CHAPTER IV

ROLE OF THE STATE COMMISSIONS FOR WOMEN (ASSAM, MEGHALAYA AND TRIPURA)

As discussed in preceding chapters, the establishment of the National Commission for Women at the national level and the State Commissions for Women at the State level, with the objective of protecting women from violence, atrocities or inhuman or cruel treatment in general is one of the most important steps of the Govt. of India and of the State Governments. State Commissions for Women have been endowed with the powers to protect and promote women’s rights throughout the State and especially in situations where women are in need of help of these Commissions. In Northeast India the condition of women’s rights is in the state of constant violation due to the existing conflict situation apart from the existence of the discriminatory social customs and practices. Hence, the study of the role of State Commissions for Women in Northeast India is very significant as these are governmental bodies to protect and promote the rights of women in their respective States.

In this chapter the role of the SCWs in Assam, Meghalaya and Tripura have been examined with reference to their functions as laid down in their respective Acts and a study of the selective cases undertaken by them.

The functions of the Commission are laid down by the Act which provides for the constitution of the Commission. Proper functioning of these Commissions depends upon adequate finance which comes from sources like, the grants received from respective State Governments and from other sources for organising seminars, workshops, legal awareness programmes and so on. Moreover, the State Commissions for Women are mere recommendary bodies and it does not have the power to implement its recommendations. It is the objective recommendations of the Commission that help not only the women in distress but also in its growth, survival and makes the Commission an expanding institution.

The SCWs are required to investigate and examine the cases of the violations of women’s rights. They also spread awareness relating to the rights of women. This
can be identified as the objectives for which these organisations have been established.

**Working of the SCWs:**

**Assam State Commission for Women (ASCW):**

The most important function of the ASCW is to investigate and examine all matters relating to the violation of women’s rights, look into complaints either on the basis of the complaints filed or take *suo motu* notice on the issues.

From the records available at the office of the Assam State Commission for Women it is found that the Commission has registered a number of cases of women’s rights violations. The cases registered with the ASCW since its inception (i.e., 1994) to 31st December 2011 is presented below.

**Table 4.1**

*Year-wise Position of Cases till 31st December 2011 (ASCW)*

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Cases Registered</th>
<th>No. of Cases Disposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994</td>
<td>26</td>
<td>2</td>
</tr>
<tr>
<td>1995</td>
<td>54</td>
<td>6</td>
</tr>
<tr>
<td>1996</td>
<td>58</td>
<td>14</td>
</tr>
<tr>
<td>1997</td>
<td>97</td>
<td>32</td>
</tr>
<tr>
<td>1998</td>
<td>92</td>
<td>25</td>
</tr>
<tr>
<td>1999</td>
<td>100</td>
<td>60</td>
</tr>
<tr>
<td>2000</td>
<td>105</td>
<td>18</td>
</tr>
<tr>
<td>2001</td>
<td>83</td>
<td>64</td>
</tr>
<tr>
<td>2002</td>
<td>67</td>
<td>30</td>
</tr>
<tr>
<td>2003</td>
<td>58</td>
<td>46</td>
</tr>
<tr>
<td>2004</td>
<td>45</td>
<td>40</td>
</tr>
<tr>
<td>2005</td>
<td>63</td>
<td>40</td>
</tr>
<tr>
<td>2006</td>
<td>30</td>
<td>15</td>
</tr>
<tr>
<td>2007</td>
<td>58</td>
<td>26</td>
</tr>
<tr>
<td>2008</td>
<td>169</td>
<td>57</td>
</tr>
<tr>
<td>2009</td>
<td>81</td>
<td>40</td>
</tr>
<tr>
<td>2010</td>
<td>68</td>
<td>30</td>
</tr>
<tr>
<td>2011</td>
<td>146</td>
<td>86</td>
</tr>
</tbody>
</table>

*Source: Office of the Assam State Commission for Women*
The above table and chart show that the trend in terms of disposing cases by ASCW is increasing. In the initial period the number of cases disposed by it is lesser than at present. It is also found that the gap between the registered and disposed cases is gradually decreasing. For example, in 1994 out of total registered cases of 26 only 7.7% cases were disposed and 58.90% were disposed in the year 2011 out of the total registered cases of 146. These figures indicate a positive image on the working of the ASCW. Thus, since its establishment to 31st December 2011 the ASCW has received 1400 cases out of which 631 cases (45.07%) have been disposed. These cases include several aspects of women’s rights violations such as, kidnapping, rape, dowry, sexual harassment etc.

Selective study of the cases undertaken by the ASCW:100

In order to have a deep insight into the workings of the Assam State Commission for Women it is important to study some cases dealt by it. For the purpose of the present study the following cases have been collected from the office of the ASCW.

