CHAPTER-II
ORGANISATIONAL AND ADMINISTRATIVE SET-UP
FOR WOMEN WELFARE

When welfare programmes are formulated there is a need to design an organisation to implement the programmes. Without organisation the goals cannot be achieved. According to Mooney, “Organisation is the form of every human association for the attainment of a common purpose.”\(^{31}\) Organisation has been defined “as the structure and procedures by which co-operative group of human beings allocates its tasks among its members, identifies relationship and integrates its activities towards common objectives”.\(^{32}\) As defined by Dimock and Dimock, “Organisation is the systematic bringing together of interdependent parts to form a unified whole through which authority, coordination and control may be exercised to achieve a given purpose”.\(^{33}\) Organisation and administrative structures have to be constructed in a manner so as to improve the performance of administration. Organisational and Administrative structure for the welfare programmes for Women Welfare.

Administration generally involves cooperative efforts by a number of individuals to achieve purpose. It is necessary that the actions of these persons are planned and well organised. Organisation is prior to every administrative action. In the words of L.D. White, “Organisation is the arrangement of personnel for facilitating the accomplishment of some agreed purpose through allocation of functions and responsibilities.

In this chapter, an attempt has been made to review the existing organisational and administrative setup for women welfare in India general and the State of Haryana in particular.

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\(^{32}\) Massiche Joseph L, quoted in Goel S. L. “Advance Public Administration”, Delhi, Sterling Publisher Pvt. Ltd.
\(^{33}\) Dimock and Dimock, “Public Administration”, p-104.
Organisational and Administrative Structure of Ministry of Social Justice and Empowerment

After independence, there was no separate ministry for welfare. Social welfare programmes were being managed by different ministries such as education, home, industry, health and labour etc. The establishment of Department of social security was recommended by Renuka Ray committee in 1961. This Department was established during the Prime Minister ship of Sh. Lal Bahadur Shastri in 1964, and located in the Ministry of Law. The subjects allotted to this Ministry were social security, social welfare, backward classes, khadi and handicraft. In 1966, it was renamed as social welfare department and in 1971 as ministry of education and social welfare. In 1984, its name was changed to the ministry of social and women welfare. In 1985, it was known as ministry of welfare. For the first time an independent ministry of welfare was created and welfare of women were taken from ministry of home affairs and given to ministry of women welfare. In 1998, its nomenclature was again changed to ministry of social justice and empowerment.

At different times this ministry has been placed under different ministers. From 1964 to 1966 the Department of Social Security was kept under the charge of Law Minister. From 1966 to 1967 it was kept under the minister of planning. Then till 1968, it remained under the charge of minister of petroleum and chemicals. It was again shifted to minister of law till it was located under social welfare department in 1971. Now it is under Minister of Social Justice and Empowerment.

Union Ministry of Social Justice and Empowerment in India at Central Level

In the year 1985-86, the erstwhile Ministry of Welfare was bifurcated into the Department of Women and Child Development and the Department of Welfare. Simultaneously, the Scheduled Castes Development Division, Tribal Development Division and the Minorities and Backward Classes Welfare Division were moved from the Ministry of Home Affairs and also the Wakf

Division from the Ministry of Law to form the then Ministry of Welfare. Subsequently, the name of the Ministry was changed to the Ministry of Social Justice & Empowerment in May, 1998. Further, in October, 1999, the Tribal Development Division had moved out to form a separate Ministry of Tribal Affairs. In January, 2007, the Minorities Division along with Wakf Unit have been moved out of the Ministry and formed as a separate Ministry and the Child Development Division has gone to the Ministry of Women & Child Development.

Though the subject of "Disability" figures in the State List in the Seventh Schedule of the Constitution, The Government of India has always been proactive in the disability sector. It is not only running seven National Institutes (NIs) dealing with various types on disabilities and seven Composite Regional Centers (CRCs), which provide rehabilitation services to PWDs and run courses for rehabilitation professional but also funds a large number of NGOs for similar services and also a National Handicapped Finance & Development Corporation (NHFDC) which provides loans at concessional rates of interest to PWDs for self-employment. Besides, the Union Government is a party to (i)Proclamation on the Full Participation and Equality of People with Disabilities in the Asian and the Pacific Region - adopted at Beijing in December, 1992, and (ii) The UN Convention on the Rights of Persons with Disabilities (UNCRPD), which came into effect in May, 2008.

The subject has received attention in various States Governments in varying degrees. At the Central level also disability being one of the several responsibilities of the M/o SJ&E, and being looked after by just one bureau, has resulted in inadequate attention, as most of its time and energy is spent only on implementing Ministry's own schemes, meeting their expenditure and physical targets, and organising annual time-bound activities like the National Awards for empowerment of PwDs. In the above background, it was stated in the 11th Five Year Plan that "The 'Disability Division' of the Ministry of Social Justice & Empowerment will be strengthened by converting it into a separate Department, so that it can liaise effectively with all the other concerned Ministries/
Departments and fulfill its responsibilities towards the disabled”. Looking to the specialised nature of the subject on "Disability", the wide ranging work to be done in the light of the UNCRPT, and the inadequacy of existing implementation structure, the time has now come to upgrade the existing Disability Bureau in the M/o SJ&E\(^{35}\). The decision to create a separate Department of Disability Affairs within the M/o SJ&E was taken up by the Government, in principle on 3rd January, 2012. This was also announced by the President before both houses of Parliament on 12th March, 2012.

Now the two departments have been created under the Ministry of Social Justice & Empowerment vide notification dated 12.5.2012, namely:-

(1) Department of Social Justice and Empowerment
   (Samajik Nyaya aur Adhikarita Vibhag)

(2) Department of Disability Affairs (Nishaktata Karya Vibhag)\(^{36}\)

(1) **Department of social justice and empowerment (samajik nyaya aur adhikarita vibhag)**

   The Department of Social Justice and Empowerment shall be the nodal Department for the overall policy, planning and coordination of programmes for the development of the groups mentioned at (i) to (iv) above, and the welfare of the group at (v) above. However, overall management and monitoring etc. of the sectoral programmes in respect of these groups shall be the responsibility of the concerned Central Ministries, State Governments and Union Territory Administrations. Each Central Ministry or Department shall discharge nodal responsibility concerning its sector. Special schemes aimed at social, educational and economic empowerment of the groups mentioned at (i) to (iv) under entry 2 above, e.g. scholarships, hostels, residential schools, skill training, concessional loans and subsidy for self-employment, etc. Rehabilitation of Manual Scavengers in alternative occupations. Programmes of care and support to senior citizens. Prohibition. Rehabilitation of victims of alcoholism and substance abuse, and their families. Beggary. International Conventions and

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\(^{35}\) Record of Department of Social Welfare in Haryana, 2013.

\(^{36}\) Annual Report of Ministry of Social Justice and Empowerment, Govt. of India, New Delhi,
Agreements on matters dealt within the Department. Awareness generation, research, evaluation and training in regard to subjects allocated to the Department. Charitable and Religious Endowments and promotion and development of Voluntary Effort pertaining to subjects allocated to the Department.

(2) **Department Of Disability Affairs (Nishaktata Karya Vibhag)**

The following subjects which fall within List I - Union List of the Seventh Schedule to the Constitution: Indo-US, Indo-UK, Indo-German, Indo-Swiss and Indo-Swedish Agreements for Duty-free import of donated relief goods/supplies and matters connected with the distribution of such supplies. The following subjects which fall within List III - Concurrent List of the Seventh Schedule to the Constitution (as regards legislation only): Social Security and Social Insurance, save to the extent allotted to any other Department. For the Union Territories, the following subjects which fall in List II - State List or List III - Concurrent List of the Seventh Schedule to the Constitution, in so far as they exist in regard to such territories: Relief of the Disabled and the unemployable; Social Security and Social Insurance, save to the extent allotted to any other Department.

To act as the nodal Department for matters pertaining to Disability and Persons with Disabilities. The Department of Disability Affairs shall be the nodal Department for the overall policy, planning and coordination of programmes for Persons with Disabilities. However, overall management and monitoring etc. of the sectoral programmes in respect of this group shall be the responsibility of the concerned Central Ministries, State Governments and Union Territory Administrations. Each Central Ministry of Department shall discharge nodal responsibility concerning its sector. Special schemes aimed at rehabilitation and social, educational and economic empowerment of Persons with Disabilities, e.g. supply of aids and appliances, scholarships, residential schools, skill training, concessional loans and subsidy for self-employment, etc. Education and Training of Rehabilitation Professionals. International Conventions and Agreements on matters dealt with in the Department; The United Nation Convention on the Rights of Persons with Disabilities. Awareness generation, research, evaluation and training in regard to subjects allocated to the


The Ministry of Social Justice & Empowerment is entrusted with the welfare, social justice and empowerment of disadvantaged and marginalized section of the society viz. Scheduled Caste, Backward Classes, Persons with Disabilities, Aged Persons, and victims of Drug Abuse etc.

Basic objective of the policies, programmes, law and institution of the Indian welfare system is to bring the target groups into the mainstream of development by making them self-reliant. The Ministry is headed by Kumari Selja, Cabinet Minister. Shri Porika Balram Naik is the Minister of State. There are two departments viz. Department of Social Justice and Empowerment and Department of Disability Affairs under the Ministry of Social Justice and Empowerment. Shri Sudhir Bhargava, is the Secretary of Department of Social Justice & Empowerment. Ms. Stuti Kacker, is the Secretary of Department of Disability Affairs. Sh. Anoop Kumar Shrivastava is the Additional Secretary of

37. Ibid.,
Department of Social Justice and Empowerment\textsuperscript{38}. The activities of both Departments of the Ministry are undertaken through Bureaus as shown below:

**Department of Social Justice and Empowerment**

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Bureau Head</th>
<th>Work Allocation/Bureau</th>
</tr>
</thead>
</table>
| 1.     | Shri Sanjeev Kumar, JS (SCD), Deptt. of SJ&E | i. Scheduled Castes Development Division  
ii. Parliament  
iii. Member Secretary, Dr. Ambedkar Foundation |
| 2.     | Shri T. R. Meena, JS (SD, CVO & Admin.), Deptt. of SJ&E | i. Social Defence  
ii. Vigilance  
iii. Administration/Official Language & Facilitation Centre |
| 3.     | Ms. Ghazala Meenai, JS (BC, Media & R&R), Deptt. of SJ&E | i. BC Division  
ii. Media  
iii. Work relating to R&R of Narmada Project. |
| 4.     | Shri Shyam Kapoor, JS (Cdn.), Deptt. of SJ&E | Coordination |
| 5.     | Dr. J.C.Sharma, EA, Deptt. of SJ&E | I. Preparation of i. Annual & Five Year Plans  
ii. Annual Report  
iii. Results Framework Document  
II. Coordination Work - Relating to  
i. Skill Test  
ii. Plan Schemes  
iii. Standing Committee of Parliament  
v. Twenty Point Programme  
vi. Economic Survey  
vii. Gender Budgeting |
i. Manual Scavenging Survey Cell |

