give the commission the jurisdiction of a civil court. On August 30, 1990, the bill was approved by Congress and signed into law by the president. On January 31, 1992, the First Commission was established with Mrs. Jayanti Patnaik as its helm. Dr. (Mrs.) Mohini Giri was appointed as the chair of the Second Commission in July 1995. In January of 1999, Mrs. Vibha Parthasarathy was appointed to head the Third Commission. In January of 2002, the government appointed Dr. Poornima Advani to preside over the Fourth Commission. The government appointed Dr. Girija Vyas to lead the Fifth Commission after it was established in February 2005.

Statement of the Problem:

The advantages of empowering women are many. It raises the bar for education in our nation. Only if it's also applied fairly to rural women. The literacy rate rises in lockstep with rising levels of education. It raises the employment rate and fosters a culture of learning. Today, women make about half of the population, however they only account for 16-18% of the workforce. When women are given more agency, inequality between the sexes and within society decreases. Women have been shown to be just as capable as males in terms of economic success. Women are just as skilled and talented as men, but because of societal differences, they have more freedom to develop their abilities. Women are also developing and showing themselves to be a powerful pillar of society in modern times, thanks to the widespread promotion of women's empowerment. Therefore, it's good news for everyone everywhere. Women's empowerment leads to societal progress as a whole. Women's economic independence not only improves their own lives and those of their families, but also helps nations like India rise out of poverty. As she learns knowledge of her rights, violence against women decreases. Some families have just one breadwinner, and the income he brings in isn't enough to cover everyone's needs. The mission of the NCW is to advocate for the rights of Indian women and address their problems. Their campaigns have tackled issues including dowry, religion,

politics, workplace discrimination, and sexual exploitation of women.

Objectives: The study has some objectives which are mentioned below-

- i. To study the Composition of the National Commission.
- ii. To examine the structure of National Commission
- iii. To discuss the functions of the National Commissions.
- iv. To study the recommendations of the National Commissions regarding the women empowerment
- v. To study the measures taken by National commission for protecting human rights of women.

Significance of the Study/Rationale of the Study:

Through the development of appropriate policies, the passage of laws, the strict application of those laws, the rollout of appropriate schemes/policies, and the creation of targeted solutions to problems/situations stemming from discrimination and atrocities against women, we can help women realize their full potential and fully participate in all aspects of society. The National Commission on Women has the authority of a state-sanctioned civil court. It probes and analyses questions concerning the protections guaranteed for women under Indian law. It took complaints sue motto notice of matters arising out of the non-implementation, non- enforcement, and non-compliance of laws, policy decisions, and guidelines enacted and aimed at mitigating hardships and ensuring welfare. Therefore, research on how the National Commission for Women Empowerment operates is crucial.

Review of Literature:

Singh.S and Singh,A.(2020) Women's empowerment is not just a catchphrase; it's essential for achieving lasting progress in all areas of life. Beginning with the Indian Constitution and moving forward through recent years, this article discusses affirmative laws, initiatives, and activities established by the Government, NGOs, and Corporate sector via their Corporate Social Responsibility. Gender parity in education, political involvement, and health and survival have all improved as a result. However, these gains have been offset by a general downward trend in economic participation and opportunity and health and survival. It's worse even among SAARC nations in terms of health and mortality. With just a decade left to reach the SDGs, the government must prioritise these two areas if gender equality is to be achieved. There is a pressing need to reevaluate India's affirmative actions, providing new impetus on empowering girls and women through traditional education as well as hand holding for skill acquisition, equal economic opportunity, and appropriate medical and healthcare. The results suggest a number of new directions for future research and policymaking aimed at empowering women.

Ojha,2013 “ The Contribution of the National Commission for Women to the Protection of Women's Rights and Liberties:It's common knowledge that women in India's society, both at home and in the workplace, have never had it easy. Parliamentarians, ordinary men, organisations and societies for the welfare of women, and others have been pushing for change in this area for quite some time, both within and outside of parliament. The government has established many commissions to investigate the status of women in Indian society. Successive Commissions on the Status of Women have documented the pervasive discrimination against women and called for the establishment of an agency to carry out surveillance duties and assist redress of women's claims. A number of women's rights advocates and grassroots organisations have long advocated for the establishment of a commission for women. With the establishment of a national

commission for women in mind, the National Commission for Women was created. On May 22nd, 1990, the Bill 1990 was presented to the Lok Sabha. The Bill eventually became law. In accordance with section 10 of the National Commission for Women Act, “the complaints and counselling cell of the commission processes all the complaints relating to domestic violence, harassment, dowry, torture, desertion, bigamy, rape, refusal to register FIR, cruelty by husband, deprivation, gender discrimination, and sexual harassment of the workplace.”