---

100 ASCW gave the permission to this researcher to study and collect the cases disposed by them. However, in spite of the request made by this researcher the official case no. of the registered cases was not given.
Case No. 1

Visit of the ASCW to Rajapara under Palashbari P.S. in connection with the incidents of witch hunting:

On 8/9/2009 a team of Assam State Commission for Women led by Smt. Mridula Saharia had visited the Rajapara village under Palashbari P.S. and Circle. The team had included Dr. (Smt.) Lily Rajbongshi, Vice Chairperson, Smt. Madhurima Barua Sen, A.C.S., Member-Secretary, Smt. Sandhaya Rani Buragohain, Smt. Bakul Ghose, Dr. (Smt.) Manalisa Choudhury and Smt. Runumi Gogoi, Member, Assam State Commission for Women. The team was accompanied by Circle Officer, Officer-in-Charge and B.D.O. of Palashbari Dev. Block and local media person etc. The village is situated at the border of Assam and at the foot hills of Meghalaya.

On 8th August, 2009 one ‘A’ of Rajapara village had committed suicide leaving behind his wife ‘B’ and two minor children. After the death of her husband ‘B’ lost her mental balance and started having hallucination. Her condition was deteriorating and she alleged that her neighbour ‘C’ (55) and his wife ‘D’ (40) practise witch craft which had forced ‘A’ (her late husband) to commit suicide and also led to the deteriorating mental health of ‘B’. In the mean time two witch doctors (Bez) were called to treat ‘B’ from nearby villages. These two persons (witch doctors) also pointed out that both ‘C’ and ‘D’ did black magic on her and both were responsible for ‘B’s’ condition. On this the villagers became very excited and on 6th Sept, 2009 around 11.00 P.M. they attacked the house of ‘C’ and ‘D’ and their sons were tied with ropes. The elderly couple was dragged out, beaten severally by the wild mob. Both ‘C’ and ‘D’ became unconscious. According to ‘E’, S/o ‘C’ and ‘D’, then the furious mob set his unconscious parents on fire. ‘E’s’ younger brother had fled away from the place. Thereafter ‘E’ freed himself and ran to Palashbari Police Station which is nearly 35 – 40 Km. away from the place of incidence. ‘E’ filed an F.I.R. in the Palashbari P.S. and a case was registered at Palashbari P.S. with the Case No. 199/09 U/S 302/201 I.P.C. and accordingly Police started investigation and 24 persons were arrested.
Role of the State Commissions for Women...

The Assam State Commission for Women had met ‘E’, S/o. deceased couple; ‘B’ and Villagers at the spot. The Assam State Commission for Women had observed the following:-

(1) The village is pre-dominantly inhabited by Rabha Community who believe in witch craft and black magic.

(2) The villagers are mostly from the lower income group and not educated.

(3) Instead of availing medical facilities, the Rabha community goes to a witch doctor if somebody falls ill.

(4) The Rajapara village is nearly 40 Km away from the Palashbari P.S. because of this the police personnel took long time to reach the village on the day of the incident.

(5) The members of Panchayat, local Gaonburah, ASHA workers, teachers of the locality and all the so called Government personnel failed to do their duties rather they fell prey to the belief of superstition and black magic.

(6) The role of ‘F’, Gaonburah & one ASHA Workers are very doubtful.

Case No. 2

Cruelty against wife:

A woman ‘A’ on 10/3/2010 came to the ASCW office and submitted a complaint against her husband ‘B’ alleging that ‘B’ had been torturing her both physically and mentally. After receiving the complaint the Commission issued a notice and summoned both the accused and the victim for hearing of the cases before the Legal Advisory Committee of the Commission.
Grant of maintenance to wife:

On 22/6/2010 the ASCW received a complaint, from ‘A’- a poor woman- against her husband ‘B’. In her complaint she informed the ASCW that she got married in 1986 with a Marwari Youth ‘B’. But after her marriage, she came to know that her husband ‘B’ was already married and his (B’s) family was living at Rajasthan.

But, after fourteen years of their marriage ‘B’ deserted her so that he can go to Rajasthan for staying with his family of first marriage. Before leaving ‘A’ he did not give any money for her expenses. ‘A’ also informed the Commission that she had been suffering from acute diabetes.

The Assam State Commission for Women registered a case and placed it before the Legal Advisory Committee (L.A.C) for discussion and necessary action. After discussion the ASCW issued notice and summoned both the parties to the Commission for a hearing of the case.

But after receiving the notice ‘B’ agreed to pay maintenance to his wife ‘A’. Accordingly, ‘A’ submitted an affidavit regarding the compromise with her husband and also stated that her husband had paid an amount for her maintenance. Accordingly, the case was closed.

Inadequate finance for household expenditure to wife:

The ASCW received a complaint on 11/6/2010 from ‘A’, one businessman of Guwahati. In his petition he requested the ASCW for amicable solution of the family problems between him and his wife ‘B’. He also alleged that he had been facing problems for last eight years.
Role of the State Commissions for Women...

The Commission issued a notice and summoned both the accused and the complainant in the Commission. In the hearing session the Commission found that there was misunderstanding between the husband and wife where wife ‘B’ complained that she was never given sufficient money to run the household.

After discussion the complainant ‘A’ agreed to pay Rs. 30,000/- (Rupees thirty thousand) per month to his wife to meet all the household expenses. Accordingly, the complainant ‘A’ signed an undertaking for payment of the said amount. Thus the misunderstanding was resolved with the interference of the ASCW. Accordingly, the case was closed.