\textsuperscript{38} Ibid.,
Department of Disability Affairs

S.No. | Bureau Head | Work Allocation/Bureau |
---|---|---|
1. | Shri Awanish R. Awasthi, JS Deptt. of Disability Affairs | Disability Development |

2. Link arrangements among the above officers shall be as under:

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Officer</th>
<th>Link Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Joint Secretary (SCD), Deptt. of SJ&amp;E</td>
<td>Joint Secretary (BC, Media &amp; R&amp;R), Deptt. of SJ&amp;E</td>
</tr>
<tr>
<td>2.</td>
<td>Joint Secretary (BC, Media &amp; R&amp;R), Deptt. of SJ&amp;E</td>
<td>Joint Secretary (SCD)</td>
</tr>
<tr>
<td>3.</td>
<td>Joint Secretary, (Admn., SD &amp; CVO), Deptt. of SJ&amp;E</td>
<td>Joint Secretary (Cdn.), Deptt. of SJ&amp;E</td>
</tr>
<tr>
<td>4.</td>
<td>Joint Secretary (Cdn.), Deptt. of SJ&amp;E</td>
<td>Joint Secretary, (Admn., SD &amp; CVO), Deptt. of SJ&amp;E</td>
</tr>
<tr>
<td>5.</td>
<td>Economic Adviser, Deptt. of SJ&amp;E</td>
<td>Deputy Director General, Deptt. of SJ&amp;E</td>
</tr>
<tr>
<td>6.</td>
<td>Deputy Director General, Deptt. of SJ&amp;E</td>
<td>Economic Adviser, Deptt. of SJ&amp;E</td>
</tr>
</tbody>
</table>

Functions of Ministry of Social Justice and Empowerment

Ministry of Social Justice and Empowerment is responsible for the social upliftment and welfare of the disadvantaged sections of society. In the year 1985-86, the erstwhile Ministry of Welfare was bifurcated into the Department of Women and Child Development and the Department of Welfare. Simultaneously, the Scheduled Castes Development Division, Tribal Development Division and the Minorities and Backward Classes Welfare Division were moved from the
Ministry of Home Affairs and also the Wakf Division from the Ministry of Law to form the then Ministry of Welfare. Subsequently, the name of the Ministry was changed to the Ministry of Social Justice and Empowerment in May, 1998

Further, in October, 1999, the Tribal Development Division had moved out to form a separate Ministry of Tribal Affairs. In January, 2007, the Minorities Division along with Wakf Unit have been moved out of the Ministry and formed as a separate Ministry and the Child. The Development Division has gone to the Ministry of Women Welfare. Operation of Indo-US, Indo-UK, Indo-German, Indo-Swiss and Indo-Swedish Agreements for duty free receipt of donated relief supplies/goods and matters connected with the distribution of supplies coming there under; social security and Social Insurance save to the extent allotted to any other Department; Relief of the disabled and unemployable and measures relating to social security and social Insurance, save to the extent allotted to any other Department.

The Ministry is further responsible for Social Welfare: Social Welfare Planning, Project formulation, research, evaluation, statistics and training; Conventions with other countries in matters relating to social defence and references from United Nations Organisation relating to prevention of crime and treatment of offenders; Education, training, rehabilitation and welfare of the physically and mentally handicapped; National Institute for the Physically Handicapped and Mentally Retarded; Rehabilitation of the persons with disabilities and rehabilitation of the mentally ill; National Centre for the Blind including the Central Braille Press, Dehradun, Training Centre for the Adult Deaf, and School for the partially deaf children, Hyderabad; Model School for Mentally Retarded Children, New Delhi and other national institutes’ Social and Moral Hygiene Programme; Research, evaluation, training, exchange of information and technical guidance on all social defence matters;

All matters relating to alcoholism and substance (drug) abuse and rehabilitation of addicts/families; Promotion of efforts including voluntary efforts to ensure the well being of the older persons; All matters relating to

prohibition; Educational and social welfare aspects of drug addiction; Charitable and religious endowments pertaining to subjects allocated to this Ministry; Promotion and development of voluntary effort on subjects allocated to this Department; National Institute of Social Defence; Institute for the Physically Handicapped, New Delhi.\textsuperscript{40}

National Institute for the Orthopedically Handicapped, Kolkata; National Institute of Rehabilitation, Training and Research, Cuttack; National Institute for the Mentally Handicapped, Secunderabad; Ali Yavar Jung National Institute for the Hearing Handicapped, Mumbai; National Institute for the Visually Handicapped, Dehradun; National Handicapped Finance and Development Corporation, Faridabad; Artificial Limbs Manufacturing Corporation of India, Kanpur; The Rehabilitation Council of India Act, 1992 (34 of 1992) and Rehabilitation Council constituted there under;

The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (01 of 1996); The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 (44 of 1999); Chief Commissioner for Disabilities; Scheduled Castes and other Backward Classes including scholarships to students belonging to such Castes and Classes; National Commission for Scheduled Castes; Development of Scheduled Castes and other Backward Classes.

The Ministry of Social Justice and Empowerment is the nodal Ministry for overall policy, planning and coordination of programmes of development of Scheduled Castes and Other Backward Classes. In regard to sectoral programmes and schemes of development pertaining to these communities, policy, planning, monitoring, evaluation etc. as also their coordination will be the responsibility of the concerned Central Ministries, State Governments and Union Territory Administrations. Each Central Ministry and Department will be the nodal Ministry or Department concerning its sector.\textsuperscript{41}

\textsuperscript{40} Ibid.,
\textsuperscript{41} Ibid.,
National Commission for Women in India

The National Commission for Women (NCW) is a statutory body for women established in 1992 by Government of India under the provisions of the Indian Constitution, as defined in the 1990 National Commission for Women Act.

The first head of the commission was Ms. Jayanti Patnaik. The present head of the Commission is Mrs. Mamta Sharma, former MLA of Bundi district, Rajasthan. The objective of the NCW is to represent the rights of women in India and to provide a voice for their issues and concerns. The subjects of their campaigns have included dowry, politics, religion, equal representation for women in jobs, and the exploitation of women for labour. They have also discussed police abuses against women.

The commission regularly publishes a monthly newsletter, Rashtra Mahila in both Hindi and English. In December 2006 and January 2007, the NCW found itself at the center of a minor controversy over its insistence that the law not be changed to make adulterous wives equally prosecutable by their husbands. But the grounds on which Ms. Vyas resists the logic of making this a criminal offence particularly for women, as often recommended are not as encouraging. She is averse to holding the adulterous woman equally culpable as the adulterous man because women, she believes, are never offenders.

They are always the victims. The NCW has demanded that women should not be punished for adultery, as a woman is "the victim and not an offender" in such cases. They have also advocated the amendment of Section 198 of CrPC to allow women to file complaints against unfaithful husbands and prosecute them for their promiscuous behaviours.

This was in response to loopholes in the Indian Penal code that allowed men to file adultery charges against other men who have engaged in illicit relations but does not allow women to file charges against their husbands. The Commission has also worked to guarantee women security in unconventional relationships. Smt. Mamta Sharma, Chairperson of National Commission for Women, After having taken over as Chairperson on 2nd August, 2011, I feel that
my focus should be to concentrate not only on women’s empowerment but also on their growth and development. I believe that empowerment will also bring down atrocities against women as they will have the strength and knowledge to stand up for their rights. Another main focus will be to bring about attitudinal changes about discriminatory practices. At NCW we encourage online registration of complaints and maintain an open and transparent office where victims can come and talk about their grievances. NCW works tirelessly towards these issues 42.

- Problem of violence against women is multifaceted.

**NCW has adopted a Multi-Pronged strategy to tackle the problem:**

- Generation of legal awareness among women, thus equipping them with the knowledge of their legal rights and with a capacity to use these rights.
- Assisting women in redressal of their grievances through Prelitigation services.
- Facilitating speedy delivery of justice to women by organizing Parivarik Mahila
- Lok Adalats in different parts of the country.
- Review of the existing provisions of the Constitution and other laws affecting women and recommending amendments thereto, any lacunae, inadequacies or short comings in such legislation's.
- Organizing promotional activities to mobilize women and get information about their status and recommend paradigm shift in the empowerment of women.
- Investigate and examine all matters relating to the safeguards provided for women under the Constitution and other laws;

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42. Annual Report of National Commission for Women, New Delhi
Review, from time to time, the exiting provisions of the Constitution and
other laws affecting women; take up cases of violation of the provisions
of the Constitution and of other laws; look into complaints and take suo
moto notice of matters; deprivation of women’s rights; special studies or
investigations into specific problems or situations arising out of
discrimination and atrocities against women; 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; advice on the planning process of
socio-economic development of women; evaluate the progress of the
development of women under the Union and any State; inspect or cause
to inspected a jail, remand home, women’s institution or other

Central Social Welfare Board

The main women welfare Related schemes and programmes being
implemented by CSWB are as under:-

Family Counselling Centres: It was introduced in 1983. The centres
provide counselling, referral and rehabilitative services to women and children
who are victims of atrocities, family maladjustment and social ostracism. They
also provide crisis intervention and trauma counselling in case of natural
disasters.

Awareness Generation Programme: This scheme aims at creating
awareness amongst women and the community at large on rights, status and
problems of women in particular and other social concerns.

Condensed courses of education for women: This scheme caters to the
needs of girls/women who could not join mainstream education system or who
were drop outs from formal schools. The scheme aims to provide educational
opportunities to girls/women above the age of 15 years along with additional
inputs of skill development/vocational training. The contents of the course are
need based and modified according to local requirement.
National Mission for Empowerment of Women (NMEW) is an initiative of the Government of India for empowering women holistically. It is a Centrally Sponsored Scheme sanctioned in April 2011 and acts as an umbrella Mission with a mandate to strengthen inter-sectoral convergence and facilitate the process of coordination of all the women’s welfare and socio-economic development programmes across Ministries and Departments. NMEW is being implemented in all the 35 States and Union Territories.

Working Women’s Hostel (WWH) Scheme envisages provision of safe and affordable hostel accommodation to working women, single working women, women working at places away from their home-towns and for women being trained for employment. The scheme has been revised recently.

Support to Training and Employment Programme (STEP) for Women was launched as a Central Sector Scheme during 1986-87. It aims at making a significant impact on women by upgrading skills for self and wage employment. The target group includes the marginalized asset less rural Women and urban poor. This also includes wage labourers, unpaid daily workers, female headed households, migrant labourers, tribal and other dispossessed groups, with special focus on SC/ST households, women headed households and families below the poverty line.

