

RIGHT TO INFORMATION ACT 2005

A BRIEF OUTLINE

When does it come into force?

It comes into force on the 12th October 2005 (120th day of its enactment on 15th June, 2005). Some provisions have come into force with immediate effect viz. obligations of public authorities [S.4 (1)], designation of Public Information Officers and Assistant Public Information Officers [S.5 (1) and 5(2)], constitution of Central Information Commission (S.12 and 13), constitution of State Information Commission (S.15 and 16), non-applicability of the Act to Intelligence and Security Organizations (S.24) and power to make and power to make rules to carry out the provisions of the Act (S.27 and 28).

Who is covered?

The Act extends to the whole of India except the State of Jammu and Kashmir. [S.(12)]

What does information mean?

Information means any material in any form including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force but does not include "file noting" [S.2(f)].

What does Right to Information mean?

It includes the right to -

- i. Inspect works, documents, and records.
- ii. Take notes, extracts or certified copies of documents or records.
- iii. Take certified samples of material.
- iv. Obtain information in form of printouts, diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts.[S.2(j)]

**INFORMATION PUBLISHED IN PURSUANCE OF SECTION 4((b)-i) to
(xvii) OF THE RIGHT TO INFORMATION ACT, 2005**

**I PUBLIC INFORMATION OFFICER OF THE NATIONAL
COMMISSION FOR WOMEN**

In terms of Section 5(1) of the Right to Information Act 2005, Shri Yogesh Mehta, Law Officer, National Commission for Women is hereby designated as the **Central Public Information Officer**.

The details of the **Public Information Officer** are as under:

Tel: 011- 23213485

Fax 011- 23236988

Email id: legalcell_ncw@yahoo.co.in

II DESIGNATED OFFICER TO CONSIDER APPEALS

In terms of Section 19(1) of the Right to Information Act 2005, Smt Gurpreet Deo, deputy Secretary, National commission for Women, is hereby designated as Appellate Authority, for the National Commission for women and for the purpose of the implementation of the Right to Information Act, 2005.

The details of the Appellate Authority are as under:

Tel: 011- 23233450

Fax 011- 23236154

Email id: deogurpreet@hotmail.com

III. THE NATIONAL COMMISSION FOR WOMEN ACT 1990

CHAPTER-I PRELIMINARY

1. **Short title, extent and commencement–**

(1) This Act may be called the National Commission for Women Act, 1990.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint

2. **Definition**

In this Act, unless the context otherwise requires:-

(a) "Commission" means the National Commission for Women constituted under section 3;

(b) "Member" means a Member of the Commission and includes the Member Secretary;

(c) "Prescribed" means prescribed by rules made under this Act.

CHAPTER-II

THE NATIONAL COMMISSION FOR WOMEN

3. Constitution of the National Commission for Women -

1. The Central Government shall constitute a body to be known as the National Commission for Women to exercise the powers conferred on, and to perform the functions assigned to it under this Act.
2. The Commission shall consist of –
 - (a) A Chairperson, committed to the cause, of women, to be nominated by the Central Government;
 - (b) Five Members 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 increasing the employment potential of women, women's voluntary organizations (including women activists), administration, economic development, health, education or social welfare;
Provided that at least one Member each shall be from amongst persons belonging to the Scheduled Castes and Scheduled Tribes respectively;
 - (c) A Member Secretary to be nominated by the Central Government, who shall be-
 - (i) An expert in the field of management, organizational structure or sociological movement, or

(ii) 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.

4. Terms of office and conditions of service of Chairperson and Members -

1. The Chairperson and every Member shall hold office for such period, not exceeding three years, as may be specified by the Central Government in this behalf.
2. The Chairperson or a Member (other than the Member Secretary 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) may, by writing and addressed to the Central Government, resign from the office of Chairperson or, as the case may be, of the Member at any time.
3. The Central Government shall remove a person from the office of Chairperson or a Member referred to in sub-section (2) if that person-
 - (a) Becomes an undischarged insolvent;
 - (b) Gets convicted and sentenced to imprisonment for an offence which in the opinion of the Central Government involves moral turpitude;
 - (c) Becomes of unsound mind and stands so declared by a competent court;
 - (d) Refuses to act or becomes incapable of acting;

- (e) Is, without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission; or
- (f) in the opinion of the Central Government has so abused the position of Chairperson or Member as to render that person's continuance in office detrimental to the public interest;

Provided that no person shall be removed under this clause until that person has been given a reasonable opportunity of being heard in the matter.

- 4. A vacancy caused under sub-section (2) or otherwise shall be filled by fresh nomination.
- 5. The salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson and Members shall be such as may be prescribed.

5. Officers and other employees of the Commission –

- 1. The Central Government shall provide the Commission with such officers and employees as may be necessary for the efficient performance of the functions of the Commission under this Act.
- 2. The salaries and allowance payable to, and the other terms and conditions of service of, the officers and other employees appointed for the purpose of the Commission shall be such as may be prescribed.

6. Salaries and allowances to be paid out of grants -

The salaries and allowances payable to the Chairperson and Members and the administrative expenses, including salaries, allowances and pensions payable to the officers and other employees referred to in section 5, shall be paid out of the grants referred to in sub-section (1) of section 11

7. Vacancies etc., not to invalidate proceedings of the Commission –

No act or proceeding of the Commission shall be questioned or shall be invalid on the ground merely of the existence of any vacancy or defect in the constitution of the Commission.

8. Committees of the Commission -

1. The Commission may appoint such committees as may be necessary for dealing with such special issues as may be taken up by the Commission from time to time.
2. The Commission shall have the power to co-opt as Members of any committee appointed under sub-section (1) such number of persons, who are not Members of the Commission, as it may think fit and the persons so co-opted shall have the right to attend the meetings of the committee and take part in its proceedings but shall not have the right to vote.
3. The persons so co-opted shall be entitled to receive such allowances for attending the meetings of the committee as may be prescribed.

9. Procedure to be regulated by the Commission -

1. The Commission or a committee thereof shall meet as and when necessary and shall meet at such time and place as the Chairperson may think fit.
2. The Commission shall regulate its own procedure and the procedure of the Committees thereof.
3. All orders and decisions of the Commission shall be authenticated by the Member Secretary or any other officer of the Commission duly authorized by the Member Secretary in this behalf.

CHAPTER-III

FUNCTION OF THE COMMISSION

10. Functions of the Commission –

1. The Commission shall perform all or any of the following functions, namely:-
 - (a) Investigate and examine all matters relating to the safeguards provided for women under the Constitution and other laws;
 - (b) Present to the Central Government, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
 - (c) Make in such reports recommendations for the effective implementation of those safeguards for improving the conditions of women by the Union or any State;
 - (d) 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 shortcomings in such legislation;
 - (e) Take up the cases of violation of the provisions of the Constitution and of other laws relating to women with the appropriate authorities;
 - (f) Look into 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) 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) Participate and advise on the planning process of socio-economic development of women;
- (j) Evaluate the progress of the development of women under the Union and any State;
- (k) Inspect or cause to be inspected a jail, 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 a 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.

(2) The Central Government shall cause all the reports referred to it in clause (b) of sub-section (1) 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 nonacceptance, if any, of any of such recommendations.