Meghalaya State Commission for Women (MSCW):

Regarding the functions and powers there is not much difference among ASCW and MSCW but in terms of working the MSCW is different from other Commissions. From the records available at the office of the MSCW it is found that the MSCW has undertaken less number of cases as compared to ASCW and cases are of different nature i.e. bulk of the cases relates to incidents of paying maintenance.

Table 4.2
Year-wise Position of Cases till 31st March, 2012 (MSCW)

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Cases Registered</th>
<th>No. of Cases Disposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005-2006</td>
<td>27</td>
<td>22</td>
</tr>
<tr>
<td>2006-2007</td>
<td>62</td>
<td>33</td>
</tr>
<tr>
<td>2007-2008</td>
<td>49</td>
<td>25</td>
</tr>
<tr>
<td>2008-2009</td>
<td>46</td>
<td>27</td>
</tr>
<tr>
<td>2009-2010</td>
<td>42</td>
<td>25</td>
</tr>
<tr>
<td>2010-2011</td>
<td>67</td>
<td>38</td>
</tr>
<tr>
<td>2011-2012</td>
<td>48</td>
<td>22</td>
</tr>
</tbody>
</table>

Source: Office of the Meghalaya Commission for Women
The above table and chart provide year wise statement of cases i.e. total number of registered and disposed cases and a gap in disposing of cases by MSCW. It is seen that the number of disposed cases has been gradually decreasing since the initial years. The situation is completely opposite of ASCW. For example, in the initial year of 2005-2006 out of the total 27 registered cases MSCW has disposed 81.48% cases whereas in the year 2011-2012 out of total 48 cases only 45.83% cases i.e. less than 50% of the registered cases have been disposed by the MSCW. It gives a negative picture of the working of MSCW so far as its dealing with cases is concerned. The reason behind this is that most of the times the accused after receiving the summon twice and thrice from the Commission do not appear for hearing; as a result, the Commission cannot reach to any conclusion and close the case.

It has come to the notice during the study that in Meghalaya majority of the cases relating to the violation of the rights of women come from non tribal peoples whereas a less number of cases are reported to MSCW by women of tribal society. It indicates that tribal women face less violation of their rights in comparison to non tribal. One can identify two reasons behind such situation: it
may be due to the existing social practices of tribal society more specifically the matrilineal system prevalent among Khasi and Jaintia tribes and the influence of church and the missionary education on social life.

Selective Cases:

To get a clear picture regarding the working of MSCW it is important to study some cases dealt by the MSCW relating to violence against women. Following cases have been collected from the office of the MSCW.

Case No. 1

Torturing of wife by her husband (Case No. 1691 dated 03/08/09):

A woman ‘A’ came to the office of the Commission and submitted a petition stating that under intoxication the husband, who was a driver, used to beat and torture her regularly. She had four children. She submitted to the Commission to save her family. The Commission summoned both ‘A’ and ‘B’ in the office of the Commission. After a prolonged discussion the husband ‘B’ signed an agreement in the office of the MSCW to undergo treatment and stay away from alcohol to lead a new life. Accordingly, he underwent treatment for three months.

Case No. 2

Complaint against a mother by her daughter (Case No.1673 dated 14/07/09):

A woman ‘A’ had come to the Commission to file a complaint against her mother ‘B’. She informed the Commission that her mother ‘B’ left her (‘A’) with her father ‘C’ (B’s husband) in order to get married with another person. Even when ‘C’ died on 23rd December 2002 ‘B’ did not come back.

But after some days ‘B’ along with her brothers (A’s maternal uncles) came to the house of ‘A’ and took away all land documents. ‘B’ was the legal wife of ‘C’. ‘A’ had been residing in the house of ‘C’ whereas ‘B’ left ‘A’ to marry another person. But, after taking all land documents without the knowledge of ‘A’, ‘B’ sold the land where ‘A’ was residing. ‘A’ requested the Commission to help her in this regard.

The Commission summoned the accused ‘B’ and also the petitioner ‘A’. For a detailed deliberation the Commission also summoned all relatives of both parties
Role of the State Commissions for Women ...  

as well as the buyer of the land. After a prolonged discussion the buyer decided to cancel the deed of the disputed property executed before the Durbar Shnong (Village Council) on the condition that the selling amount of Rs. 10,80,000/- was refunded. The Commission advised the buyer to approach the Durbar Shnong (Village Council) and do the needful over there. The Commission also advised ‘A’ and ‘B’ to take up the matter with the village elders and resolve the dispute. The case was then closed.

Case No. 3

Complaint for providing maintenance (Case No. 1973 dated 03/06/10):

A woman ‘A’ came to the Commission with an allegation against her husband ‘B’ and her in-laws. ‘A’ informed the Commission that she left her matrimonial house and took shelter at her mother’s house. ‘A’ also informed the Commission that she had a new born (4 months) baby girl. For proper care of her child she left her matrimonial house and shifted to her mother’s home. She requested the Commission for providing maintenance.

The Commission summoned both the accused and complainant. After a thorough discussion in the Commission there was no settlement of the dispute. The complainant wanted divorce. So, the Commission ultimately advised both of them to go to Court.