Rashtriya Mahila Kosh (RMK) with a corpus of Rs.100 crore extends micro-finance services to bring about the socio-economic upliftment of poor women. Credit is provided to the poor women beneficiaries through Intermediary Microfinancing Organisations (IMOs) working at grass root level such as NGOs, Women Federations, Co-operatives, not for profit companies registered under Section 25 of the Companies Act and other Voluntary/Civil society organisations etc. by following a client friendly, simple, without collateral, for livelihood and income generation activities, housing and micro-enterprises.

Women’s Empowerment and Livelihood Programme in Mid-Gangetic Plain (WELP) also called Priyadarshini is being implemented with assistance of International Fund for Agricultural Development in 13 Blocks spread over 5 Districts in Uttar Pradesh i.e. Bahraich, CSM Nagar, Raebareli, Shravasti and
Sultanpur and 2 Districts Madhubani and Sitamarhi in Bihar.

It aims at holistic empowerment of vulnerable groups of women and adolescent girls in the project area through formation of Women’s Self Help Groups (SHGs) and promotion of improved livelihood opportunities. Over 1,00,000 households are to be covered under the project and 7,200 SHGs will be formed during the project period ending 2016-17. The beneficiaries are expected to be empowered to address their political, legal and health issues through rigorous capacity building. National Bank for Agriculture and Rural Development is the lead programme agency for implementation of the programme which became effective in December 2009.

**Indira Gandhi Matritva Sahyog Yojana (IGMSY)** is a Conditional Cash Transfer scheme for pregnant and lactating (P&L) women introduced in the October 2010 to contribute to better enabling environment by providing cash incentives for improved health and nutrition to pregnant and nursing mothers. It envisages providing cash to P&L women during pregnancy and lactation in response to individual fulfilling specific conditions. It addresses short term income support objectives with long term objective of behaviour and attitudinal change.

The scheme attempts to partly compensate for wage loss to P&L women both prior to and after delivery of the child. The scheme is being implemented initially on pilot basis in 52 selected districts using the platform of ICDS. 12.5 lakh P&L women are expected to be covered every year under IGMSY. The beneficiaries are paid 4000/ in three instalments per P&L women between the second trimester till the child attains the age of 6 months on fulfilling specific conditions related to maternal and child health.

**Swadhar Greh Scheme** The Ministry of Women and Child Development had been administering Swadhar scheme since 2001 for Women in difficult circumstances. Under the Scheme, temporary accommodation, maintenance and rehabilitative services are provided to women and girls rendered homeless due to family discord, crime, violence, mental stress, social ostracism. Another scheme with similar objectives/target groups namely Short Stay Home (SSH) was being
implemented by Central Social Welfare Board. Being similar in objectives and target groups, both the schemes have been merged to Swadhar Greh scheme with revised financial parameters.

**UJJAWALA** is a comprehensive scheme for prevention of trafficking and rescue, rehabilitation and reintegration of victims of trafficking for commercial sexual exploitation. Funds are released to NGOs as the scheme is being implemented mainly through NGOs. This was stated by the Minister for Women and Child Development, Smt. Krishna Tirath in a written reply to a question in the Lok Sabha today.

The organization structure with Honorable Minister at the Top. The Ministries have two Departments namely Department of Social Justice & Empowerment (SJ&E) and Department of Disability affairs (DA), each headed by Secretary, D/o SJ&E and Secretary, D/o DA respectively. Additional Secretary, Department of Social Justice & Empowerment works under Secretary, Department of Social Justice & Empowerment. Apart from this, Six Joint Secretaries or Joint Secretary level officers are working under this Department, the details of which are as follow:

(i) Joint Secretary (Administration, Official Language, Facilitation Centre)

(ii) Joint Secretary (Backward Class, Coordination, Rescue & Rehabilitation of Narmada Project & Media) - Three D.S./Dir. level officers are working under the J.S. (B.C., Cdn., R&R & Media)

(iii) Joint Secretary (Social Defence, Central Vigilance Officer) - Two D.S./Dir. level officers are working under the J.S. (S.D & C.V.O).

(iv) Joint Secretary (Scheduled Castes Development, Parliament, Dr. Ambedkar Foundation) - Six D.S./Dir. level officers are working under the J.S. (S.C.D, Parl. & Dr. Ambedkar Foundation).

(v) Deputy Director General (Statistics Division) - One Senior Research Officer works under D.D.G.
(vi) Economic Advisor (Planning Division) - Two Senior Research Officers work under E.A.

(vii) Joint Secretary & Financial Advisor looks after the work of both Departments of Ministry of Social Justice & Empowerment as Additional charge.

Department of Disability Affairs

- One Joint Secretary, Department of Disability Affairs directly reports to Secretary, Department of Disability Affairs. Four D.S/Dir. level officers are working under the J.S (DDA).

- The work related to administration, vigilance, media, official language, coordination, facilitation center, central registry, plan and statistics division, parliament, cash, budget, I.F.D, P.A.O. & canteen of Department of Disability Affairs is also looked after by the Department of Social Justice & Empowerment.

Ministry of Social Justice and Empowerment in Haryana

The constitution of India has assigned the welfare of women to the state list. Different state governments have setup their administrative structure for women welfare. The welfare and development of women is the responsibility of the state. Union government lays out a broad policy claim, allocates appropriate funds under various heads and provides guidelines and consultancy for to the states and U.T’s in regarding to the welfare of women.

Department of Welfare for Women in Haryana

The department of Social Justice and Empowerment earlier known as social welfare department is the nodal department of the Government of Haryana and is implementing social welfare schemes for the upliftment, development and rehabilitation of vulnerable groups of the society. Department of Social Justice and Empowerment, Haryana, is implementing a number of welfare schemes for different sections of the society. Therefore, the functioning of the department is citizen centric.
The Social Welfare Department Haryana (Social Justice & Empowerment Department) is working independently since the bifurcation of Social Welfare Department in the year 1992. The Department is implementing a number of schemes for the care, protection and rehabilitation of socially underprivileged. Earlier the Social Welfare Department Haryana was working within a very small area having few welfare schemes. Now, it has expanded its area of schemes and has implemented schemes since the creation of the Departments covering beneficiaries belonging to urban as well as rural areas. At present, the Department is implementing a number of schemes for the welfare of senior citizens, orphan/destitute children, Widows & destitute women, mentally retarded children, the blind, deaf & dumb, kashmiri migrants, dwarfs & eunuchs minority communities such as Muslim, Sikhs, Christens, Paris etc., in the state.\(^\text{43}\)

Besides, the welfare of vulnerable groups of the society, the Social Welfare Department Haryana is also providing social security and economical assistance to the Senior Citizen, Widows and disabled of the States in the form of monthly pension who are unable to sustain themselves from their own resources and are in need of financial assistance. This Department is headed by the Director General working in the rank of Special Secretary / Joint Secretary to the Government of Haryana. Generally Director General also looks after the work on Government side as Joint Secretary/Special Secretary. One Additional Director, one Joint Director and two Deputy Directors assist the Director General in day-to-day office work. Besides, 21 District Social Welfare Officers are monitoring schemes of the department at district level and 3 Government residential institutions functioning in various districts for the welfare and rehabilitation of persons with various physical disabilities such as visually impaired, speech and hearing impaired, orthopedically challenged, mentally challenged, aged welfare etc.\(^\text{44}\).

To strengthen Government to Citizen (G2C) services, a dynamic web site containing useful information has been developed to enable the public to access the required information about various schemes at any time and any where basis.


\(^{44}\) Ibid.
It will further improve information delivery system at different levels of the administration and efficiency of the office. The department is headed by the Director General working in the rank of Special/Joint Secretary to Government of Haryana. One Additional Director, one Joint Director and two Deputy Directors assist the Director General in day-to-day office work. Besides, 21 District Social Welfare Officers are implementing all the departmental schemes at district level and the Superintendents look after 3 residential institutions functioning at district level. The department focuses on the economic & social security of the senior citizens, widow and destitute women and disabled persons of the State.

Financial assistance is given in the shape of Old Age Allowance, Widows & Handicapped Pension. The department is taking care of orphan/destitute children, widows and destitute women, old & aged, disabled persons, mentally retarded children, the visually disabled persons, and deaf & dumb, minority communities, dwarfs & eunuchs by implementing a number of schemes for their betterment, development and rehabilitation. Besides, voluntary organizations are being given financial assistance in the shape of grant-in-aid to help, socially and economically backward persons with disabilities, senior citizens and destitute/ orphan.

**Directorate of Social Welfare for Women in Haryana**

The Directorate is divided in seven divisions:

1. **Administration Division** of the department is under the supervision of a Joint Director who is assisted by Deputy Superintendent, Assistant, Clerks, Steno and Dafti. This division is responsible for recruitment, transfer, promotions, training, salary and pension etc.

2. **Accounts and Budget Branch** is headed by Chief Accounts Officer who is assisted by Account Officers, Section Officers, Deputy Superintendent, Budget Assistant, Steno and Accounts Clerk etc. This division prepare budget for the department, maintains the records and helps field offices in budget preparation.

3. **Research Division** is concerned with research related to the welfare programmes. Research Officers, Assistant Research Officer, Statistical
Assistant and Clerks are associated with the division.

4) **Employment Division** is headed by Deputy Director (Planning). He is assisted by Statistical Officer, Assistant Research Officer, Statistical Assistant and Junior Accountant etc. This division is responsible for employment related schemes.

5) **Planning and Programme Division** formulates various planning, programmes and schemes for the welfare of women. It is headed by Deputy Director who is assisted by Deputy Superintendent, Assistant and Clerks. This division looks after the plans related to welfare of women.

6) **Women Welfare Division** is responsible for schemes related to welfare of women. Deputy Director is appointed to look after this division who is assisted by Assistant, Clerks and other staff.

7) **Training and Pre-Examination Coaching Centres Division** is controlled by Deputy Director. He is assisted by Deputy Superintendent, Stenographer and Clerks. It looks after training arrangements for the employees of department. These divisions also work under the supervision of Directorate of Social Welfare for Women. It runs various coaching schemes for preparation of competitive exams for central and state services. There is one Principal, Professors, Accountants, Clerks and other staff to run these centres.

**Haryana State Social Welfare Advisory Board**

Haryana State Social Welfare Advisory Board is functioning under the administrative control of Central Social Welfare Board, New Delhi. The Central Social Welfare Board came into existence on 13th August 1953 by a resolution of the Govt. of India with its main objectives of developing welfare programme in general and programme for women, children, physically and socially handicapped in particular through the network of voluntary organizations as well as through its own projects. Later on Central Social Welfare Board was registered as a Company under Companies Act 1956. For better and successful implementation of the programme of the Board, the Central Social Welfare Board set up the State Social Welfare Boards in all the States and Union
Territories. Consequent upon the reorganization of the Punjab State, the President of India in consultation with the Chairman, Central Social Welfare Board constituted three separate Social Welfare Boards each for Punjab, Haryana and Union Territory of Chandigarh w.e.f. 1.11.66 vide notification No. 12893-5SW-66/4366 dated 25.10.1966.