(3) Where any such report or any part thereof 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 Legislature 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 nonacceptance, if any, of any of such recommendations.

(4) The Commission shall, while investigating any matter referred to in clause (a) or sub-clause (i) of clause (f) of sub-section (1), have all the powers of a civil court trying a suit and, in particular in respect of the following matters, namely:-

(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

CHAPTER-IV

FINANCE, ACCOUNTS AND AUDIT

11. Grants by the Central Government -

1. The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Commission by way of grants such sums of money as the Central Government may think fit for being utilized for the purposes of this Act.
2. The Commission may spend such sums as it thinks fit for performing the functions under this Act, and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (1).

12. Accounts and audit -

1. The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor General of India.
2. The accounts of the Commission shall be audited by the Comptroller and Auditor General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Comptroller and Auditor General.

3. The Comptroller and Auditor General and any person appointed by him in connection with the audit of the accounts of the Commission under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Commission.
4. The accounts of the Commission, as certified by the Comptroller and Auditor General or any other person appointed by him in this behalf, together with the audit report there on shall be forwarded annually to the Central Government by the Commission.

13. Annual report -

The Commission shall prepare, in such form and at such time, for each financial year as may be prescribed, its annual report, giving a full account of its activities during the previous financial year and forward a copy thereof to the Central Government.

14. Annual report and audit report to be laid before Parliament -

The Central Government shall cause the annual report together with a memorandum of action taken on the recommendations contained therein, in so far as they relate to the Central Government and the reasons for the nonacceptance, if any, of any of such recommendations and the audit report

to be laid as soon as may be after the reports are received, before each House of Parliament.

CHAPTER-V

MISCELLANEOUS

15. Chairperson, Members and staff of the Commission to be public servants -

The Chairperson, the Members, Officers and other employees of the Commission shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

16. Central Government to consult Commission –

The Central Government shall consult the Commission on all major policy matters affecting women.

17. Power to make rules –

1. The Central Government may, by notification in the Official Gazettee, make rules for carrying out the provisions of this Act.
2. In particular, and without prejudice to the generally of the foregoing power, such rules may provide for all or any of the following matters, namely:-
 - (a) Salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson and Members under subsection (5) of section 4 and of officers and other employees under subsection (2) of section 5;

- (b) Allowances for attending the meetings of the committee by the co-opted persons under sub-section (3) of section 8;
- (c) Other matters under clause (f) of sub-section (4) of section 10;
- (d) The form in which the annual statement of accounts shall be maintained under sub-section (1) of section 12;
- (e) The form in, and the time at, which the annual report shall be prepared under section 13;
- (f) Any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in so much as it has been so modified or it shall be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

IV. THE NATIONAL COMMISSION FOR WOMEN RULES

The National Commission for Women (Salaries and allowances and Conditions of Service of Chairperson and Members) Rules, 1992

G.S.R. 74(E), dated New Delhi, the 31st January, 1992.-In exercise of the powers conferred by section 17 read with sub-section (5) of section 4 of the National Commission for Women Act, 1990 (20 of 1990), the Central Government hereby makes the following rules regulating the salaries and allowances payable to and other terms and conditions of service of the Chairperson and Members of the National Commission for Women, namely:-

1. Short title and commencement.-

(1) These rules may be called the National Commission for Women (Salaries and Allowances and Conditions of Service of Chairperson and Members) Rules, 1992.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.-In these rules, unless the context otherwise requires,-

(a)- "Act"; means the National Commission for Women Act, 1990 (20 of 1990);

(b) "Chairperson" means the Chairperson of the Commission.

3. Salaries and allowances.-

(1) Save as otherwise provided in sub-rule

(2), the Chairperson shall be paid a salary of rupees eight thousand per month and every Member shall be paid a salary of rupees seven thousand and six hundred per month:

Provided that where the Chairperson or a Member is a retired Government Officer or official from Union Territory Administration, Semi-Government bodies, public sector undertaking, recognized research institution, the salary payable together with the pension or pensionary value of the terminal benefits, or both, received by him shall not exceed in the case of Chairperson rupees eight thousand per month and in the case of a Member rupees seven thousand and six hundred per month.

(2) If the Chairperson or a Member is in service of the Central or a State Government, his salary shall be regulated in accordance with the rules applicable to him.

4. Dearness allowance.-The Chairperson and every Member shall receive dearness allowance appropriate to their pay at the rates admissible to officers of the appropriate level of the Central Government.

5. City compensatory allowance.-The Chairperson and every Member shall receive city compensatory allowance appropriate to their pay at the rates admissible to officers of the appropriate level of the Central Government.

6. Tenure of office.-

(1) Any person falling within the categories specified in sub- , section (2) of section 3 of the Act and who has not attained the age of sixty-five years may be nominated as the Chairperson or as a Member.

(2) The Chairperson and every Member shall, unless removed from office under sub-section (3) of section 4 of the Act, hold office for a period not exceeding three years, or till the age of sixty-five years, whichever is earlier.

(3) Notwithstanding anything contained in sub-rule (1),

(a) A person who has held' the office of Chairperson shall be eligible for re-nomination, and

(b) A person who has held the office of a Member shall be eligible for re-nomination as a Member or nomination as a Chairperson:

Provided that a person who has held office for two terms, in any capacity except the Member-Secretary, shall not be eligible for re-nomination as Chairperson or as Member.

(4) If the Chairperson is unable to discharge his functions owing to illness or other incapacity, the Central Government shall 'nominate any other Member to act as Chairperson and the Member so nominated shall hold office of Chairperson until the Chairperson Resumes office.

(5) If a vacancy occurs in the office of the Chairperson by reason of his death or resignation. The Central Government shall nominate any other Member to act as Chairperson and the Member so nominated shall hold office of Chairperson until the vacancy is filled by a fresh nomination under sub-section (4) of section 4 of the Act.

7. Leave. The Chairperson and every Member shall be entitled to leave as follows:-

(a) earned leave, half pay leave and commuted leave in accordance with the Central Civil Services (Leave) Rules, 1972, as amended from time to time:

(b) extraordinary leave as admissible to the temporary Government servants under the Central Civil Services (Leave) Rules, 1972, as amended from time to time.

8. Leave sanctioning authority.- The Chairperson shall be the authority to sanction leave to a Member and the Central Government shall be the authority competent to sanction leave to the Chairperson.

9. Traveling allowance.-

(1.) Chairperson, and every Member shall be entitled to draw traveling allowances and daily allowance at the rates appropriate to their pay admissible to Group A officers of the, Central Government.

(2) The Chairperson and every Member shall be his own controlling officer In respect of his bills relating to traveling allowances and daily allowances.

10. Residential accommodation.-

(1) The Chairperson and, every Member shall be entitled to the use of an official residence as may be determined by the Government of India.

(2) If the Chairperson or a, Member is not provided with or does not avail himself of the accommodation specified in sub-rule (1), he shall be paid every month house tent allowance at the rates admissible to officers of an appropriate rank in the Central Government.