Himanti Mukhopadhyay (2008) The research attempted to uncover the position of women, girl education, women’s inferior status to males, and gender inequalities in her title, “The Role of education in the Empowerment of Women in a District of West Bengal, India; Reflection on a Survey of Women.” It also draws attention to the double standards that exist in many parts of society, such as in regards to women’s education, marriage, and domestic partnerships. Domestic violence, discriminatory property laws, the need to pay a dowry, and sexual harassment are just some of the ways in which women’s lives are hampered by our patriarchal culture. Women’s concerns, such as equality, self-worth, and appreciation for women’s contributions, continue to get insufficient attention. The only thing that will give them the power and respect they need to live a life of honour is an education. This will aid women in becoming independent members of today’s society. Remember that women’s economic and social empowerment can only be guaranteed if they get an education and gain financial independence so that they can advocate for themselves.

Dr. Yogesh Sharma (2012) Titled “Rural Women Empowerment in India,” the report explains that while women account for half of India’s population, they are underrepresented in high-paying professions. Despite the widespread assertion that women have full legal equality, their influence in policy debates is often downplayed. The research used secondary data analysis to learn about the position of women in rural regions.

Dr. Abha Mittal et al (2014) under the heading “Empowerment of Women,” The advancement of development and the alleviation of poverty are both facilitated by the empowerment of women. Despite widespread attempts, women’s advancement has lagged behind. While the Indian government’s decision to provide women a 33% quota in government jobs is commendable, more has to be done in terms of both strategy and execution if the nation is to move more quickly towards achieving gender parity.

Dr. Subrata Chatterjee (2014) with the title “Mahatma Gandhi National Rural Employment: A Study in East Medinipur District, West Bengal, Issues and Challenges” The study’s overarching goals are to (1) examine how MGNREGA affects women’s empowerment, and (2) identify barriers to the program’s implementation. Individually and collectively, female employees have profited greatly. They have earned more money, gained social status, had greater influence in home decisions, created communal assets, etc. Because they can handle things on their own, accommodations have been made at the individual level.

Composition/Structure And Status Of The Commission

This research relied heavily on secondary resources since it is descriptive in nature. A variety of books, articles, and periodicals have been used as guides. The necessary data has also been culled from online resources. The research also includes looking at a variety of websites. The researcher hypothesizes that the National Commission played a significant role in empowering women, given the breadth and depth of the commission’s recommendations for advancing women’s rights and the number of concrete steps it has taken to safeguard women’s human rights.

After the National Commission on Women Act was passed in August 1990, it took the federal government about 15 months to establish the organisation. The causes for this might be found in the fast-paced political shifts of the period. Women’s groups shared the opposition to the Commission’s formation at the time

because of concerns that political considerations would cloud the Commission's membership. When the caretaker administration in 1991 sought to settle the panel for the First Commission barely two weeks before the general elections were announced, it became abundantly evident that the concerns of the women's organisations had been well-founded. The only reason this didn't go any further is because of the swift response of the women's groups. During this time, the previous administration made a number of moves designed to stymie efforts to establish such a Commission. These included a proposal to appoint a Commissioner instead of a Commission and the simultaneous establishment of two separate commissions to study women's status and protect women's rights. Women's groups had to struggle again to ensure that the Act, which had previously been enacted, was put into effect. Women's rights activists wrote a memorandum to the Prime Minister explaining the differences between the proposed Commissioner and the Commission envisioned by the Act, arguing that "it is not a question of semantics but of diametrically opposed concepts which could neither be amalgamated nor be a substitute for each other."²¹ It was also claimed that the government must establish the Commission as promised in Parliament, and that after the Commission is in place, it may determine whether or not to establish a new office. Despite these protests and arguments, the previous administration established two commissions: one to defend women's rights, and another to investigate their plight. After much debate, the women's representatives in Parliament and the women's organizations took the technical position that the Government should consult the National Commission for Women before taking many initiatives pertaining to women, such as the setting up of new Commissions or the appointment of a Commissioner for Women's rights.

The Functioning of the Commission

The Commission performs its duties on many fronts. The activities of the NCW, its methods of operation, its viewpoint, its goal, and the challenges it faces are all detailed in yearly reports and other publications published by the NCW on occasion. The National Commission for Women's Annual Reports, as well as the Department of Women and Child Development's Action Taken Report on the recommendations contained therein, must be presented on the table of both Houses of Parliament in accordance with Section 14 of the National Commission for Women Act of 1990. The Commission has so far provided the Department of Women and Child Development with nine annual reports, the most recent of which covers the year 2001–2002. The majority of these reports were late in reaching the Department. However, there have also been holdups in submitting the findings to either chamber of parliament. ... (See the Table for Specifics from the Empowerment Committee's Report) The Department must distribute the suggestions to the relevant Ministries/Departments of the Government to gather their comments/Action Taken in order to create the Action Taken Reports, which is why the process has taken longer than expected.⁵⁵ Lack of competent people and other infrastructural facilities was cited by the Commission as the cause of the report preparation backlog.