Functions of the State Board

1. To act as a medium for exchange of information between the field, the State and Centre.

2. To invite, receive, examine and recommend to the Central Social Welfare Board, applications for grant-in-aid from voluntary welfare institutions under different programmes.

3. To supervise and report on the working of the institutions/ projects to the Central Social Welfare Board.

4. To advise and assist the Central Social Welfare Board in sponsoring new welfare programs and activities where ever they are needed within their States;

5. To advice the State Govt. on the Voluntary Organizations for Social Welfare in the State and to coordinate the welfare and development activities under taken by the various departments of the State Govt. with a view to avoiding duplication;

6. To undertake such other activities as may be conductive to the fulfillment of these objectives;

7. To promote the growth of voluntary social welfare agencies with special reference to development of the welfare services in areas uncovered at present.

8. To assist Central Social Welfare Board in the provision of a field counseling service for aided agencies;

9. To administer the programmes of social welfare in rural areas either sponsored by the Central Social Welfare Board jointly initiated with the cooperation of the State Govt.
10. To stimulate effective coordination among voluntary welfare agencies at the State and Local levels.

11. To undertake with the concurrence of Central Social Welfare Board such social welfare activities or programmes as such are entrusted to the State Board by any Department of Centre/State/Union Territories and;

12. To assist the Central Social Welfare Board and the State Govt. in further development of welfare services.

Composition of the State Board

The Chairperson of the Board is appointed by the State Govt. in consultation with the Central Social Welfare Board and other members who are social workers are nominated by the State Govt. and the Central Social Welfare Board in the ratio of 50: 50 in addition to Ex-officio members are also included in the Board.

Financial Assistance to Haryana State Social Welfare Board

The Women & Child Development Department, after concurrence of Finance Department provides Financial Assistance in the form of Grant-in-aid to the Haryana State Social Welfare Advisory Board for 50% of the expenditure on establishment of the board and 100% of allowances and POL etc expenditure of the chairman.

During the year 2007-08, a sum of rs. 35.00 lacs has been released by State Govt. for above mentioned purposes and a sum of Rs. 32.20 lacs has been provided in the budget for the year 2008-09.

Programmes

The Board runs schemes and activities through different voluntary organizations sponsored by the Central Social Welfare Board. These mainly include condensed course of education for women, awareness generation projects for rural and poor women, family counseling centers, working women hostel, crèches for the children of working and ailing mothers, short stay homes for women & girls.
In addition to the above, the other activities of the Board are as under:

1. Orientation Training to the functionaries of voluntary organisations.
2. Training to the organizers of Awareness Generation Programme.
3. Demonstration Project.
4. Socio Economic Programme – Organizing of Mahila Shakti Meals and Exhibitions for the promotion of sale of manufactured goods by the women.
5. Other programme allotted by the Central Social Welfare Board from time to time.

**District Level Administration for Women Welfare**

The Social Justice & Empowerment Department is working independently since the bifurcation of Social Welfare Department in the year 1992. The Department is implementing a number of schemes for the care, protection and rehabilitation of socially under privileged. Earlier the Social Justice & Empowerment Department was working within a very small area having few welfare schemes. Now, it has expanded its area of schemes and has implemented schemes since the creation of the Departments covering beneficiaries belonging to urban as well as rural areas. At present, the Department is implementing a number of schemes for the welfare of senior citizens, orphan/destitute children, Widows & destitute women, mentally retarded children, the blind, deaf & dumb, kashmiri migrants, dwarfs & eunuchs minority communities such as Muslim, Sikhs, Christens, Paris etc., in the state. Besides, the welfare of vulnerable groups of the society, the Department is also providing social security and economical assistance to the Senior Citizen, Widows and disabled of the States in the form of monthly pension who are unable to sustain themselves from their own resources and are in need of financial assistance.

The actual implementation of schemes takes place at the field level. The success of these schemes depends upon the understanding, commitment and
concern for the women welfare. At the District level implementation of Special Component Plan (SCP) is supported by Special Central Assistance and Augmented by Social Welfare for Women’s. District is considered an important unit of administration for the planning, decision making and implementation of a programme. Field level organisation comprises of District administration in Haryana. There are 21 Districts Welfare Offices in Haryana. He is responsible for overall supervision on welfare schemes in his district. He is assisted by Deputy Superintendent, Assistant and other staff. At tehsil level there is Tehsil Welfare Officer who looks after implementation of schemes for welfare of women’s. Social workers are also appointed by District Welfare Office. This office works as a central point for successful execution of the schemes meant for socio-economic upliftment of these target groups. The information is regard to these schemes can be obtained from this office. At tehsil level, Tehsil Welfare officer looks after the implementation of welfare schemes for women’s in his area. Block Development Officer (B.D.O.) is a permanent executive of state government and responsible for overall development of the block. Hence, he looks after the implementation of welfare schemes for women’s. The following field officers are responsible for monitoring and running of all the social welfare schemes of the Social Welfare Department Haryana: - Distt. Social Welfare Officer, Ambala Distt. Social Welfare Officer, Panchkula, Distt. Social Welfare, Yamunanagar, Distt. Social Welfare Officer, Kurukshetra, Distt. Social Welfare Officer, Karnal, Distt. Social Welfare Officer, Kaithal.

**District Level (Residential Institutions)**

The following residential Superintendents are designated State Assistant Public Information Officer:-

1. Superintend, Home for Aged & Infirm, Rewari
2. Superintend, Government. Institute for Blind, Panipat
3. Superintend, Training Centre for the Adult Blind, Panipat.
Main functional branches of the Department

Pension Branch, Disabled Welfare Branch, Senior Citizen Welfare Branch, Drug Abuse Prevention Branch, Budget Branch, Accounts Branch, Research and Computer Branch, Dairy & Dispatch Branch, Administrative Branch, Audit Branch, Minority Welfare Branch, National Social Assistance Programme Branch

Constitutional Provisions for Women Welfare

Constitution is the fundamental legal document in a democratic society. The Indian Constitution, which came into force on 26th January, 1950. It sets the framework and the principal functions of the organs of the government of the State and declares the principles governing the operation of those organs. The Constitution aims at the creation of new legal norms, social philosophy and economic values which are to be affected by striking synthesis, harmony and fundamental adjustment between individual rights and social interest to achieve the desired community goals. It provides the framework for the governance of the country assigning roles to different institutions such as executive, legislature and judiciary. The social and economic aspects have been taken care of by the Preamble, which states the ideals which the state should endeavour to secure for its people. These ideals are: "Justice social, economic and political, Liberty of thought, expression, belief, faith and worship, Equality of status and opportunity, and to promote among them all; Fraternity assuming the dignity of the individual and the unit and integrity of the nation." These ideals have been given concrete form by guaranteeing certain rights, which the framers of the constitution considered sacrosanct, and fundamental. Some of these have been expressed in the form of certain goals which the state should realize over a period of time. Certain classes of persons, who themselves are not able to get the full benefit of the socio-economic change contemplated, have been given special protection.

The ideals enshrined in the Preamble of the Constitution are to be secured to all the citizens of the country. As every person, who has a domicile in India, and (i) who was born in India, or (ii) either of his parents were born in India, or (iii) who has been resident of India for not less than five ears before the
commencement of the Constitution, is a citizen of India, women residing in India and fulfilling these conditions are automatically citizens of this country.

They are as much entitled to the rights, obligations, duties and protection under the constitution as any other citizen. The realization of ideals cherished in the Constitution would be possible only when all the citizens’ men and women have the necessary conditions for the advancement of their individual personality.

Equality Provisions

While all provisions of the Constitution are applicable in equal measure to men and women, and can, therefore, be invoked by women for the assertion of their rights; Part III and IV need special mention; as these are the backbone on which protective legislation for women has been based. Part III of the Constitution recognizes and confers fundamental rights to citizens. And, some of these are enjoyed by non-citizens also. These rights have a special status in the Constitution, as according to Article 13.

(a) All law in force before the commencement of the Constitution, so far as they are inconsistent with the provisions of Part III, have been declared, to the extent of inconsistency, void; and

(b) The state has been prohibited from making an law which takes away or abridges the rights conferred in Part III and any law made in contravention of this part, is to the extent of inconsistency, void.

Article 14 of the Constitution guarantees equality before law, of females and males, castes and creeds, religions Hinduism, Aryanism, Christianity or Mohammedanism, etc. It provides that the State shall not deny to any person equality before law or the equal protection of the laws. The, status of women as half to men under the Muslim: law has not been accepted as true law under the Constitution of India. Disproportionate remuneration to males and females under Industrial or any employment has been refuted under this Article45. Article 15 is more clear on treatment of discrimination of any sort. It provides prohibition of

discrimination on grounds of religion, race, caste, sex or place of birth. It mandates that 46:

The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, and place of birth or any of them. No citizen shall on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to access to shops, public restaurants, hotels and places of public entertainment, those of wells, tanks, ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of general public. Nothing in this Article shall prevent the State from making any special provision for women and children. Nothing in this Article or clause (2) of Article 20 shall prevent the State from making any special provisions for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

Article 16 mandates for equality of opportunity in matters of public employment that: There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State. Nothing in this Article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office under the Government of or any local or other authority within a State or Union Territory, any requirement as to residence within that State or Union Territory prior to such employment or appointment. Nothing in this Article shall prevent the State from making any provision for the reservation or appointment of posts in favour of any backward class of citizens, which in the opinion of the State is not adequately represented in the services under the State 47.

46. Ibid Article 15.
47. Ibid., Article 16
Nothing in this Article shall prevent the State from making any "provision for reservation in matters of promotion of any class or classes of posts in the services under the State in favour of Scheduled Castes and Scheduled Tribes which, in the services under the State. Nothing in this Article shall affect the operation of any law which provides that the incumbent of an office in connection with the affairs of any religious or denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denomination. Protection of life and personal liberty of every person who may be a male or female is secured under Article 21 that no person shall be deprived of his (or her) life or personal liberty except according to procedure established by Law. Prohibition of traffic in human beings (whether male or female) and (his or her) forced labour has been provided in Article 23 that:

Traffic in human beings and beggar and other similar forms of forced labour are prohibited and an contravention of this provision shall be an offence punishable in accordance with law. Nothing in this Article shall prevent the State from imposing compulsory service for public purposes, and in imposing such service, the State shall not make any discrimination on grounds only of religion, race, caste or class or any of them.