Case No. 4

Maintenance grant for a deserted woman (Case No. 1806 dated 08/12/09):

One woman ‘A’ came to the Commission and submitted complaint against her husband ‘B’ and requested the Commission to advise the husband ‘B’ to provide maintenance to her. ‘A’ also informed the Commission that ‘B’ deserted her for another woman and that ‘A’ and ‘B’ had a child who was residing with ‘A’.

The Commission summoned both ‘A’ (the Complainant) and ‘B’ (the accused). After discussion ‘B’ agreed to pay Rs. 2000/- per month to ‘A’ as maintenance allowance. But, unfortunately ‘B’ broke the agreement and did not pay her money. Since, the Commission is a recommendary body it could not enforce its
Role of the State Commissions for Women ...

decision. The Commission advised ‘A’ to go to Court. The Commission also sent ‘A’ to State Legal Services Authority for free legal aid.

Case No. 5

Amicable solution of the differences (Case No. 1355 dated 20/08/08):

One woman ‘A’ came to the Commission and informed the Commission that she wanted maintenance from her husband ‘B’ for her and their two children. ‘A’ requested the Commission that she be paid Rs. 3000/- per month as maintenance grant.

The Commission summoned both ‘A’ (the Complainant) and ‘B’ (the accused). In the pre litigating counseling session in the Commission both ‘A’ and ‘B’ resolved their differences amicably. They expressed their desire to live together and submitted 2 (two) letters signed by each of them to the Commission. The case was closed.

Case No. 6

Demand for maintenance (Case No. 1480 dated 15/01/09):

A woman ‘A’ came to the Commission with a complaint against her husband ‘B’. She informed the Commission that her husband ‘B’ deserted her and her two children on 4th January 2006. Her husband ‘B’ was an employee of the office of the Executive Engineer, East Khasi Hill Division, Shillong. ‘A’ also informed the Commission that ‘B’ had already married another woman on 12th May, 2007. During the second marriage, ‘B’ had agreed to provide financial support to his two children. But ‘B’ never supported his children financially after his second marriage. So, ‘A’ requested the Commission to enable her to get maintenance from her husband for her and children.

The Commission summoned both the accused and the complainant. ‘B’ flatly refused to pay any maintenance to ‘A’ and his two children. The Commission then sent ‘A’ to State Legal Services Authority for free legal aids. Accordingly, the Commission closed the case.
Role of the State Commissions for Women ...

Case No. 7

**Maintenance grant for a deserted woman (Case No. 1745 dated 12/10/09):**

One woman ‘A’ came to the Commission and filed a petition to the Commission stating that her husband ‘B’ had deserted her with their four children. So, to run the family she was in need of maintenance from her husband ‘B’. She also informed the Commission that ‘B’ had been working in the Directorate of Census Operations, Meghalaya.

The Commission summoned both the complainant and the accused. After a thorough discussion in the hearing session ‘B’ (husband of ‘A’) agreed to pay Rs. 4000/- per month as maintenance. Both ‘A’ and ‘B’ agreed that ‘B’ would deposit the amount to the Meghalaya State Commission for Women every month. Accordingly, the Commission closed the case.

Case No. 8

**Complaint by daughter against her father (Case No. 1632 dated 27/05/09):**

One daughter ‘A’ had come to the Commission and submitted a prayer for getting maintenance from her father ‘B’. ‘A’ informed the Commission that her father ‘B’ did not look after her and her sister. ‘B’ was an employee of Zoological Survey of India, NERC, Fruit Garden, Risa Colony, Shillong.

Both the parties - complainant and accused - were summoned to the Commission. During the hearing session ‘B’ agreed to pay Rs. 3500/- per month as maintenance grant for his two daughters. As per his agreement he was paying the amount to the MSCW every month. Accordingly the case was closed.

Case No. 9

**Demand for maintenance (Case No. 1393 dated 14/10/09):**

One woman ‘A’ came to the Commission with a complaint that her husband ‘B’ deserted her and their children. She requested the Commission to help her for getting maintenance for her children.
Both ‘A’ (the complainant) and ‘B’ (the accused) were summoned to the Commission. On this ‘A’ came to the Commission but ‘B’ did not turn up. Rather, ‘B’ threatened ‘A’ on the issue that she had approached the Commission. Being a woman and fearing her future life ‘A’ wanted to withdraw the complaint from the Commission.

But the Commission issued a second summon to ‘B’. In second summon ‘B’ finally turned up. In the hearing session after a prolonged discussion ‘B’ agreed to give Rs. 1500/- maintenance grant to ‘A’. He also agreed to deposit the amount in the bank account of ‘A’ (United Bank of India, Police Bazar Branch) every month. An agreement in this regard was signed before the Commission by both the parties; accordingly the Commission closed the case.

Case No. 10

Maintenance for a woman (Case No. 1935 dated 14/04/10):

‘A’ came to the Commission with a complaint against her husband named ‘B’ for not looking after their children. ‘A’ informed the Commission that her husband ‘B’ had been working in the Health Department, Govt. of Meghalaya as Chowkidar. ‘B’ deserted ‘A’ with their children. It was quite problematic for her to run the family with their children without any financial help. So, she requested the Commission to help her in getting maintenance from ‘B’ for her children.