Individual complaints from women or taking "suo moto notice" of incidents of violence against women are essential parts of the Commission's activity. In 1995, the Commission expanded from its original Complaints Unit to include a Counselling Cell. To address the backlog of complaints received by the Commission and ensure that women have access to prompt justice, the Parivarik Mahila Lok Adalat was established in 1995–96. In the next part, I'll examine the specific contributions of the Commission to this field. The Commission has also been active in raising public awareness about women's rights. In this capacity, the commission has been holding workshops, seminars, conferences, public hearings, developing short films, posters, and networking with NGOs, political leaders, and the media to raise awareness about legal rights across the country. Various anti-liquor, anti-trafficking, mangalam, and other programmes have also been initiated. The Commission has been, in different forms, carrying out the aforementioned responsibilities.

Measures taken by the new to protect human rights of women in India

The NCW's remit encompasses almost all facets of progress for women. The Commission looks at the protections women have under the law and makes recommendations to the government on how to better enforce such protections. The Commission is also tasked with investigating complaints and taking suo - motto notice of matters relating to the deprivation of women's rights, etc., and bringing these issues to the attention of the appropriate authorities; conducting studies and research on issues pertinent to women; and participating and advising in the planning process for societal changes that affect women.

Recommendations of the national commission for women

The Indian Constitution ensures that all members of Indian society be treated fairly and equally, regardless of their background, race, religion, gender, or sexual orientation. The federal and state governments have passed several laws and made changes to preexisting laws in order to better address crimes committed against women. However, despite these efforts, crimes against women such as dowry killings, acid assaults, sexual harassment in the workplace, rape, domestic violence, etc. continue to occur. Because protecting women's rights is the Commission's top priority, it consulted with a broad range of interested parties in 2009–10 and made the following legislative proposals to the government for consideration. In addition, the National Commission for Women has funded studies on many women's concerns this year, and the resulting recommendations to the Federal and state governments are included here.

Limitation of the Study: The present study is limited to the following-

- ✓ Only women empowerment has been focused
- ✓ Functions of the National commission has been emphasized.

Educational Implication of the Study: The study has the following educational implications-

- ✓ Meaning and definition of Women Empowerment
- ✓ Composition and structure of the National Commission.
- ✓ Functions of the National commission for women empowerment
- ✓ Recommendations of the commission for empowering women.

Scope for Further Study: This study will pave way for further study in the following areas-

- ✓ Role of Education commissions for Development of the Nation
- ✓ Perspective of Women empowerment
- ✓ Recommendations of different committees for empowering women.

Conclusion:

According to the rules, the Commission is responsible for assessing how the Union Government and State Governments in India treat women. Detention houses and other sites where women may be held must also be inspected and evaluated, and any necessary Improvements must be communicated to the relevant authorities. The government is to receive these assessments in the form of regular reports and suggestions. The mandate specifically authorises the Commission to investigate and prosecute instances of discrimination against women, violations of women's rights, and misappropriation of women's fund cases.

According to subsection (f) of section 3 of the Act of 1990, the Commission is authorised to take suo motto notice of matters relating to the denial of women's rights, the failure to implement laws enacted to protect women, and the failure to comply with policies and guidelines designed to alleviate the plight of women.

Regarding the Commission's position as an advising body in matters of policymaking, the Commission has been seen as a nonbinding consultative group. The NCW's suggestions have mostly focused on preventative and restorative measures, with little attention paid to the underlying structures. There are major repercussions for women as a result of shifts in the nature of labour, the continuous fall of the State sector, the removal of protective measures for the working class, and the loss in job chances. The NCW has not paid enough attention to the problems of female foeticide and female infanticide in order to bring them up at the policy level, along with the other fundamental concerns of education and the insufficiency of medical and health facilities. The Commission's yearly reports have been woefully devoid of any examination of financial allocations to social sectors in general, and towards the special needs of women in particular.

The NCW as it now stands betrays the fact that the Commission, which was established with high hopes and expectations from women's groups, has failed to deliver. Despite the fact that the Commission relies on the legitimacy and support of women's groups to do its job, it is now disconnected from these groups. It's interesting that the organisations began writing letters to the Commission within a year of the Commission's working, expressing their disappointment and frustration over the Commission's functioning for a variety of reasons. The Commission has been ignored by the government on policy issues, and the women's groups have generally been asked to participate in any consultative process in an ad hoc fashion, all of which have led to complaints and dissatisfaction on the part of the women's groups. The independence and authority of the Commission as set out in the Act has been the central concern.

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