Freedom of conscience and free profession, practice and propagation of religion has been guaranteed to every man or women of a caste or creed in Article 25 that: Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion. Nothing in this Article shall affect the operation of any existing law or prevent the State from making any law : Regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice; Providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.

According to article 21A of the Constitution of India, the State shall provide free and compulsory education to all children of the age of six and
fourteen years in such manner as the State may by law, determine. Under Article 19(1) of the Constitution of India, all citizens shall have the right (a) to freedom of speech and expression; (b) to assemble peaceably and without arms; (c) to form associations or unions; (d) to assemble peaceably and without arms (e) to reside and settle in any part of the territory of India; and (g) to practice any profession, or to carry on any occupation, trade or business. These six 'freedoms' are, however, of absolute. These freedoms are restricted by the Constitution itself in clauses (2) to (6). The restriction which may be imposed by the State under any of the clauses must be reasonable restrictions and not arbitrary.

As per Article 22 of the Constitution of India, no person who is arrested shall be determined in custody without informing the grounds for such arrest and he should be produced before the nearest magistrate within a period of twenty four hours of such arrest. Article 20 states that no person shall be convicted of any offence except for violation of a law in force and no person shall be prosecuted and punished for the same offence more than once and no person accused of any offence shall be compelled to be a witness against himself.

Article 23 of the Constitution of India prohibits the traffic in human beings and forced labour. As per Article 24 of the Constitution, employment of children below the age of fourteen years in factory or mine or engaged in any other hazardous employment is prohibited. Under per Article 25 of the Constitution of India, no person shall be compelled to pay an taxes, the proceeds of which are specially appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious denomination.

Under Article 28(3) of the Constitution of India, no person attending any educational institution recognized by the State or receiving aid out of State funds shall be required to take part in any religious instruction or to attend any religious worship that may be conducted in such institution. Though the discrimination of women is explicitly prohibited in Article 15 and 16 of the Constitution of India this type of prohibition of discrimination of sex is mingled with the prohibition of other discriminations on the ground of religion, race,
caste, place of birth.

In all other fundamental rights, the words 'citizen', 'person' means both male person and female person. Hence women are equally entitled for the protection of all fundamental rights along with men. There is no discrimination of women relating to the fundamental rights guaranteed in Constitution.

**Directives Principles and Women Welfare**

The Directive Principles of State Policy contained in Part IV of the Constitution incorporate many directives to the State to improve the status of women and for their protection. Article 39(a) directs the State to direct its policy towards securing that the citizen, men and women, equally have the right to an adequate means of livelihood. Article 39(d) directs the State to secure equal pay for equal work for both men and women. The State has enacted the Equal Remuneration Act, 1976 to give effect to this Directive Principal.

Article 39(e) specifically directs the State not to abuse the health and strength of workers, men and women. Article 42 of the Constitution incorporates a very important provision for the benefit of women. It directs the State to make provisions for securing just and humane conditions of work and for maternity relief. The State has tried to implement this directive by enacting the Maternity Benefit Act, 1961. Article 44 directs the State to secure for the citizens a uniform civil code throughout the territory of India. This particular goal is towards the achievement of gender justice. Even though the State has not yet made any efforts to introduce Uniform Civil Code in India, the judiciary has recognized the necessity of the uniformity in application of civil laws like law of marriage, succession, adoption and maintenance etc. in the case of Sarla Mudgal v. Union of India (1995, 3 SCC 335 : AIR 1995 SC 1531) and other cases. Apart from these specific provisions all the other provisions of the Constitution are equally applicable to the men and women. This clearly established the intention of the framers of the Constitution to improve the social, economic, educational and political status of the women so that they can be treated with mean on equal terms.
The Supreme Court has recently dealt with the validity of the Chotanagpur Tenancy Act, 1908 of Bihar which denied the right to succession to Scheduled Tribes woman as violative of right to livelihood under Article 21 of the Constitution (M. Kishwarv. State of Bihar, (1996) 5 SCC 125). The Majority Judgement however upheld the validity of the legislation on the ground that such enact was in accordance with the custom of inheritance/succession of the Scheduled Tribes. However, the dissenting judgement was delivered by Justice K. Rama Swamy who felt that the law made a gender-based discrimination and that it violated Articles 15, 16 and 21 of the Constitution of India. The Majority Judgement does not appear to be in consonance with the right equality enshrined in the Constitution. During the course of his dissenting option Justice K. Rama Swamy has an occasion to refer to various International Declarations and Conventions along with the relevant provisions of the Indian Constitution as regards the gender discrimination in India.\(^49\)

**Reservation in Panchayats and Municipalities**

According to Article 40 of the Constitution of India, The State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government. Reservation of seats for women in Panchayats and Municipalities have been provided in Articles 243-D and 243-T of the Constitution of India. Part IX and IX-A have been added to the Constitution by the Constitution (73\(^{rd}\) Amendment) Act, 1992 and the Constitution (74\(^{th}\) Amendment) Act, 1992 popularly known as the Panchayat Raj and Nagarpalika Constitution Amendment Acts with Article 243, 243-A to 243-D and Arts 243-P to 243-ZG.

**Women Welfare through Panchayati Raj and Municipal Bodies**

Article 243-D of the Constitution of India provides that,

\[
(1) \quad \text{In every Panchayat, seats shall be reserved for the Scheduled Caste and Scheduled Tribes. The number of seat so reserved shall be, as nearly as may be, in the same proportion to the total number of seats to be filled by}
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\(^{49}\) Constitution of India, Directive Principles of State Policy, Article 39 (a), 39 (d), 39 (e), 42 and 44.
direct election in that Panchayat as the population of the SCs and STs in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.

(2) Out of total number of seats reserved under clause (1) not less than one-third seats shall be reserved for women belonging to the SCs and STs.

(3) Out of total number of seats to be filled by direct election in every Panchayat not less than one-third (including the number of seats reserved for SCs and STs women) seats shall be reserved for women. Such seats may be allotted by rotation to different constituencies in a Panchayat.

(4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for SCs, STS and women in such manner as the Legislature of State may, by law, provide. But the number of offices of Chairpersons reserved for the SCs and STs in the Panchayats at each level in any State shall be, as nearly as possible, in the same proportion to the total number of such offices in the Panchayats at each level in proportion of the total population of the SCs and STs in the State. However, not less than one-third of the total number of the offices of Chairpersons in the Panchayat at each level shall be reserved for women. The number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level.

(5) The reservation of seats under clause (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in Article 334 (i.e. 50 years).

(6) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Panchayat offices of Chairpersons in the Panchayats at any level in favour of backward class of citizens.

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Reservation of Seats for Women in Municipalities

According to Article 243-T of the Constitution of India;

1. Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in every Municipality. The number of seats reserved for them shall be as nearly as may be, in the same proportion to the total number of seats to be filled by direct election in the Municipality as the population of the SCs and STs in the Municipal area bears to the total population of that area and such seats may be allotted by rotation of different constituencies in a Municipality.

2. No less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled Castes, or as the case may be, to the Scheduled Tribes.

3. No less than one-third (including the number of seats reserved for women belonging to the SCs and STs) of the total number of seats to be filled by direct election in every Municipality shall be reserved for women, and such seats may be allotted by rotation to different constituencies in a Municipality.

4. The offices of Chairpersons in the Municipalities shall be reserved for the SCs the STs and women in such manners as the Legislature of a State may, by law, provide.

5. The reservation of seats under clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in Article 334 (i.e. 50 Years).

6. Nothing in this part shall prevent the Legislature of a State from making any provision for reservation of seats in any Municipality or offices of Chairpersons in the Municipalities in favour of backward caste of citizens\(^{51}\).

Constitutional Provisions and Fundamental Duties

Part-IV-A which consists of only one Article 51-A was newly added to the Constitution by the 42\textsuperscript{nd} Amendment, 1976. This Article for the first time specifies a code of ten fundamental duties for citizens. Article 51-A (e) is related to women. It states that "it shall be the duty of every citizen of India to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women".

Women in India constitute nearly half of its population. Yet this sizeable section has gone through the phases of its life grinding under the social, cultural and religious sanctions imposed on it. In the Indian society, the position of a woman is always perceived in relation to the man. Why? Does the India Woman have to suffer simply because she was magnanimous enough to let one gender intrude into her space to the extent of controlling all aspects of her life all along treating her as a mere possession or at the most, a trophy to be periodically displayed? It is this perception that has given birth to various social customs and practices sanctioning physical abuse\textsuperscript{52}.

Female Infanticide

Female foeticide is the act of aborting a foetus because it is female. This is a major social problem in India and has cultural connections with the dowry system that is ingrained in Indian culture, despite the fact that it has been prohibited since 1961. Some are never born, and the rest die because they do not have the opportunity to survive. Indeed, the figures for female infanticide and the adverse juvenile sex ration in India are shocking proof of the injustice which has been meted out to women by our society. A major reason for the adverse juvenile sex ratio is the increasing reluctance to have female children. Daughters are inevitably regarded as an unwelcome burden, due to obligations such as dowry. No wonder then, that there is a high incidence of gender-based abortions—almost two million female babies a year.

\textsuperscript{52}. Constitution of India, Fundamental Duties Article 51-A.
Amniocentesis, a medical test used to check possible deformities’ of the unborn child, is fast being used by parents to select the sex of their child—and this in urban cities—where its misuse is widely prevalent. In most states, the least literate districts have superior Child Sex Ration compared to their more literate counterparts. To this menace our ancestral and biased view about male child, lack of education, ever increasing population and dowry have been good propellants. Some measures and their enforcement have to happen immediately.

Is belief, horror, tears, smiles --- Aamir Khan evoked all this among his rapt audience as he dealt with the sensitive topic of female foeticide and bias toward the male child in the first episode of Satyamev Jayate on Sunday - without being preachy. There were many moist eyes among those in the TV audience and many more at homes and offices across India as people tuned in to watch the much-awaited programme, which Aamir said in his ads he wanted to replicate the phenomena created by the epic Mahabharat and Ramayana teleserials of yore on Sunday mornings. Equipped with well-researched instances and case studies, Aamir's one-and-a-half hour programme was telecast on Star Plus and Doordarshan simultaneously. The maiden episode highlighted how unethical medical practitioners are hand in glove with families wanting to kill the female unborn baby. He also dispelled the perception among people that female foeticide is practised by rural people or those living in small towns with Mitu Khurana's case. She is a doctor who has left home to save her twin daughters from death from her educated in-law's family.