11. Facility for conveyance.-The Chairperson and every Member shall be entitled to the facilities of staff car for journeys for official and private purpose in accordance with the **Staff Car Rules of the Government of India.**

12. Facility for medical treatment.-The Chairperson and every Member shall be entitled to medical treatment and hospital facilities as provided in the **Central Government Contributory Health Scheme Rules, 1954 or as may be determined by the Central Government.**

13. Pension.-

(1) The Chairperson or a Member who, at the time of his appointment as such was in the service of the Central or State Government, shall, at his option to be exercised 'within a period of six months from the date of his appointment, be entitled to draw his pension and other retirement benefits under the rules applicable to the service to which he 'belonged with effect from the date of his appointment as Chairperson or Member, as the case may be:

Provided that, in such an event, his pay as Chairperson or Member shall be reduced by an amount equivalent to the gross pension including any portion of the pension which may have been commuted and the pension equivalent of other retirement benefits and he shall be entitled to draw his pension and other retirement benefits separately.

(2) The Chairperson or a Member, who, at the time of his appointment as such, was In the sendee of the Central or State Govt. if he does not exercise the option specified, in sub rule (1) shall count his service as

Member for pension and retirement benefits under the rules applicable to the service to which he belonged immediately before such appointment.

(3) No pension shall be payable to the Chairperson or a Member who, immediately before assuming office as the Chairperson or a Member, was not in any service of the Central or State Government.

14. Provident Fund.-

(1) The Chairperson or a Member who at the date of his appointment to the Commission was in the service of the Central or State Government and who had been admitted to the benefits of General Provident Fund or Contributory Provident Fund. May continue to, subscribe to that Fund until the date on which he retires according to rules applicable to him, in his service. In the case of the Contributory Provident Fund, the employers' contribution payable to that Fund' shall as from the date of the Chairperson or Member's appointment to the Commission be payable by the Commission during the tenure of appointment as such Chairperson or Member.

Explanation I.-A Member exercising his option under this sub-rule shall communicate his option in writing to the President during his tenure as "such Member and the option so exercised shall be final".

Explanation II.-If a Member exercising his option has received any benefits of Contributory Provident Fund on retirement from service under the Central or State Government, he shall not become eligible

for pension under these rules unless he refunds in Jump sum the Government contribution to that Provident Fund with interest thereon together with other retirement benefits, if any.

(2) The Chairperson or a Member who at the time of his appointment as such Member,-

(i) was in the service of the Central or State Government or of a local, body, or any other authority wholly or substantially owned or controlled by Government and who opts, or had opted, to draw his pension and other retirement benefits under the rules applicable to the service to which he belonged prior to such appointment, or.

(ii) had retired from service under the Central or State Government, a local body or other authority wholly or substantially owned or controlled by Government and who does not opt, or had not opted, to come under-the pension scheme under these, rules, or

(iii) was not in the service of the Central or State Government, a local body or any other authority wholly or substantially owned by Government and either does not become entitled to any pensionary benefits under these rules or opts not to come under the pension scheme under these rules, shall be entitled to be admitted to the benefit of the Contributory Provident Fund Scheme and for this purpose shall be governed by the Contributory Provident Fund (India) Rules, 1962 as amended from time to time.

15. Residuary provision.-The conditions of service of the Chairperson and the Members for which no express provision has been made in these rules shall be as determined by the Central Government. The National Commission for Women (Allowances Payable to Co-opted Members) Rules, 1992 GSR. 118(E), dated New Delhi,. the 21st February, 1992.-In exercise of the powers conferred by section 17. read with sub-section (3) of section 8 of the National Commission for Women Act, 1990 (20 of 1990), the Central Government hereby makes the following rules regulating the allowances payable to co-opted Members. for attending meetings of committees, namely:-

1. Short title and commencement.-

(1) these rules may be called the National Commission for Women (Allowances payable to Co-opted Members) Rules, 1992.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.-In these rules, unless the context otherwise requires,-

(a) "Act" Means the National Commission for Women Act, 1990 (20 of 1990);

(b) "Committee" means a committee appointed under sub-section (1) of section 8 of the Act.

3. Allowances.-Every co-opted Member of a committee, if he is not in service of the Central or State Government or in an institution funded

by the Central Government, shall be entitled to an allowance of rupees one hundred and fifty for attendance of each day of the meeting.

4. Traveling and daily allowances.-Every out-station co-opted Member, if he is not in service of the Central or State Government, attending a meeting of a committee shall be entitled to receive, in addition to the allowances payable under rule 3, traveling allowance and daily allowance at the higher rates admissible to Government servants of the first grade under the rules and orders made by the Central Government.

V. THE DETAILS OF THE COMMISSION SINCE ITS INCEPTION

CHAIRPERSON

S. No.	Name	From	To
1.	Ms. Jayanti Patnaik	03.02.1992	30.01.1995
2.	Dr. V. Mohini Giri	21.07.1995	20.07.1998
3.	Ms. Vibha Parthasarathi	18.01.1999	17.01.2002
4.	Dr. Poornima Advani	25.01.2002	24.01.2005
5.	Dr. Girija Vyas	16.02.2005	

MEMBERS

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	21.10.1993
		22.11.1994	26.03.1996
4.	Dr. Padma Seth	05.02.1992	04.02.1995
		18.01.1996	17.03.1997
5.	Ms. Subhashini Ali	06.04.1993	31.08.1993
6.	Ms. Manorama Singh	24.07.1995	30.03.1996
7.	Ms. Kailashpati	24.07.1995	20.01.1998
8.	Ms. Kokila Vyas	27.07.1995	23.01.1998
9.	Dr. Indira Basavaraj	08.10.1996	07.10.1999
10.	Ms. Sukeshi Oram	01.11.1996	31.10.1999
11.	Dr. Syeda Hameed	02.06.1997	01.06.2000
12.	Ms. Vijay Daksh	10.12.1998	09.12.2001
13.	Dr. Poornima Advani	28.12.1998	27.12.2001
14.	Ms. K. Santha Reddy	09.02.2000	08.02.2003
15.	Ms. Anusuiya Uike	10.02.2000	09.02.2003
		17.02.2004	20.05.2005
16.	Ms. Nafisa Hussain	19.09.2000	18.09.2003
		03.11.2003	20.05.2005
17.	Ms. Baby Rani Maurya	20.02.2002	19.02.2005
18.	Dr. Sudha Malaiya	19.04.2002	18.04.2005
19.	Ms. Nirmala Sitharaman	03.11.2003	20.05.2005
20.	Ms. Yasmin Abrar	24.05.2005	

21.	Ms. Sushila Tiriya	25.05.2005	
22.	Ms. Malini Bhattacharya	26.05.2005	
23.	Ms. Neeva Konwar	27.05.2005	
24.	Ms. Nirmala Venkatesh	15.07.2005	

MEMBER SECRETARY

1.	Ms. Uma Pillai	31.01.1992	29.05.1992
2.	Ms. Annie Prasad	30.05.1992	01.09.1994
		01.05.1992	31.12.1995
3.	Dr. Indira Misra	02.09.1994	28.02.1995
		01.01.1996	14.01.1996
4.	Mr. T.N. Srivastava	15.01.1996	12.06.1996
5.	Dr. N.S. Achuthan	04.07.1996	17.09.1997
6.	Ms. Binoo Sen	18.09.1997	18.09.2000
7.	Ms. Reva Nayyar	16.10.2000	22.10.2002
8.	Ms. Sunila Basant	31.02.2003	16.09.2004
9.	Sh. N.P. Gupta	17.02.2005	

VI. THE DETAILS OF OFFICERS AND EMPLOYEES OF THE COMMISSION with pay scales

National Commission for Women

Fax Nos.23236154, 23236988, 23236270

PBAX No.23237166,23234918

(For 0 Dialing 9 No.)