The Commission summoned both the complainant and the accused. They were summoned twice to the Commission. In the hearing session after a prolonged discussion between the parties and the Commission the matter was settled amicably. ‘B’ agreed to pay the hostel fees and other fees of their two children studying in the K.J.P School, Shillong every month. He also agreed to pay Rs. 3000/- per month to his wife ‘A’. Accordingly the Commission closed the case.

Tripura Commission for Women (TCW):

With regard to the functions, powers and workings there is not much difference between the ASCW and the TCW. From the records available at the office of the TCW it is found that the TCW receives cases of different nature like rape cases, maintenance case etc.
### Table 4.3

Year-wise Position of Cases till 31st March 2011 (TCW)

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Cases Registered</th>
<th>No. of Cases Disposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994-1995</td>
<td>595</td>
<td>279</td>
</tr>
<tr>
<td>1995-1996</td>
<td>748</td>
<td>295</td>
</tr>
<tr>
<td>1996-1997</td>
<td>625</td>
<td>210</td>
</tr>
<tr>
<td>1997-1998</td>
<td>750</td>
<td>194</td>
</tr>
<tr>
<td>1998-1999</td>
<td>890</td>
<td>122</td>
</tr>
<tr>
<td>1999-2000</td>
<td>1192</td>
<td>283</td>
</tr>
<tr>
<td>2000-2001</td>
<td>1290</td>
<td>504</td>
</tr>
<tr>
<td>2001-2002</td>
<td>664</td>
<td>284</td>
</tr>
<tr>
<td>2002-2003</td>
<td>597</td>
<td>197</td>
</tr>
<tr>
<td>2003-2004</td>
<td>646</td>
<td>342</td>
</tr>
<tr>
<td>2004-2005</td>
<td>1575</td>
<td>404</td>
</tr>
<tr>
<td>2005-2006</td>
<td>1699</td>
<td>423</td>
</tr>
<tr>
<td>2006-2007</td>
<td>1650</td>
<td>481</td>
</tr>
<tr>
<td>2007-2008</td>
<td>729</td>
<td>223</td>
</tr>
<tr>
<td>2008-2009</td>
<td>972</td>
<td>318</td>
</tr>
<tr>
<td>2009-2010</td>
<td>884</td>
<td>778</td>
</tr>
<tr>
<td>2010-2011</td>
<td>913</td>
<td>828</td>
</tr>
</tbody>
</table>

*Source: Office of the Tripura Commission for Women*
The above table and chart give a clear picture regarding the functioning of TCW in terms of disposing off cases. The percentage of disposed cases by the TCW has been gradually decreasing i.e. the gap between the registered and disposed cases are gradually increasing since the establishment of the Commission in the year 1994 to 2008-2009. In 1994-1995 out of total registered cases (595) only 46.89% cases were disposed, in 1995-1996 the percentage of disposing cases in relation to registered cases was 39.44. In 2008-2009 this percentage reduced to 32.71 %. However, in recent time the situation is improving gradually as in 2009-2010 out of total registered cases 88% cases were disposed and in 2010-2011 almost 90.7% cases were disposed out of the total registered cases. This may be the results of situations as we have seen in case of MSCW that the accused most of the time decline to appear before the Commission even after receiving summons more than once. In case of Tripura we have also found that even after receiving thirty-two summons the accused would not appear before the TCW. In such situation the Commission cannot reach to any satisfactory conclusion and declare those cases
Role of the State Commissions for Women ...

closed. Further, the TCW also finds problem in closing cases permanently as many a time it has to reopen the cases even after solving the problem once.

Selective Cases:

In order to understand the proper functioning of the TCW it is important to analyse some of the cases dealt by the TCW. These cases have been collected from the office of the TCW.

Case No. 1

Death of a child due to negligence of doctors (Case No. F7(1)-SWC/PC/Misc/Sl 133/12):

On 16/06/12 a report was published in the local newspaper regarding the death of a child due to alleged wrong treatment. The Commission took a *suomotu* cognizance of the report and visited the G.B. Pant Hospital at Agartala. The Commission Members met the hospital superintendent Dr. Bimalendu Sekhar Choudhuri and noted down the incidents described by the superintendent.

Dr. Bimalendu Sekhar Choudhuri informed the Commission that on 15/06/12 at 12.30 AM ‘A’, the elder brother of ‘B’ of Bejimara village, Baranarayan under Sonamura PS admitted seriously ill ‘C’ (a three months old child of ‘B’) who was seriously ill, as a referred case from Melaghar Hospital to G.B. Pant Hospital. The grandmother and mother of the child were continuously with the child. But unfortunately on 15/06/12 at 5.30 PM the child passed away. Soon after it the father of the child started violence in the hospital and thrown chairs at the nurses on duty. Accordingly, the hospital authority called police and the police took away ‘B’, father of the deceased child from the place of incident.