The episode started with the case of Amisha Yagnik from Ahmedabad who said she was forced to abort her female unborn child six times in eight years, while Parveen Khan, from Morena, Madhya Pradesh, was brutally bitten by her husband on her face for having given birth to a girl child against his wishes. Delhi-based doctor Mitu Khurana was asked by her orthopaedic surgeon husband and in-laws to abort her girl twins just after 20 weeks of conceiving. She said her husband and in-laws "took every wrong step to force me to abort” but thanks to her family (father)"I saved my kids", Mitu said on the show. Her

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mother-in-law, a retired vice-principal from a Rohtak school, kicked a baby basket with one of the babies down the stairs. Miraculously, the child was saved. "My mother-in-law was so much against my kids that she tried to kill them even after their birth," she said on the show.

According to 2011 Census, the rate at which the unborn female child is killed amounts to killing off 10,00,000 girls a year. According to the 2011 census, there were 914 girls for every 1,000 boys. Aamir brought into focus the dangers of female foeticide by showing a village in Khurukshetra in Haryana where marriagable men have not been able to find women to marry as there were no women in that age bracket left. He highlighted another danger of female foeticide - human trafficking. Virendra Vidrohi, a social activist from Alwar Rajasthan, said thousands of women from poor families in eastern states are being "sold" in some places in Rajasthan due to a dearth of women. "In the last one year 15,000 women from Bihar, Orissa and Andhra Pradesh have been brought and sold here to families. This has led to human trafficking in Rajasthan," "If we worship goddess Durga, why kill unborn girls," he said.

Aamir also brought on the show two journalists who carried out a sting operation against doctors involved in sex determination in Rajasthan and how the case is still dragging in various courts in Rajasthan. He kept people glued to the show and promised to tell them of a "magic wand" to get rid of the evil practice of female foeticide at the end of the show. Pointing at the audience, he said it is time to take a stand and all should get involved - and now.

**Violence against Women - A Social Cancer**

In every seven minutes a crime is committed against women in India. Every 26 minutes a woman is molested. Every 42 minutes a sexual harassment incident occurs. Every 43 minutes a woman is kidnapped. And every 93 minutes a woman is burnt to death over dowry Welcome to India.

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Important Facts

As of March 2001, the female population stands at 495.4 million out of total Indian population. Thus, in the present population there ought to be 528 million women. Instead, estimates show only 496 million women which implies that there are some 32 million "missing" women in India.

Sex-ratio is an important indicator of women's status in the society. In 1901 it was 972 and according to the 1991 census, this figure has come down to 926.

The 2001 census indicates that the trend has been slightly arrested with the sex ratio at 933 with Kerala at 1058 females.

Punjab (793), Haryana, Delhi, Gujarat and Himachal Pradesh have the worst child sex ratio.

Law against domestic violence

1. Passing of this enactment pertaining domestic violence was the first significant attempt to recognize domestic abuse as a punishable offence, to extend its provisions to those in live-in relationships, and to provide for emergency relief for the victims, in addition to legal recourse.

2. Section 2 of the Act defines domestic violence as "any act of physical, mental or sexual violence actually perpetrated or an attempt of such violence as well as the forcible restriction of individual freedom and of privacy.

3. One of the most important features of the Act is the woman's right to secure housing. The Act provides for the woman's right to reside in the matrimonial or shared household, whether or not she has any title or rights in the household. This right is secured by a residence order, which is passed by a court.

4. Even if she is a victim of domestic violence, she retains right to live in 'shared homes' that is, a home or homes she shares with the abusive partner.

5. She has the right to the services and assistance of the Protection Officer and Service Providers, arranged under the provisions of the law.
Fear of violence is an important factor in the lives of most Indian women. This violence, bound up with a mixture of cultural backwardness, has relegated women to an inferior status. These women passively accept this as published or culturally justified assault. When a woman or a girl is subjected to physical and sexual abuse, it shapes her attitude to life, her expectation from herself and sadly, has made her a passive victim of various acts of violence perpetuated on her.

**Dowry—Marriage as A Financial Transaction**

A dowry is the transfer of parental property to a daughter as her inheritance at her marriage (i.e. *inter vivos*) rather than at the owner's death (*mortis causa*). A dowry establishes a type of conjugal fund, the nature of which may vary widely. This fund provides an element of financial security in widowhood or against a negligent husband, and may eventually go to provide for her sons and daughters. Dowries may also go toward establishing a marital household, and therefore might consist of furnishings such as linens and furniture. Dowry contrasts with the related concepts of *bride price* and *dower*. While *bride price* (or *bride service*) is a payment by the groom or his family to the bride's parents, dowry is the wealth transferred from the bride's family to the groom or his family, ostensibly for the bride. Similarly, dower is the property settled on the bride herself by the groom at the time of marriage and which remains under her ownership and control. Locally, dowry is called *dahej* in Hindi.

Dowry is an ancient custom, and its existence may well predate records of it. Dowries continue to be expected in some parts of the world, mainly in South Asian, Middle Eastern and North African countries. Disputes related to dowry often result in domestic violence, such as dowry deaths. Dowry has been an integral part of India's social customs and consequently has become deep rooted in our country. It is very difficult to change customers all of a sudden and so the fight against dowry will require a long and protracted struggle. Dowry may be broadly defined as gifts and valuables received in marriage by the bride, the bridegroom and his relatives. The lower ranks of the middle class are particularly
prone. The quantum of dowry exchange may still be greater among the middle classes, but 85 percent of dowry death and 80 percent of dowry harassment occurs in the middle and lower status.\textsuperscript{55}

A majority of these crimes stem from disputes over dowry. A bride whose dowry payments are viewed as inadequate is burned to death by her in-laws or husband, the cause of death listed as "kitchen accident" 90 percent of the cases of dowry violence involve women from poorer families. Dowry and dowry-related violence is not confined to rural areas or to the poor, or even just to adherents of the Hindu religion. India’s growing economy has fostered a culture of materialism. Everyone wants expensive clothes and consumer objects which are constantly advertised on television. No wonder then that this age old custom is seen as a vital source of income for a family desperate to meet social needs. Some blindly follow this custom to exhibit their high social and economic status even if they have to borrow money. The inability of the bride's family to comply with these demands often leads to daughters in law being treated as servant and subject to abuse. The department of dowry is regulated by factors like bags service and salary.\textsuperscript{56}

\textbf{Protection of Women against Sexual Harassment at Workplace Bill, 2007}

The Protection of Women against Sexual Harassment at Workplace Bill, 2007 to provide for the prevention and redressal of sexual harassment of women at the workplace and for matters connected therewith or incidental thereto.

Now that the Ministry of Women and Child Development has prepared a draft entitled ‘The Protection of Women Against Sexual Harassment At Workplace Bill, 2007’, it is abundantly evident that the stage has been set to have an exclusive law on prevention and redressal of sexual harassment of women at the workplace in due course.

The draft Bill makes it mandatory to have Internal Complaints Committee. The draft Bill also proposes the appointment of a district officer to deal with such complaints.


\textsuperscript{56} Tanwar, Reicha (2007). Dowry, the North Indian Perspective. Hope India Publications. ISBN 9788178711270.
According to this Draft Bill, an aggrieved woman may make a complaint of sexual harassment at workplace to the committee in writing. Every employer of a workplace shall constitute an Internal Complaints Committee, which shall consist of (a) a chairperson, from amongst employees, who shall be a senior level woman, committed to the cause of women. In case a senior level woman employee is not available, the chairperson shall be appointed from a sister organization or a nongovernmental organization; (b) not less than two members from amongst employees committed to the cause of women or who have had experience in social work; and (c) one member from amongst such non-governmental organizations or associations or other interests committed to the cause of women, as may be specified.

The draft entitled The Protection of Women against Sexual Harassment at Workplace Bill, 2007” further stipulates that during the pendency of enquiry, on a written request made by the aggrieved woman, the committee may recommend to the employer to transfer the aggrieved woman or the respondent to any other workplace; or grant leave to the aggrieved woman or grant to the aggrieved woman any other relief which may be prescribed. The Draft Bill also prescribes punishment for false/malicious complaint where the committee arrives at a conclusion that the allegation against the respondent is false or malicious or the aggrieved woman or any other person making the complaint has produced any forged or misleading document.

Further, the Draft Bill provides for compensation to the aggrieved woman. For the purpose of determining the compensation, the committee shall have regard to the mental trauma, pain, suffering, and emotional distress caused to the aggrieved woman; the loss in the career opportunity due to the incident of sexual harassment; medical expenses incurred by the victim for physical or psychiatric treatment; the income and financial status of the respondent and feasibility of such payment in lump-sum or in installments.

In addition, the Draft Bill lays down duties of the employer, namely, the employer shall provide a safe working environment at the workplace; display at any conspicuous place in the workplace the Officer Order with regard to the
constitution of Internal Complaints Committee; undertake workshops and training programmes at regular intervals for sensitizing the members; provide necessary facilities to the committee or the local committee, as the case may be, to deal with the complaint and conduct enquiry and ensure attendance of the respondent and witnesses before the committee and make available such information to the committee as it may require with regard to the complaint. Notably, the draft bill stipulates that where the employer or the district officer fails to constitute Internal Complaints Committee and contravenes provisions made thereunder, he or she shall be punishable with fine, which may extend to Rs. 10,000.

Unfortunately this Draft Bill has some shortcomings. The drafters of the bill have to realize that there is a need for a legal structure which not only carries the provisions of the guidelines of the Supreme Court in the Vishaka case but is also able to effectively arrest the problems which women face at their place of work. Strict implementation of the provisions to protect a woman at her workplace should be one of the main objectives of the drafters and in this context, it may be pointed out that the Draft Bill should have provided a severe liability for the employer in case of his failure to comply with its provisions. It would, at the most, remain merely a paper tiger without any teeth or claws.

The Draft Bill, under Section 9(3), stipulates that the enquiry into the complaint shall be completed within 90 days. In this regard, it may be submitted that justice should be prompt, more particularly in the matter of sexual harassment at the workplace. In view of this, the enquiry into the complaint should be completed within 60 days, in place of 90 days.

Furthermore, under clause (d) of Section 13 of the Draft Bill, the determination of compensation to be paid to the aggrieved woman depends upon the income and financial status of the respondent. If determination of compensation depends upon the income and financial status of the harasser, then there will be hardly any deterrent effect on the person who belongs to the low-income group category. Also, the paltry amount of compensation will have no meaning to the aggrieved woman.
In any way, the determination of compensation factor in the Draft Bill also adumbrates that the offender of harassing a woman at the workplace should be allowed to go scot-free after paying for his misdeeds. In such an eventuality, will such an arrangement deter the rich and the corrupt is a million dollar question.

Section 12 of the Draft Bill prescribes punishment for a woman for filing false complaint or malicious complaint against the respondent. First of all, it is exceedingly difficult for the harassed woman to prove that her complaint is not false due to the fact that sexual harassment normally does not occur in public or in the presence of office colleagues or in front of the supervisor/executive. If, per chance, she is not able to prove the authenticity of her complaint, then she might have to face the punishment for absolutely no fault of hers. Furthermore, due to the punishment clause, the harassed woman is more likely to avoid the risk involved in filing a complaint against the harasser and because of this, the much needed bill, even if enacted, will, to a large extent, remain unfruitful.