S.No	Name of Officer & Designation	Office	Residence	I.Com
	Chairperson			
1.	Dr. Girija Vyas	23236204,23230785 Fax-23236270	23383887 23381965	232
	Members			
2.	Ms. Nirmala Venkatesh	23236103		207
3	Ms. Yasmin Abrar	23237240	23012829	212
4	Ms. Sushila Tiriya	23236202		204
5	Ms. Neeva Konwar	23236153		205
6	Ms. Malini Bhattacharya	23236203		203
7	Sh. N.P.Gupta Member Secy.	23236271 Fax-23222372	26885240	206
8	Sh. Satish Loomba Joint Secy.	23236110		202
9	Ms. Gurpreet Kaur Dy. Secy.	23233450	24350209	208
11.	Sh.Vineet Sharma Under Secy.	23222845 Fax-23236154		209
12.	Ms. Romi Sharma, PRO/Public information officer	23236988/ Fax-23238502	22052541	228
13	Sh. D.C.Dabral Pay & Account Officer	23234916	22052171	215
14	Sh. S.K.Nanda, SRO	23239657	25364568	216
15	Sh.Yogesh Mehta, Law Officer	23213485	951202450313	217
16	Sh.V.K.Asthana, SO(Admn)	23222369	24635950	230
17.	Complaint and investigation cell	23219750		233

LIST OF OFFICERS AND EMPLOYEES WORKING IN NATIONAL COMMISSION FOR WOMEN

Sl.No.	Name & Designation	Scale of Pay
1.	Dr. Ginja Vyas, Chairperson	Rs.25,000/- (fixed)
2.	Ms Yasmeen Abrar, Member	Rs.24050-650-26000/-
3.	Ms Sushila Tiriya, Member	Rs.24050-650-26000/-
4.	Ms Malini Bhattacharya, Member	Rs.24050-650-26000/-
5.	Ms Neeva Konwar, Member	Rs.24050-650-26000/-
6.	Ms Nirmala Venkatesh, Member	Rs.24050-650-26000/-
7.	Shri N.P. Gupta, Member Secretary	Rs.22400-525-24500/-
8.	Shri Satish Loomba, Joint Secretary	Rs.18400-500-22400/-
9.	Ms Gupreet Kaur Deo, Deputy Secretary	Rs.12000-375-16500/-
10.	Ms Romi Sharma, US-cum-PRO	Rs.10000-325-15200/-
11.	Shri Yogesh Mehta, Law Officer	Rs.10000-325-15200/-
12.	Shri S.K.Nanda, Senior Research Officer	Rs.10000-325-15200/-
13.	Shri Vineet Sharma, Under Secretary (Admn.)	Rs.10000-325-15200/-
14.	Shri D.C. Dabral, Pay & Accounts Officer	Rs.10000-325-15200/-
15.	Shri V.K. Asthana Section Officer	Rs.6500-200-10500/-
16.	Shri Y.K. Sharma, Private Secretary	Rs.6500-200-10500/-
17.	Shri Rajeev Aggarwal, Private Secretary	Rs.6500-200-10500/-
18.	Shri Ajay Sareen, Private Secretary	Rs.6500-200-10500/-
19.	Smt.Ginja Sathya Babu, Private Secretary	Rs.6500-200-10500/-
20.	Ms Neelmani Sharma, Private Secretary	Rs.6500-200-10500/-
21.	Shri L.S. Kataria, Private Secretary	Rs.6500-200-10500/-
22.	Shri Sanjeev Kumar Sahni, Private Secretary	Rs.6500-200-10500/-
23.	Shri V. Chidambaram, Private Secretary	Rs.6500-200-10500/-
24.	Shri Mohan Lal Sharma, Assistant	Rs.5500-175-9000/-
25.	Shri N.Ramesh Kumar, Assistant	Rs.5500-175-9000/-
26.	Shri Raj Kumar, Assistant	Rs.5500-175-9000/-
27.	Smt.Shashi Bala Gupta, Steno-Gr.'D'	Rs.4000-100-6000/-
28.	Shri Narendra Singh, LDC	Rs.3050-75-3950-80-4590/-
29.	Shri Madan Singh, LDC	Rs.3050-75-3950-80-4590/-
30.	Shri Arun Kumar, Hindi Typist	Rs.3050-75-3950-80-4590/-
31.	Shri Krishan Kumar, Junior Hindi Translator	Rs.5000-150-8000/-
32.	Shri B.S. Rawat, Staff Car Driver	Rs.4000-100-6000/-
33.	Shri Chandra Prakash, Counsellor (Contract basis)	Rs.10,000/- (fixed)
34.	Ms Anjali Dinkar Salve, Counsellor (Contract basis)	Rs.10,000/- (fixed)
35.	Shri D.S.Miyani, Coordinator (Contract basis)	Rs.10,000/- (fixed)
36.	Shri H.C. Bharati, Coordinator (Contract basis)	Rs.10,000/- (fixed)

37.	Shri A.L.Nanula, Coordinator (Contract basis)	Rs.10,000/- (fixed)
38.	Ms Nandini Thockhom, Coordinator (Contract basis)	Rs.10,000/- (fixed)
39.	Shri V.K. Gupta, Coordinator (Contract basis)	Rs.10,000/- (fixed)
40.	Smt.Neetu Dabas, Junior Accountant (Contract basis)	Rs.7,000/- (fixed)
41.	Smt. B.V.N. Lakshmi, Computer Operator (Contract basis)	Rs.5000/- (fixed)
42.	Ms.Reeta Sharma,, Computer Operator (Contract basis)	Rs.4500/-(fixed)
43.	Smt.Seema Bhatta, Computer Operator (Contract basis)	Rs.3450/-(fixed)
44.	Smt. Madhu Pal, Clerk (Daily Wage)	As per minimum wages Act
45.	Smt Suruchi Punj , Clerk (Daily Wage)	-do-
46.	Smt Neetu Bisht , Clerk (Daily Wage)	-do-
47.	Smt Veena Bhardwaj , Steno (Daily Wage)	-do-
48.	Smt Sangeeta Sharma , Clerk (Daily Wage)	-do-
49.	Shri Krishan Kumar , Steno (Daily Wage)	-do-
50.	Shri R.S.Rawat , Clerk (Daily Wage)	-do-
51.	Shri Mridul Bhattacharya , Clerk (Daily Wage)	-do-
52.	Shri Raj Kumar , Clerk (Daily Wage)	-do-
53.	Shri Sampurnanand , Steno(Daily Wage)	-do-
54.	Smt Kamla Bhandari , Clerk (Daily Wage)	-do-
55.	Ms Rajni Jaitely, Clerk (Daily Wage)	-do-
56.	Shri Laxmi Chand, Peon (Temporary status)	Rs. 2550-55-2660-60-3200/-
57.	Shri Narmohan Rajbongshi, Peon (Temporary status)	-do-
58.	Shri Anadi Charan Behera, Peon (Temporary status)	-do-
59.	Shri Harkesh Bahdur Singh, Peon (Temporary status)	-do-
60.	Shri Puna Ram Thapa, Peon (Temporary status)	-do-
61.	Shri Kunwar Chand, Peon (Temporary status)	Rs. 2550-55-2660-60-3200/-
62.	Shri Jai Bhagwan, Peon (Temporary status)	-do-
63.	Shri Ramesh Chand Mishra, Peon (Temporary status)	-do-
64.	Shri Prakash Chand, Peon (Temporary status)	-do-
65.	Shri Munna Lal, Peon (Temporary status)	-do-
66.	Shri Naresh Kumar, Peon (Temporary	-do-