Then Commission Members went to the house of ‘B’ in Sonamura. They talked with ‘D’ (grand mother of ‘C’, the deceased child) and ‘A’. Both of them informed the Commission that they admitted the child on 15/06/12 at 12.30 AM to G. B. Pant Hospital as a referred case from Melaghar Hospital as Melaghar Hospital does not have any specialised doctor on the concerned disease. G.B. Pant
Hospital is the biggest State Government hospital but after admitting the child at 12.30 AM on 15/06/12 the specialised doctor visited the child at 10.30 AM on 15/06/12. In the evening at 04.15 PM nebulisation was given to the child after that the condition of the baby started deteriorating gradually and ultimately he died on 15/06/12 at 05.30 PM.

After listening to the views of both the parties the Commission opined that G. B. Pant Hospital is indeed, the biggest governmental hospital of the state. People from different areas of the State come to the hospital for better treatment. However, the hospital lacks sufficient doctors and nurses. So, looking into the real situation the Commission opined that doctors and nurses should treat patients in a more humane way. The patient party should also understand that it is painful to lose anyone but at the same time it is also fact that no one can take law in their own hand under any circumstances. Accordingly the Commission closed the case.

Case No. 2

Reuniting the family (Case No. F3(1)SWC/D/Violence/SL 38/2011):

On 26/07/2011 the Commission received a complaint from ‘A’ of Peratiya Panchayat, Udaipur, South Tripura alleging that her husband ‘B’ tortured her under influence of intoxication. She alleged that ‘B’ physically tortured her after consuming alcohol and even cast aspersion on her character. ‘A’ also accused ‘B’ of having illegal relationship.

The Commission summoned both the complainant and the accused. Both of them informed the Commission that to mitigate the problem they went to local Panchayat earlier but it was not solved. The Commission called for counseling session of both the complainant and the accused. After two sessions of the counseling both of them agreed to stay together peacefully. The Commission continued to observe their relationship for four months and the case was closed once the Commission was satisfied with the result.
Case No. 3

**Case of alleged molestation of a deaf and dumb girl (Case No. F.7(1) SWC/PC/Moles/Sl.83/2012)**:

On 22/04/12 a report on the molestation of a deaf and dumb girl child was published in the local newspaper. Taking a *suo-moto* cognizance of the report the Commission went to West Nalchar under Melaghar Police Station. The Commission talked with ‘A’, mother of the victim and ‘B’, the deaf and dumb girl. ‘A’ informed the Commission that ‘B’ studies in the Sonamura School and resides in the hostel of the school.

During the vacation ‘B’ came to her house from hostel. On 20/04/12 ‘B’ went near to Nalchar Bridge and called three persons who were going in a bike for lift and went with them. Some local people saw it. After sometime ‘A’ got the information that her girl (‘B’) was molested and an attempt of rape on ‘B’ was committed. At 9.00 PM that very day ‘A’ lodged a complaint in the Melaghar Police Station.  

The Commission members asked ‘A’ and ‘B’ whether they knew the accused or not. Observing that the family members are not coming forward with the answer the members of the Commission assured them (‘B’ and her family) of providing constant support from the Commission. Then ‘A’ informed the Commission that three of the accused were well known to her. They (accused) used to come to her family and ‘B’ likes ‘C’, one of the accused. Further, ‘D’, another accused, is the relative of ‘A’ and ‘B’. And ‘E’, another accused out of the total three, and ‘C’ were the friends of ‘D’. Then ‘A’, the mother of that girl also informed the Commission that her daughter told her that there was no incidence of attempt of rape on her or molestation. The mother told the Commission that she lodged the complaint at the instigation of some persons of Bairagi Bazar. However, she realised her mistake and withdrew the case later.

---

101 Case No. 73/12 u/s 366(A)/376/511/341PC
Case No. 4

Award of maintenance grant (Case No. F.3 (2) SWC/FD/SL21/2009):

On 09/04/2009 the Commission received one complaint from ‘A’ of Udaipur, South Tripura alleging that her husband had betrayed her. In her complaint ‘A’ informed that in the year 1973 she got married with ‘B’ of Amarpur, South Tripura. They had two sons and one girl. After 23 years of happy married life ‘B’, a government employee was transferred to another place.

After transfer ‘B’ married another woman. Once, ‘A’ along with her two sons went to that place where ‘B’ used to reside and saw ‘B’ with that another woman. Following this the adult daughter of ‘A’ and ‘B’ even tried to commit suicide out of shame.

The Commission summoned both the accused and the complainant. After a thorough discussion ‘B’ agreed to pay Rs. 3000/- per month to ‘A’ as maintenance grant. ‘B’ also registered his home of Udaipur in the name of ‘A’ and agreed to pay one third of all amounts he would receive after retirement to ‘A’. Accordingly the Commission closed the case.

Case No. 5

Returning back all dues to a widow (Case No. F.3(1)-SWC/Misc/Sl 24/2012):

On 01/03/12 ‘A’ of Angulia Chara, South Anandanagar under Srinagar Police Station submitted a complaint against her in-laws. ‘A’ informed the Commission that about 15/16 years ago ‘A’ got married with ‘B’. Even after many years of marriage when they did not have any child they agreed to adopt a girl child. But, unfortunately, ‘B’ passed away after some days of the adoption of the four year old child. After the death of ‘B’, the brother-in-law of ‘A’ (‘C’) started torturing her (‘A’) with the intention to deprive her of a share in property and house. The mother-in-law and other brother-in-laws kept silent in spite of observing such tortures on ‘A’.
The Commission summoned both parties of accused and complainant. After discussion both the parties agreed to stay together and ‘C’ agreed to give all dues to ‘A’, the widow.