Under clause (c) of Section 17 of the Draft Bill it is mentioned that the employer shall undertake workshops and training programmes at regular intervals. The term 'regular intervals' is vague. Whether 'regular intervals' means after every three months or after six months or nine months, it is not precise. It should not be left to the employer to decide the period of 'regular intervals'. Thus, there should be specificity of the period so that the vagueness is not misused.

**Work Place Discrimination**

Workplace discrimination has been an inescapable reality for women cutting across all segments of society be it the educated empowered urban women trying to break the glass ceiling or those employed in low skill menial jobs. About 70% of graduate Indian women are unemployed. Women constitute 90 per cent of the total marginal workers of the country. Rural women engaged in agriculture from 78 per cent of all women in regular work. They are a third of all workers on the land. The traditional gender division of labour ensures that these women get, on average 30 per cent lower wages than men. The total employment
of women in organized sector is only 4 per cent. The Working women population has risen from 13% in 1987 to 25% in 2001. It is well known that women and children work in huge numbers in bidi-rolling, agarbatti-rolling, bangle making, weaving, brassware, leather, crafts and other industries. Yet, only 3 per cent are recorded as labourers. They are forced to work for pitiable wages and are denied all social security benefits. A study by SEWA of 14 trades found that 85 per cent of women earned only 50 per cent of the official poverty level income. To add to their woes, many women face sexual harassment at their workplace. This is true not only for women employed in the unorganized sector but also for women in white collar jobs.

**Laws against Sexual Harassment**

In 1987, The indecent Representation of Women (Prohibition) Act was passed to prohibit indecent representation of women through advertisements or in publications, writings paintings, figures or in any other manner.

In 1997, in a landmark judgment, the Supreme Court of India took a strong stand against sexual harassment of women in the workplace. The Court also laid down detailed guidelines for prevention and redressal of grievances. The National Commission for Women subsequently elaborated these guidelines into a Code of Conduct for employers.

**Availability of Free Legal Aid and Its Awareness**

Women employees are entitled to free and competent legal services for securing justice. They can get the free services of a legal-aid lawyer by approaching the Legal Services Authority or Committee at the District or Taluk level. Legal Aid, in its common sense, conveys the assistance provided by in the society to its weaker members in its effort to protect their rights and liberties, bestowed upon them by the laws and to make them get such benefits and rights back if these are snatched from them by the mighty and muscled members of the society.

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Article 39A of the Constitution of India, 1950, embodies that the State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity and shall in particular, provides free legal aid, by suitable legislation or schemes or in an other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

Consequently, the Legal Services Authorities Act, 1987, was enacted which lays down a criteria of giving free and competent legal services and provides that every person, who has to file or defend a case, shall be entitled to legal services under this Act if that person is, inter alia, a woman or a child. It is important to mention that a woman, irrespective of her position or income, is eligible for legal aid. But, majority of the women employees do not know their rights including information about the free legal aid. This fact is also clear from the case of Anar Devi v. Chandra Devi, wherein the court stated that it is unfortunate that though the appellants are entitled for free and competent legal services but instead of approaching the Rajasthan High Court Legal Service Authority, this appeal had been filed through Advocate. In case they would have approached the Rajasthan High Court Legal Service Authority, they would not have faced any difficulty in getting free and competent legal services; even they might not have been required to pay any money in respect of payment of the advocate’s fee as well as typing charges.

Therefore, extensive efforts should be made to make women employees aware of free legal aid available to them under the Legal Services Authority Act, 1987, so that they can reap its valuable benefits. Certainly, provisions of the Legal Services Authority Act, 1987, need to be advertised at the grass root level in every nook and corner of the country in order to increase legal literacy.

Their ignorance and poverty should not be an impediment in the way of their obtaining justice from the courts. At one fell swoop, the Legal Services Authority Act should provide round-the-clock legal clinics; educate NGO's and voluntary agencies on women employee’s issues. It has also been observed that the Legal Aid Committees have not proved to be very effectual, for the reason that these committees include mostly those advocates who do not have much
practice whereas good advocates do not come forward as the remuneration is too meager.

In order to make the Legal Aid Committees really effective, it is desirable that the senior advocates and if possible, legal luminaries are appointed in the Legal Aid Committees. Welfare programmes for women and children were initially started by voluntary agencies. The government-sponsored welfare programmes for women were through grants-in-aid. Apart from giving grants to voluntary agencies for women, the Central Social Welfare Board initiated some new programmes of assistance which were developmental in nature such as the scheme of Welfare Extension Projects, Socio-economic Programmes and hostels for working women. Thereafter, the Ministry of Social Welfare also sponsored programs and activities of women’s welfare and development, through grants-in-aid. The other Ministries such as Agriculture, Rural Development, Labour etc. also contributed for the development of women in addition to the programmes and services of the Department of Women and Child Development which has the co-coordinating responsibilities.

**Functions of Department of Women and Child**

**1. Development Construction/Expansion of Hostel Building for Working Women**

Single working unmarried, widows, divorcee, separated, married working women whose husbands are out of town, women getting training, employment are eligible for accommodation under this scheme; number of such women not to be more than 30 per cent of the total number of working women in hostel. Regular girl students are not eligible. The income of working women should not exceed Rs. 2,000 p.m. (consolidated). She will have to leave the hostel within a period of six months of crossing this income ceiling. Children up to eight years of age of working women living in hostel are eligible to live with mothers in a separate hostel where pre-school facilities are to be provided to such children 15 per cent of 71/2 per cent seats in the hostel and the Day-Care-Centres respectively are reserved for SC and ST women.
Assistance is given for (a) 50 per cent of the cost of land and 75 per cent of the cost of construction of the building or (b) purchase of ready constructed building as assessed by State PWD or CPWD and to be restricted to ceiling mentioned in (a). No grant is admissible for furniture or other fixtures. Ordinarily hostels with capacity of more than 100 residents and Day-Care-Centres for more than 30 children will not be sanctioned. Up to 31st March, 1991, 597 hotels with intake capacity of 38,127 with day care centers for 4210 children in hostels were sanctioned.

(2) **Support to Training-cum-Employment Programme for Women (STEP)**

Poor and asset less women like wage labourers, unpaid family workers, female headed households, migrant labour, tribal’s and other dispossessed groups of women are beneficiaries of this scheme. During 1990-91, seven projects catering to 27,200 women involving Rs. 51 million were sanctioned.

(3) **Scheme for the Setting up of Women's Development Corporation**

Target Group/Beneficiaries of these programmes are women and women's groups belonging to the weaker sections of the society with priority to single women.

**Type and Extent of Assistance**

Forty-nine percent of the paid-up capital is given to state Government as financial assistance to set up Women's Development Corporations. Loans would be arranged through financial institutions by Women's Development Corporation.

Margin money that the Corporation may have to give would not normally exceed Rs. 5,000 in the case of individual beneficiary or 3(1 per cent of the cost of approved project which ever is less. The period of recovery from the beneficiaries will be 3-5 years. Subsidy is available from the Corporation to the beneficiaries. An amount of Rs. 10 million was released to the corporation during 1990-91.

(4) **Short Stay Homes for Women and Girls**

The scheme is meant for women and girls forced into prostitution or sexually assaulted victims of family discord, mental, emotional problems and social ostracism. Girls in the age group of 15 to 35 years are to be given
preference. One home is to provide facilities to a maximum of 40 inmates, with
an average of 30 inmates at a time. Annual recurring grant up to Rs. 58,800
consisting of one Superintendent-cum-Warden, one Social Case Worker, one
part-time Psychiatrist, one part-time Clinical Psychologist, one Vocational and
Craft Teacher, one Chowkidar and one Peon. Rs. 1,62,300 as annual recurring
grant is given for rent of building, office contingency, medical expenses,
maintenance and rehabilitation charges. Up to the end of 1990-91, 117 such
homes were set up.

(5) Setting up Women's Training Centres/Institutions for Rehabilitation
of Women in Distress

Women and their dependent children below the age of 6 years suffering
from the adversities of life arising out of economic, social, psychological and
environmental situations viz, young and old widows, unmarried mothers, victims
of kidnapping, those suffering due to prolonged illness of bread-earner or his
being jailed for a crime and desertion by husbands etc. are the beneficiaries of
the scheme. Number of dependent children not to exceed one third of the total
number of trainees. This is a centrally sponsored scheme and the grant (to be
released through the State Gov./UT Admn.) will be given on mutual sharing of
Central Government (45%), State Government (45%) and voluntary agency
(10%).

(6) Setting Up of employment and Income Generating Training-cum-
Employment-cum-Production Units for Women (NORM)

Target Group/Beneficiaries of the scheme are rural poor women, women
from weaker sections (SC & ST), war widows, widows of employees in the
above mentioned enterprises and poor women of urban slum areas. Financial
assistance is given for training the target group as follows:-

(i) Stipend to trainees not exceeding Rs. 250 per trainee.

(ii) Cost of equipment.

(iii) Salary of instructors.

(iv) Rent of the Building.
During the seventh Five-Year plan an amount of Rs. 12.2 million was spent on the scheme. Schemes of Assistance of the Central Social Welfare Board

(7) Socio-economic Programme For Needy/Destitute Women and physically handicapped

Work & Wage' is the great need of all, for those who are economically backward, physically handicapped and socially mal-adjusted. The socioeconomic programme of the Central Social Welfare Board endeavors to provide destitute women, widows, deserted and the physically handicapped, opportunities for engaging themselves in full-time or part-time employment thereby earning a full-wage or a part-wage to supplement their meager family income. They can either earn this wage while working at home or at a nearby place without dislocating their domestic life. The ultimate objective of this programme is to provide economic rehabilitation to the needy women and the physically handicapped.

Categories of Schemes

The different categories of schemes for which financial assistance is available are as below:

(i) Units under Small Scale Industries;
(ii) Units as Ancillary to large Industries;
(iii) Procurement/production Units of Handicrafts;
(iv) Handloom Training-cum-Production Units;
(v) Production units with agricultural background e.g. Dairy, Poultry; Piggery, Sheep-breeding, Goat-rearing and such other self-employment schemes.

Pattern of Financial Assistance

A grant up to maximum amount of Rs. 3,00,000.00 is available for setting up a production unit. Each production unit should be organised for providing work to a group of women upto 50-60 as the case may be. In case of Dairy units, the cost of cattle, equipment is given by the institution out of Board's grants to
the beneficiaries as a loan recoverable in easy installments. The feeding charge and administrative expenses are treated as grant-in-aid to the beneficiary institution. On the lines of Dairy units other agro-based units like Piggery, Sheep-breeding, and Goat-rearing etc. have been included in the scheme. The Board released an amount of Rs. 3721 million for 10,121 units since the inception of the scheme.