	status)	
67.	Shri Arun Kumar, Peon (Temporary status)	-do-
68.	Shri Prem Kumar, Peon (Temporary status)	Rs. 2550-55-2550-60-3200/-
69.	Shri Mahender Singh, Driver (Daily Wage)	As per minimum wages Act
70.	Shri Divan Singh, Driver (Daily Wage)	-do-
71.	Shri Daler Singh, Driver (Daily Wage)	-do-
72.	Shri Sarabjeet Singh, Driver (Daily Wage)	-do-
73.	Shri Sohan Lal, Driver (Daily Wage)	-do-
74.	Shri Israr Ahmed, Driver (Daily Wage)	-do-
75.	Shri Dev Singh, Peon (Daily Wage)	-do-
76.	Shri Devender Singh, Peon (Daily Wage)	-do-
77.	Shri Anil Kumar, Peon (Daily Wage)	-do-
78.	Shri Vijay Singh, Peon (Daily Wage)	As per minimum wages Act
79.	Shri Mahesh Kumar, Peon (Daily Wage)	-do-
80.	Shri Rajbir, Peon (Daily Wage)	-do-
81.	Shri Shamboo Singh, Peon (Daily Wage)	-do-
82.	Shri Ruda Mal, Peon (Daily Wage)	-do-
83.	Smt.Dhanpati, Volunteer	Conveyance charges Rs.120/- per day.

VI. A statement of the categories of documents that are held by it as under its control:

The Commission of India holds the following documents: -

- Copies of Reports released by it
- Correspondence with Ministries/Other Organizations, Departments., State Governments and letters/E-mails from individuals seeking information etc.
- Reports relating with research on issues effecting women
- Reports relating to legal issues
- Complaints and investigation including on line registration of complaints
- Details of legal awareness and other programmes sponsored by the commission The administrative side of the Commission maintains files relating to the following:
 - Appointments
 - Personal files and service book (including leave account) of its employees
 - Court related litigation files
 - Salaries and allowances payable
 - Training
 - Conferences / Seminars
 - Staff Cars
 - Purchase and maintenance of air-conditioners, room coolers, heaters, photo copiers, vacuum cleaners, computers, printers, UPS etc

- Electricity and Water bills
- CPWD complaints
- Engagement of casual labour
- Circulars
- Library matters
- Purchase and distribution of stationery items
- Maintenance of Annual Confidence Reports
- Other Miscellaneous matters

VII. The particulars of any arrangement that exists for consultation with, or representation by the members of the public in relation to the formulation of its policy or implementation there of:

The working papers/consultation papers outlining the problems/issues under consideration of the Commission and suggesting matters deserving reforms, are discussed in regional and national level consultations which include representatives from the government , NGO's , lawyers , academicians , with a view to eliciting reactions and suggestions . Professional bodies and academic institutions are involved in the consultation process. Seminars/Workshops/Conference are also organized in different parts of the country to elicit critical opinion on proposed strategies for reform based on the Working Papers/Consultation Papers. These papers are also put on web site of the Commission and views of public are invited. The concerned persons also send their views through e-mails.

VIII. A statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advise, and as to whether meetings of those boards,

councils, committees and other bodies are open to public, or the minutes of such meetings are accessible for public:

The Chairperson convenes internal meetings of the Commission from time to time where the Member Secretary, Members, Joint Secretary and other officers of the Commission are present. Such meetings being internal in nature are not open to public.

The expert committee meetings to discuss various issues are also convened from time to time and are internal in nature, however the minutes of the meetings are accessible to the public

IX. The National Commission for Women(Procedure) Regulations, 2005

PART I

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CHAPTER I – PRELIMINARY

1. Short title, commencement and application

(a) These Regulations may be called "The National Commission for Women (Procedure) Regulations, 2005".

(b) They shall come into force with immediate effect.

2. Definitions

In these Regulations, unless the context otherwise requires:

(a) "Act" means the National Commission for Women Act, 1990 (20 of 1990) as amended from time to time.

(b) "Cell" means and includes the Complaints Cell, Research Cell, Legal Cell, Monitoring Cell or any other Cell that may be formed for facilitating the functions of the Commission.

(c) "Chairperson" means the Chairperson of the Commission.

(d) "Code" means the Code of civil procedure , 1908 as amended from time to time

(e) " Complaint" means any written petition, grievance, Communication etc. received in the Commission or by the Chairperson, any Member, Member Secretary or any officer ,from an aggrieved woman or on her behalf from any individual or organization

(f) "Complainant" means an aggrieved woman or a group of women who have made a complaint personally or any individual or organization who has made a complaint on behalf of an aggrieved woman or a group of women.

- (g) "Committee" means a committee constituted by the Commission under Section 8 of the Act.
- (h) "Member" means a Member of the Commission.
- (i) "Member-Secretary" means the Member-Secretary of the Commission.
- (j) "Officer" means and includes all officers of the Commission as appointed by the central government to assist the Commission.
- (k) "Prescribed" means as laid down in the Act or by the Rules and/or Regulation framed.
- (l) "Regulation" means regulation's framed by the Commission under section 9(2) of the Act.

3. Headquarters of the Commission - The headquarters of the Commission shall be located in New Delhi

CHAPTER II MEETINGS OF THE COMMISSION

4. Place of meeting

The Commission shall ordinarily meet at its headquarters in New Delhi. However, the commission may, hold its meeting at any other place, if in the opinion of the chairperson it is so necessary and expedient

5. Periodicity of meetings.

The meetings of the commission shall be held, as far as possible once a month. However, Chairperson may either herself or at the instance of one or more of the members , direct a special meeting of the Commission to be convened to consider any special issue of immediate nature or any urgent matter , Provided that at such special meeting only the specific agenda for which that meeting has been convened shall be considered

6. Attendance during the meetings

The meetings of the Commission shall, be attended by the Chairperson, all the Members, Member Secretary and such other officers of the Commission as may be directed by the chairperson or by the Member Secretary

7. Agenda for the meeting / special meetings

The Member-Secretary shall in consultation with the chairperson prepare or cause to be prepared, the agenda for the meeting of the Commission. Agenda shall be circulated to all the Members so as to reach them at least three clear working days before the scheduled date of the meeting.

Provided, however, that in case any Member desires to suggest the inclusion of any matter in the agenda of any scheduled meeting, the Member shall intimate her proposals in writing to the Member secretary at least Five working days before the scheduled date of the meeting. In case an agenda item proposed by any member cannot be included in the scheduled meeting, the Member secretary shall intimate the reasons thereof to the concerned member and the same would be taken up in the following meeting of the commission.