Case No. 6

Maintenance grant for wife and children (F3 (1)-SWC/FD/SL 242/2008):

On 09/06/2008 ‘A’ lodged a complaint to the Commission against her husband ‘B’ who was a Group-IV government employee. She alleged that she had been tortured by ‘B’ for a long time. Her husband was under debt from different sides. ‘A’ also informed the Commission that ‘B’ used to go elsewhere without informing any one for five/six days. He used to come home under the influence of intoxication and beat his wife seriously. They had a 9/10 years old daughter. ‘A’ told the Commission that ‘B’ sold all gold ornaments that were given to ‘A’ by her parents at the time of marriage.

The Commission summoned ‘A’ and ‘B’ on 14/07/08 and 19/08/08 and after discussions mitigated the problem. But two years later the same situation arose. The Commission again summoned both the complainant and the accused and after having a prolonged discussion ‘B’ agreed to pay Rs. 3000/- per month as maintenance grant for ‘A’ and their girl child.

Case No. 7

Changing of husband’s mentality with the interference of the commission (F3(1)-SWC/D/Violence/SL 459/2010):

On 27/11/2010 ‘A’ submitted a complaint to the Commission against her husband ‘B’ and in-laws for beating her after marriage. She informed the Commission that during the marriage her parents had given to her husband Rs. 15000.00 in cash, one colour TV, a motor bike, ornaments etc. as dowry. After some days of their marriage the husband and in-laws started torturing her (‘A’) and finally one and half years later ‘A’ came back to her parent’s home in pregnant condition. She
Role of the State Commissions for Women ...

(‘A’) also informed the Commission that once the local Panchayat had also tried to solve the issue but failed.

The Commission summoned both ‘A’ and ‘B’. After three/four counseling sessions with ‘A’ and ‘B’ in the Commission, the problem was resolved. On 17/05/12 both the parties came to the Commission and informed that they were happy and leading a healthy life. Accordingly the Commission closed the case.

Case No. 8

Rape of a tribal woman (Case No. F.7(1) SWC/PC/Rape/SL.21/12):

The Commission took a suo-motu cognizance of a case of rape of a tribal woman of Gandhacherra, Dhalai Tripura. On 29/01/12 at 4.00 PM ‘A’ - a tribal woman went to a mill in Jagabandhu para for husking the paddy but there was power cut in the mill. Hence, ‘A’ returned back to her home. On the way she met ‘B’ who asked her about her destination and whether her husband was with her or not. She replied that her husband was not with her (‘B’) then she was taken forcefully to the nearest forest and was raped by ‘B’. Due to this ‘A’ became unconscious.

After sometime when she got back her sense she came to her mother’s house and informed her of everything. She was admitted to Gandacherra hospital as she fell ill and then was referred to G.B. Pant hospital, Agaratala. A case was also lodged in the Police Station against ‘B’ of the charge of rape.

The Commission demanded for strict punishment of the criminal.

Case No. 9

Reestablishment of married life (Case No. F.3(2) SWC/DV/Sl.34/2011):

On 04/08/2011 ‘A’ of Lakshmipur village under Bishalgarh Police Station submitted one complaint alleging that her husband ‘B’ beat her seriously. In her written complaint she informed the Commission that in the year 1992 ‘A’ got married with ‘B’ and brought dowry. Since three months of their marriage she has
been beaten regularly by ‘B’ and finally, ‘B’ drove her out of the house when she was the mother of two adult boys.

The Commission summoned both the accused and the complainant. After counseling the Commission opined that the problem between them is not deep and gave certain suggestions to both parties. On 16/02/12 both parties informed the Commission that they were leading a happy married life. Accordingly the Commission closed the case.

**Case No. 10**

**Relief to legal wife (Case No. F 3(1)SWC/MRG/SL06/2003):**

On 04/01/03 ‘A’ submitted a complaint to the Commission against her husband ‘B’ alleging of cheating and depriving her of the legitimate dues. In her letter she informed the Commission that she had two children. After seven years of their marriage ‘B’ married another woman and deserted ‘A’ along with her two children.

During that time with the interference of the Commission ‘B’ agreed to pay Rs. 400.00 per month as maintenance to his wife ‘A’. After long nine years and almost 32/33 counseling in the office of the Commission with both accused and complainant on 13/02/12 the Commission asked ‘B’ to bear all the costs of treatments of ‘A’. ‘B’ also agreed to pay Rs. 1200 per month to ‘A’ as maintenance grant. As a result ‘A’ got relief in her old age.

**Other activities of the SCWs:**

**Visits of Jails, Remand Homes:**

According to the Section 10 subsection 1 (k) of the ASCW Act 1994, Section 13 subsection 1 (h) of MSCW Act 2005 and Section 11 subsection 1 (g) of the TCW Act 1993 it is the function of the State Commissions for Women to visit jails, police stations, lock ups, remand homes or other places of custody where women are kept as prisoners of their respective States. If the Commission finds anything
Role of the State Commissions for Women

Detrimental to women it has to take up with the concerned authorities for remedial action if found necessary.