(8) **Condensed Course of Education for Adult Women Objectives**

The scheme of condensed courses of Education for Adult Women has the following objectives:

(i) To provide educational qualifications and relevant skills to women in order to become eligible for identifiable remunerative work opportunities;

(ii) To facilitate empowerment of women and social activism; and

(iii) To provide women the opportunities for learning and skill development

Registered voluntary social welfare organisations, having some experience in educational field or recognised educational institutions are eligible for the grant the institution should: be engaged in welfare or educational work for a minimum period of three years; and have a properly constituted managing committee. A separate sub-committee with majority of women members has to be constituted for taking up the Condensed Course59.

**Courses**

The following types of courses are offered under the scheme:

(i) Two year education courses for adult women to enable them to appear for recognised primary/middle/matric/higher secondary or equivalent examination, as private candidates and three ears duration for non-residential courses for secondary/matric examinations only.

(ii) One year education course for women who have failed in SSLC/Matric or equivalent examination, as private candidates; and

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(iii) Vocational Training Courses for Adult Women, in vocations which have employment potential.

Two Year Condensed Courses for Adult Women

It is open to adult women in the age group of 15 plus years, who have attained educational standards equivalent to Class-V for appearing in Middle School Examination and Class VIII for appearing in the Matriculation/Higher Secondary examinations. For primary courses, no specific qualification is prescribed. Illiterate women can also be enrolled.

One Year Educational Courses For SSLC/Matric Failed Women Candidates

This scheme has been initiated to enable the candidates who fail in the Matriculation Examination to appear in the examination for the second time. Adult women in the age group of 15 plus who have appeared in Matriculation Examination through Government / recognised schools/privately and failed can also be admitted to this course. The grant for the above course are sanctioned annually on prorate basis of the schematic budget of the three year condensed courses

(9) Vocational Training Courses for Adult Women

The scheme aims at providing opportunities to needy and deserving women in the age group of 15 plus to undergo intensive training in selected vocations to enable them to find suitable employment in the open market or self employment. A woman who has undergone a basic general course of education prescribed for a particular vocational course between the age of 15 plus and those who have qualified through a Condensed Course are eligible for undergoing training under this programme. The candidates seeking admission to the course should be in the age group of 15 plus. The maximum number of candidates in a course is 25.

Financial assistance is given for maintenance of candidates, pocket money and stipend to candidates, teacher's salary, rent, equipment and contingencies and examination fee and skill development activities, in respect of Vocational Training Courses, provision for raw materials also is allowed. The equipment
grant which involves purchase of equipments/machines will be given only once to an organisation. If the organisation does not take the scheme in the following years, all these equipments/ machines will have to be returned to the Board.

These grants are subject to the condition that no fee is charged. Grants are sanctioned on non-matching basis. Applications will be received through State Social Welfare Advisory Boards with their recommendations. For this purpose each State Board will invite applications from suitable institutions by an advertisement in newspapers. Since the inception of the programme upto 31st March, 1991, an amount of Rs. 33 million was expended for running 16,330 courses.

(10) Family Counseling Centres

Voluntary organisations engaged in the welfare of women and children are financed through grants for setting up Family Counseling centres to a maximum of Rs. 50,000 per centre. These centres are given grants for providing services ranging from preventive to rehabilitative, to victims of atrocities, settlement of cases out of court through counseling, for providing free legal aid, police assistance, psychiatric help and short-stay facility etc. Under preventive measures programmes undertaken could be the generation of awareness through publicity, neighbourhood meetings, film-shows, plays against social evils and galvanizing public support to check the recurrence of such happenings. In order to be eligible for financial assistance under this scheme the institution should fulfill all the conditions for eligibility for grant under the General Grants-in-aid programme of the Board. The eligible institutions are required to apply for grant in the prescribed form of application available with the State Social Welfare Advisory Boards. The application should be made to the concerned State Social Welfare Advisory Boards, who forward the application to the Central Social Welfare Board with their recommendations.

Pattern of Financial Assistance

Financial assistance to the extent of 80 per cent of the approved expenditure subject to a maximum grant of Rs. 40,000 is provided for a Family
Counseling Centre. The pattern of assistance is as follows:

(i) Salary of a Counsellor (MSW), a woman @ Rs. 1,000 per month.

(ii) One case worker (MSW), a woman @ Rs. 800 per month.

(iii) One part-time typist @ Rs. 300 p.m.

(iv) One Peon @ Rs. 200 p.m.

(v) Honorarium to Experts.

(vi) Provision for miscellaneous expenditure on postage, publicity, printing material, conveyance etc.

(vii) Provision for non-recurring items such as furniture, typewriter, almirah etc.

During 1990-91 an amount of Rs. 1,00,000 was allocated for this programme^60.

(11) **Hostel for Working Women**

The Central Board's assistance is available for providing or expanding hostel facilities for working women of the lower income group. A sum not exceeding Rs. 10,000 for providing hostels facilities for one year may be sanctioned which may be utilised for one or more of the following purposes:

(i) where the hostel is in a rented building for meeting the difference between the rent paid by the institutions and the rent realized from the residents;

(ii) for the pay of a Matron or a Supervisor; and

(iii) for the provision of recreation facilities.

The grant should not be utilised for providing hostel accommodation to students, trainees, research scholars etc. An amount of Rs. 6,16,000 was sanctioned for 8 hostels during 1990-91.

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^60. Ibid.,
(12) **Awareness Generation Projects for Rural and Poor Women**

The Awareness Generation Projects provides a platform for the rural and poor women to come together and exchange their experience and ideas and in the process develop an understanding of their problems and also ways to tackle these problems and fulfil their needs. The scheme envisages coverage of knowledge and analysis of the socioeconomic conditions of the local areas in relation to status of women, technical information on subjects ranging from relevant legislations to health and hygiene and strategies and plan of action for organizing women towards development and against injustices.

The objectives of the scheme are:

(i) To identify the needs of rural and poor women;

(ii) To increase women's active participation iii fulfilment of those needs and developmental and poverty eradication programmes; and

(iii) To enable women to organise themselves and others to strengthen women's participation in. decision making in the family and society and to deal with social issues like alcoholism and atrocities on women and children.

**Programme Contents**

The programme contents are as under:

(i) A survey of target villages through family schedules and village meetings to find out the problems of the area and to select participants for the camp.

(ii) Holding of Awareness Generation Camp of eight days.

(iii) Follow-up activities during the project period.

(iv) Detailed evaluation of the progress/impact in a two day camp to be held subsequently during the project period.

(v) Submission of reports and audited accounts within 30 days after the completion of the project period of six months.
**Appraisal**

An analysis of the organizational and administrative patterns at various levels reveals that there are number of organizational and administrative deficiencies. The in-depth study of organizational and administration pattern at union level depicts that under the umbrella of social welfare, women welfare has gone from ministry to ministry like a ping pong ball till the International year of Women, when at last a separate Ministry of Social Welfare came into existence, which, unfortunately, was again split in 1985. Then in 1985 Ministry of Human Resource Development under a Cabinet Minister was created and under this umbrella one State Minister looked after women development. Thus, before 1985, there was not a single group or administrative body existing or organisation working in a coordinated way for the different services for women welfare.

The study highlights that women welfare services, at union level, were split up among the various central government ministries, several ministries were dealing with some identical programmes which were operated through the State government. Thus, study of the administration and organisational patterns at Union level makes us to confirm that an element of ad-hocism was prevailing about early three decades after independence. Organisational incoherence was traceable directly to the Union Government set up.

During the early decades, women welfare stood truncated at union level as it was parcelled out among various union ministries and departments. The subjects allotted to this Ministry were social security, social welfare, backward classes, khadi and handicraft. In 1966, it was renamed as social welfare department and in 1971 as ministry of education and social welfare. In 1984, its name was changed to the ministry of social and women welfare. In 1985, it was known as ministry of welfare. For the first time an independent ministry of welfare was created and welfare of women were taken from ministry of home affairs and given to ministry of women welfare. In 1998, its nomenclature was again changed to ministry of social justice and empowerment.

The Government of India has always been proactive in the disability
sector. It is not only running seven National Institutes (NIs) dealing with various
types on disabilities and seven Composite Regional Centers (CRCs), which
provide rehabilitation services to PWDs and run courses for rehabilitation
professional but also funds a large number of NGOs for similar services and also
a National Handicapped Finance & Development Corporation (NHFDC) which
provides loans at concessional rates of interest to PWDs for self-employment.
Besides, the Union Government is a party to (i) Proclamation on the Full
Participation and Equality of People with Disabilities in the Asian.

Review, from time to time, the exiting provisions of the Constitution and
other laws affecting women; take up cases of violation of the provisions of the
Constitution and of other laws; look into complaints and take suo moto notice of
matters; deprivation of women's rights; special studies or investigations into
specific problems or situations arising out of discrimination and atrocities against
women; 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; advice on the planning process of
socio-economic development of women; evaluate the progress of the
development of women under the Union and any State; inspect or cause to
inspected a jail, remand home, women's institution or other

Unfortunately, the division was neither clear cut nor logical. To add to
this structural confusion, there were also two extra-ministries agencies, viz.
Planning Commission and Central Social Welfare Board, which also participated
in planning, and delivery of women welfare services in the country. Thus, there
was a considerable organisational overlapping in the activities undertaken by
various administrative agencies. The study could also able to find out another
source of incoherence, it was the total lack of consented action between various
administrative agencies.

The study could also able to find out another source of incoherence, it was
the total lack of consented action between various administrative organisations at
union level. Owing to the peculiar nature and popular appeal of child welfare, a
plethora of various administrative agencies had come forward to operate in this
field. There was also no cohesive administrative plan which could meaningfully associate each of the administrative agencies in the pursuit of common target and objectives.

Organisational and administrative analysis of the State nodal department has also reflected that top position at headquarters is held by the senior bureaucrats at the pleasure of the state government. Generally, the appointment on top position has become co-terminus with the political party or person in power who makes such appointments. Nearly every change of political guard led to a reshuffle of the Director at the headquarters. Generally, the more honest, straightforward and rule-abiding officers figure in the hit lists unless any of them is able to muster political support for survival.

The study also depicts that at present, the nodal department, Haryana is under the administrative control of Social Welfare Minister since a long. No appointed till date in Haryana. Thus the Social Welfare Minister has to look after the two departments which ultimately mars the organisational efficiency as a whole. The study also facilitates that psycho-fancy approach among officials has been dominating at the headquarters as well as in the fields which gives impetus to various acts of favoritism and biasness.

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