On receipt of request referred to in regulation 5, the Chairperson shall in consultation with the Member Secretary fix a date for the Special Meeting. Such date not being later than Seven working days from the date of notice.

As soon as the date of the special meeting is decided all Members and Officers shall be sent the necessary notice and the agenda for such meeting at least 24 hours before the scheduled date of the meeting.

8. Presiding over the meetings

All meetings of the Commission shall be presided over by the Chairperson and in absence of the Chairperson, by any Member so authorized by the Chairperson. In absence of any authorization the president of the meeting shall be co-opted by the members present

9. Quorum

The quorum for every meeting of the Commission shall be at least three

10. Decision of the commission

All matters required to be decided by the Commission shall be made on the basis of the majority opinion, of the members present and voting. In cases of any deadlock, where no majority opinion emerges and the decision is tied, the chairperson shall in such situations have the casting vote. All decisions shall ordinarily be taken in the meetings of the commission.

Provided that, if in the opinion of the, Member Secretary any case requires immediate approval of the commission, the Member secretary may obtain the approval of the members and the chairperson by circulation of the subject matter

11. Conduct of the meetings -

The meetings of the Commission shall be conducted in the following order:

- (a) The minutes of the previous ordinary meeting and any special meeting held shall be read and affirmed
- (b) Action Taken Report on the minutes of previous and earlier meetings.
- (c) Business not transacted at the previous Meeting.
- d) Subject included in the agenda, which will interalia include.
 - i) Reports submitted by the Committees
 - ii) Any other report which is placed by the Member Secretary before the Commission
 - iii) Annual and periodical reports and annual accounts of the Commission
 - iv) Any matter placed in the agenda

- v) Amendment of the regulations
- e) Any other matter with the permission of the Chair
- f) Date of the next meeting shall be decided in each meeting

12 Minutes of the Meetings

- a. The Member Secretary shall cause to be recorded the minutes of each meeting of the Commission , during the meeting itself or immediately thereafter and in no case later than seven days from the date of such meeting
- b. The Minutes Book shall be signed as soon as practicable by the Chairperson or the Presiding Officer of such meeting, as the case may be, and shall be kept open for inspection by any Member.
- c. A copy of the minutes of each meeting shall be circulated by the Member Secretary or any other officer of the Commission not below the rank of Deputy Secretary, duly authorized by the Member Secretary to all Members of the Commission for information and also to concerned officers for taking action and for preparing 'Action Taken' note thereon.

13 Record of minutes

A copy of the minutes of every meeting of the Commission shall be sent to the relevant cell/section for appropriate action

14 Authentication of orders and decisions:

- (1) All Orders, decisions and reports of the Commission shall be authenticated by the MS or any officer of the Commission (authorized by the MS) not below the rank of an Under Secretary.

(2) Authenticated minutes shall be preserved/pasted in the minute's book and shall form part of the permanent record of the Commission.

15 Report of action taken

Report of follow-up action shall be submitted to the Commission at every subsequent sitting indicating therein the present stage of action on each item on which the Commission had taken a decision in any of its earlier meetings, excepting the items on which no further action is called for.

CHAPTER III

16. Meetings of the Committees

1) The Committees appointed by the Commission under section 8 of the Act for dealing with any special issues shall comprise of at least one Member and the Member Secretary and where such committees comprise of more than one Member (excluding the Member Secretary), the Chairperson shall nominate one of the members as the Presiding Officer of the Committee.

2) While remitting a special issue to a committee, the Commission shall specify a time within which the committee shall present its report to the Commission.

Provided that where for some reasons it is not possible for the Committee to present its report within the time allotted to it, the Head of the Committee shall make a written request to the Chairperson for extension of time. The report and recommendations made by the committee shall be placed before the commission and then sent to the appropriate government /authority for its implementation/action Chairperson may attend any meetings of any Committee.

3) While considering a special issue, if the head of the Committee or any other Member of the Committee feels that any other related issue requires consideration or may well be considered by the Committee, the head of the committee shall seek prior approval of the Chairperson for the same.

4) The report and recommendations made by the committee shall be placed before the commission for its approval and then sent to the appropriate Government/ authority for its consideration

CHAPTER IV

Powers and responsibilities

17 Powers and Responsibilities of the Chairperson –

The chairperson as the Head of the commission shall supervise and administer the functions of the Commission as under sec 10 of the Act and shall -

- a) Preside over the meetings of the commission, or in her absence, authorize any Member to do so
- b) Allocate subjects and responsibilities amongst the members
- c) Sanction of leave to the members/member secretary
- d) Approve tour programmes of the Members/Member Secretary
- e) Provide general guidance for preparation of Annual Report of the Commission
- f) Provide general guidance on any matter either suo moto or on a matter referred to her by any Member/Member Secretary;
- g) Take up any matter with regard to any of the functions of the commission with appropriate government
- h) The Chairperson as head of the Commission will supervise the working of the Member Secretary who will be the in-charge of the

Secretariat of the Commission

- i) Chairperson may delegate any of the powers to the Member Secretary and/or any other Officer of the Secretariat;

- j) Attend meetings of the Parliamentary Committees or nominate any Member and/ or the Member Secretary so to do;
- k) Undertake tours/ visits and place before the next meeting of the commission report on the tours and course of action suggested in respect of any issue, brought to her notice during the tours /visits
- l) May suo moto take cognizance of any issue of importance and circulate or cause to be circulated the suggested course of action to all members with regard to the issue or call for special meeting of the commission
- m) Shall be the spokesperson of the Commission. She may, however, on specific occasion authorize a Member/Member Secretary to represent the Commission in a press meet who shall then convey the official stand of the Commission on the subject.
- n) Take cognizance of media reports giving any information atrocities committed against women and/or on the progress or deterioration of condition of women in any sphere in any state/UT
- o) Where for any reason whatsoever, owing to absence of member(s) from the headquarters of the commission and where the quorum for any meeting cannot be completed, the chairperson may, in any situation of exigency or urgency, exercise and act in the best interest of the commission, on behalf of the commission. Provided further that any action taken or proposed to be taken shall be circulated to all the members for their information

18. Powers and Responsibilities of the Members

In addition to participating in all the meetings of the Commission and sharing the collective responsibility of the Commission, a Member shall

- a) preside over the meetings of the Committees of which she has been nominated as head of Committee and prepare, or cause to be prepared, minutes/proceedings/reports of the meeting held by such Committees;
- b) Attend to all subjects as per her functional and/or geographical allocation of work;
- c) Identify problems/issues of local nature and intensify field work in the States/Union Territories allocated to her as per the geographic allocation;
- d) Place before the commission for consideration any matter which according to her is of importance
- e) Deal with complaints in accordance with the procedures laid down in the Regulations.
- f) Prepare relevant material/brief/notes in respect of subjects dealt with by her, in time for its inclusion in the Monthly Statement and Annual Report of the Commission;
- g) Undertake tours with prior approval of the Chairperson and submit a report thereon to the Chairperson within five working days upon her return.
- h) Recommend any specific case requiring the commissions intervention
- i) Recommend any specific issue relating to funding of litigation.
- j) Request for special meeting of the commission.

19. Powers and Responsibilities of the Member-Secretary

- a) The Member Secretary shall be the administrative head of the Commission and exercise administrative and financial control on the secretariat of the commission
- b) Shall discharge his/her responsibilities for the smooth functioning of the Commission under the overall supervision of Chairperson. The work allocation amongst Officers/staff in the Commission shall be the responsibility of the Member Secretary. He/She will keep the Chairperson and Members informed about such allocations and any of the subsequent changes in such allocations.
- c) Prepare or cause to be prepared agenda for the Meetings of the Commission and circulate the same to the Chairperson and Members as hereinabove provided;
- d) Oversee the receipt of grants from the Government under Section 11 of the Act, and allocate the grants to different heads.
- e) Oversee the maintenance of accounts and records, arrange audit of such accounts, place audited accounts in time before the Commission for approval and adoption and thereafter forward the same to the Government.
- f) Prepare, or cause to be prepared, Annual Report in consultation with Chairperson and place it before the Commission, and after the approval of the Commission, forward the same to the Government;
- g) Authenticate and communicate orders or decisions of the Commission
- h) Prepare, or cause to be prepared, material in respect of all matters concerning Parliamentary work;

i) Any matter not covered under these regulations shall be dealt with by the MS in consultation with the chairperson.

20. Procedure for tours

(a) The Chairperson, may undertake tours of any State or Union Territory, to which this Act extends

(b) The members and the MS may undertake tours of States and Union Territory, with the prior approval of the Chairperson.

(c) A copy of the approved tour programme of Members/MS will be sent by them to other Members/MS.

(d) A Member of the Secretariat Unit not below the rank of the Under Secretary shall be assigned the task of facilitating the tours of the Chairperson/Members, Member Secretary. This shall include the arrangements, maintaining the profile of the Commission in the areas being visited, and providing any specific information regarding the State/area being covered.

(e) The Chairperson may send copies of her tour schedules to all Members/Member-Secretary for information.

(f) Tour reports shall be submitted by the Members & MS to the Chairperson. Concerned Cell in the Commission shall take follow-up action on points emerging from the tour

The National Commission for Women
(Procedure) Regulations, 2005

PART II

PROCEDURE FOR DEALING WITH COMPLAINTS

1. General

The complaint shall disclose complete picture of the matter leading to the complaint. The Commission may seek further information/affidavit as may be considered necessary in the matter.

2. Complaints not ordinarily entertainable

The Commission may summarily dismiss complaints of the following nature:

- i) Complaints illegible or vague, anonymous or pseudonymous; or
- ii) The issue raised relates to civil dispute , between the parties such as contractual rights obligations and the like;
- iii) The issue raised relates to service matters not involving any deprivation of women's rights;
- iv) The issue raised relates to labour/industrial disputes not involving any deprivation of women's rights;
- v) Matter is sub judice before a Court/Tribunal;
- vi) 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.

vii) Matter already decided by the Commission

viii) Matter is outside the purview of the Commission on any other ground;

3. Receipt and Registration of Complaints

a. All communications/complaints in writing (by whatsoever mode they are received) addressed to the Commission, its Chairperson, Members or other officers of the Commission, either by name or designation, shall be received by the C&I (complaints and investigation) cell, who shall enter the complaints in the complaints register containing particulars such as, date of receipt, diary number, sender's name, address, case number and category and State, as per the following proforma :-

D. No	DATE OF REGI STRA TION	FILE No.	Name of counselor	NAME OF MEMB ERS	VIP/ NRI/ ORGA NISA TION	N A D M E R E S S	A D D R E S S	CITY/ DISTT	S T A T E	NATURE OF COMPLAINT	A T R	FOLL OWUP	R E M A R K S
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b. Such registration of complaint shall be done within 24 hours from the date of the receipt of the complaint

c. An acknowledgement shall be sent to the complainant within 3 days of the receipt of the complaint

d. Without prejudice to the Chairperson's power to set up an Investigating Committee, complaints on which cognizance has been taken shall be serially noted and allocated as per roster amongst the

members and the counselors assigned to each case to assist the member in the matter.

4. Scrutiny of complaints

(a) On receipt of the complaint by the Counselor, he/she shall prepare the BTR/ (Bill Transmission Report) and submit the same to the DS

(b) The (BTR) shall be prepared as per the format at Annexure I – BTR shall disclose the course of action to be adopted in the complaint Such BTR shall be placed before the DS within 24 hours from the date of receipt of the complaint. The DS shall decide whether the complaint is cognizable or not and shall forward the complaint which has been taken cognizance of to the members after getting full information and reports as necessary. DS will be deemed to be act on behalf of the Commission for getting full information and reports on behalf of the Commission.

(c) Subject to the provisions above, complaints and other communications requiring urgent attention shall be placed expeditiously before the member or the chairperson as the case may be.

(d) All complaints and other communications which are not in English/Hindi and which are required to be placed before the Commission shall be got translated into English/Hindi with utmost expedition. Provided that only the gist of the complaint shall be prepared in English if the complaint is not entertainable or is of an urgent nature, requiring immediate attention.

(e) Any complaint directly received by the chairperson or any member shall be sent to the C&I Cell who shall process the same as per the provisions here in above provided

(f) In case of any suo moto action taken or proposed to be taken by either the chairperson or any Member the procedure as described shall be followed

5. Placing complaints before the Commission

A brief data of the complaints registered, whether taken cognizance or not shall be placed before the commission for its information and consideration.

Any member/Member Secretary to whom a complaint is forwarded and on which cognizance has been taken shall be deemed to act on behalf of the commission.

6. Manner of dealing with complaints

Subject to such special or general orders of the Chairperson, all complaints shall be initially dealt with by a Member of the Commission. However, the Chairperson may, having regard to the importance of the matter, place the case / complaint requiring a detailed enquiry before two or more members or a Committee appointed in this behalf or set up a Investigating Committee for the said purpose.

7. INQUIRY INTO COMPLAINTS

The Commission while Inquiring into the complaints may-

(i) Call for information or report from the Central Government or any State Government or any other authority or organization subordinate thereto within such time as may be specified by it:

Provided that if the information or report is not received within the time stipulated by the Commission, it may proceed to inquire into the complaint on its own;

(ii) If, on receipt of information or report, the Commission is satisfied either that no further inquiry is required or that the required action has been initiated or taken by the concerned Government or authority, it may not proceed with the complaint and inform the complainant accordingly;

(iii) Without prejudice to anything contained in clause (I), if it considers necessary, having regard to the nature of the complaint, initiate an inquiry.

(iv) Call for further particulars or information from any person or authority.

8. Preliminary consideration, Issue of Notice, etc.

(a) If on consideration of the complaint, the Commission dismisses the complaint in limine, the said order shall be communicated to the complainant and the case shall be treated as closed.

(b) If on consideration of the complaint along with the BTR, the DS admits/takes cognizance of the complaint, she may direct issue of

notice to any authority including the complainant, calling upon, to furnish information/report, or calling for further particulars .This shall be issued in the form at ANNEXURE II enclosing a copy of the complaint there to. Such notice shall be signed by the DS.

(c) If, however, the Commission issues any other direction or order, action shall forthwith be taken accordingly.

(d) If the reports/information is not received from the concerned authority within the given time, or received late or not complete in all respects, the case shall be placed before the Member for further direction.

9. Procedure for conducting enquiry

(A) On receipt of information/report called for as per provision of Regulation 7 or 8 the Chairperson or Member concerned may, if so considered necessary proceed with the complaint in the manner hereinafter provided.

(B) Where no further action is called for, the complaint may be:

(a) Closed, under intimation to the complainant.

(b) Complaint may be sent to the appropriate Government/other authorities for their consideration

(c) May be referred to concerned State Police/State Govt.

Provided that where the action has been taken as (b) (c) above, the same shall be monitored till the issue/matter has been decided/settled.

(C) Where cognizance of the complaint is taken or/on suo-moto action.

- The proceedings in the form of an enquiry may be initiated.

- On suo-moto or any urgent action, the CP may direct setting up of Investigating Committee U/Sec.8 of Act

10 Preliminary hearing of the complaint

- (a) At the preliminary hearing, the Member shall ascertain from the complainant whether he/she admits the allegations made by him/her.
- (b) Such complainant may be examined on Oath (Annexure-III) or May file an affidavit supporting the facts of the case or may be directed to produce list of witnesses/documents proposed to be relied upon, if any, to support her claim.
- (c) Thereafter the witnesses on behalf of the complainant shall be examined and the opposite party shall have the right to cross examine.
- (d) The opposite party against whom the complaint has been made would then be required to submit his written statement of defense either on oath or on affidavit and produce list of documents/witnesses, if any, relied on.
- (e) the committee or any member investigating or inquiring into a complaint may issue a commission for examination of any witnesses in accordance with the provisions of the CPC

11. When a complaint has been filed before the Commission,

Summons (as per ANNEXURE - IV / V') may be issued to the opposite party/parties to appear & answer the claim on the day to be therein specified.

12. The opposite party/parties to whom summons have been issued may appear in person or by a pleader duly authorized, if so permitted by the commission, & able to answer all material question relating to the complaint.

13. Every summons shall be accompanied by a copy of the complaint or by a concise statement. Such summons shall be signed by the DS or the Law Officer.

14. Circumstance for issuance of summons.

- To afford an opportunity of being heard in person and/or to adduce evidence in support of the complaint.
- cause production of the records.
- examine as a witness
- to afford an opportunity of being heard as in the opinion of Commission his/her reputation is likely to be prejudicially affected by the decision that the Commission may give in the above proceedings.
- to afford an opportunity of being heard in the matter as your conduct in connection with subject matter of the above proceedings is being enquired into. Where the Commission sees reason to require the personal appearance of the defendants/opposite party, the summons shall order him to appear in person on the day therein specified.

15. Investigation.-

The Commission may, for the purpose of conducting any investigation pertaining to the inquiry, utilize the services of any officer of the Central Government or any State Government with the concurrence of the Central Government or the State Government, as the case may be or any retired officer or any other person and co-opt such officer or such person as a Member of the investigating committee.

16. Powers relating to inquiries.-

(i) The Commission shall, while inquiring into complaints under this Act, have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), and in particular in respect of the following matters, namely:-

- (a) Summoning and enforcing the attendance of witnesses and examining them on oath;
- (b) 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 or documents;
- (f) Any other matter which may be prescribed.

17. Steps after inquiry.-

The Commission may take any of the following steps upon the completion of an inquiry held under these regulations, namely-

- (i) where the inquiry discloses, the commission of violation of any rights or negligence in the prevention of violation of any rights by a public servant, it may recommend to the concerned Government or authority the initiation of proceedings for prosecution or such other action as the Commission may deem fit against the concerned person or persons;
- (ii) Approach the Supreme Court or the High Court concerned for such directions, orders or writs as that Court may deem necessary;
- (iii) Recommend to the concerned Government or authority for the grant of such immediate relief to the victim or the members of his family as the Commission may consider necessary;
- (iv) Subject to the provisions of Sub clause (v) provide a copy of the inquiry report to the petitioner or her representative;
- (v) the Commission shall send a copy of its inquiry report together with its recommendations to the concerned Government or authority and the concerned Government or authority shall, within a period of one month, or such further time as the Commission may allow, forward its comments on the report, including the action taken or proposed to be taken thereon, to the Commission;
- (vi) The Commission shall publish its inquiry report together with the comments of the concerned Government or authority, if any, and the action taken or proposed to be taken by the concerned Government or authority on the recommendations of the Commission.

Misc provisions

18. Recording of Orders / Proceedings

The order sheet is the mirror to the proceedings and hence the counselor has to ensure that right from the date of the receipt of the complaint, its enquiry / investigation till its final disposal, the gist of the proceedings are reflected in the order sheet and therefore shall ensure that -

- (a) All orders, notices, summons, day to day proceedings etc issued in the matter are legibly recorded in the Order Sheet; provided that the orders which are lengthy shall be recorded on separate sheets and appended to the order Sheet.
- (b) The order sheet shall invariably reflect the brief of the proceedings conducted which shall be signed by the counselor, member concerned/ committee and the parties if any.
- (c) No routine inter office correspondence or any deposition shall be recorded in the order sheet. Such correspondence should be made separately in an annexed file.

19. Mode of Communication

Unless otherwise directed, all summons and notices from the Commission shall be sent by registered post

20. Procedure regarding Suo Motu Action.

The procedure contained in this Chapter shall mutatis Mutandis apply to suo moto action taken by the Commission.

x. The budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursement made:

The budget allocated to the Commission of India for the Financial Year 2005-2006 is Rs. 577 lakhs plus 50 lakhs for NER. The entire amount is plan and “non-plan” and is meant to incur expenses on account of salary, wages, medical treatment, domestic and foreign official travel, office expenses, Studies, conferences, seminars, workshops etc.

Out of the budget allocated for the current financial year, the total expenditure made as on 30TH September 2005, is Rs. 172.39 LAKHS plus 5.94 lakhs for NER.

xi. The manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiary of such programmes:

No subsidy programmes are executed by the Commission and no amount is allocated to it for the purpose.

The commission however funds the **legal awareness programmes and parivarik mahila lok adalats**

xii. Particulars of concessions, permits or authorization granted by it:

No concessions, permits or authorization are granted by the Law Commission of India.

xiii. Details in respect of the information available to or held by it, reduced in on electronic form

The Commission has its own web-site <http://ncw.nic.in> which enlists all the Reports of the Commission, its various Consultation/Discussion Papers released and some important reports. Action is presently under process to make available All reports/research papers in electronic form.

xiv. The particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use.

The citizens can obtain information from the Commission through correspondence, accessing its web site and through e-mail. The library of the Commission is open to public from 930 am to 530 pm Monday to Friday.

The fee chargeable for any information would be as per the **right to information (regulation of fee and cost) rules 2005**

Disclaimer

While all efforts have been made to make this website as authentic as possible, the National commission for women will not be responsible for any loss to any person caused by any shortcoming, defect or inaccuracy in the information available on Website. Any discrepancy found may be brought to the notice of the deputy secretary National commission for women.