**Assam State Commission for Women:**

In the first year members of the ASCW visited several State Homes, destitute homes for women and children and submitted to the State Government a detailed list of suggestions for effective implementation which are as follows.

**Recommendations of ASCW:**

1. The inmates of the State Homes should be rehabilitated gradually by absorbing them in suitable Government jobs like teachers in primary school, lady police constables and nurses in Government hospitals. The non-matriculates could be sent for vocational training in various courses of Ayah, Mid-wife etc. and can be absorbed as Anganwadi workers and helpers under the Social Welfare Department.

2. The Vocational Training Centres in the State Homes have been facing financial hardships due to non-availability of banking facilities. Therefore, steps for operation of a Personal Ledger Account in each State Home would not only provide flow of fund through sale proceeds but would also give incentive to the inmates who were engaged in the production of handloom, tailoring, embroidery, dress-making, doll-making etc. Inmates who are enterprising workers should be allowed to operate their individual accounts in any bank to encourage savings for their future economic security.

3. There should be separate accommodation for the following categories of inmates:
   (a) Destitute women
   (b) Socially-handicapped destitute women
   (c) Mentally challenged women

---

102 First Annual Report, 1994-1995, ASCW, 10-12
4. Few destitute children in various Homes under the Department of Social Welfare could be transferred and accommodated in S.O.S. Children’s Villages in Assam.

5. Various development departments can organise training in their respective departments for training the members of the Multipurpose Women’s Co-operative Societies, women president/secretaries of the Gaon Panchayats and the presidents/secretaries of the Non-Governmental Organisation working for the welfare of women.

6. Various departments should reserve at least 30% to 40% fund for women beneficiaries under the poverty – alleviation programmes of the rural development sectors, so as to benefit the rural poor women.

7. That the Government should liberalise the plan and programmes in respect of those schemes, which directly benefits the women so that women can readily avail the benefits sponsored by the various Government departments.

8. Publicity with regard to the Government sponsored poverty – alleviation programme is very poor. Hence pamphlets, leaflets, pictorials in local languages besides video screening of documentaries etc. should be undertaken in a massive scale to mobilize the women folk in the rural areas so that they may derive benefits from the various schemes.

9. The Commission feels that in all Committees, Commissions and Boards under the State Government, there should be women members. It may be pointed out that there is no woman member in the Assam Public Service Commission, Planning Board etc.

10. The Commission has decided to request all the Deputy Commissioners to allow the members of the Assam State Commission for Women to attend meetings of the Sub-Divisional Planning & Development Council and Governing Body of DRDA. In this connection the Commission has taken up the matter with the Planning & Development Department, Govt. of Assam.
The Members of Assam Commission for Women regularly visits different jails and homes. In recent times on 17/12/ 11 Smt. Meera Barooah, Chairperson, ASCW along with other members and Member Secretary visited Goalpara District Jail. During their visit to the jail it came to the notice that female inmates of the jail were not provided with weaving, spinning, tailoring and embroidery machines. The Commission members requested the Superintendent of the Goalpara District Jail to provide these to female inmates.

Meghalaya State Commission for Women:

The Chairperson after assuming the charge (2005) along with other members visited Government hospital for mentally challenged patients. After the visit the Commission recommended to the concerned department for improvement of existing facilities. The Chairperson along with members visited the Shillong Jail also and found that the Cell where women inmates were kept as very congested. Accordingly Commission recommended for the all round improvement of the Cell to the concerned department.

On 23rd February 2010 the Chairperson and the Vice Chairperson visited the Ferrando Shelter Home. The Commission found that the building is well maintained; it is not overcrowded, and is specious. The inmates are well look after.

On 24th February 2010 the Commission visited the Ganesh Das Hospital. The Commission found that the hospital is an old one with limited space. The Commission also found that it has only one labour room that does not have much privacy. A proposal for construction of new building was put up to the State Government and MSCW regularly followed up the proposal.

104 Ibid.
106 Ibid.
Tripura Commission for Women:

Tripura Commission for Women visits custodial homes, destitute homes where women are kept regularly. One important visit is the visit to Taranagar Protective Home, Mohanpur, West Tripura District on 1st September 2007. A team of the TCW comprising three members of the Commission, Smt. Rajlakshmi Devi, Smt. Siuli Debbarma and Smt. Aditi Sarma Lodh, visited Taranagar Protective Home on 01/09/2007. The home was established by the State Government with 50 intake capacity in 1988. This home is used whenever there is the Court instruction to give protection and shelter to the rape victims, women deserted by their families, street girls and mentally challenged women. The Commission found that the Home Superintendent, Smt. Brajabala Debnath resides in the quarter within the home campus to look after the women inmates.

At the time of visit the Commission found 28 women inmates including 2 old women in the age group 50-60 and 1 child of two and half years old in the home. The Commission was impressed on finding that eight (8) were studying in the High School situated near the home. During discussion with the inmates, the women inmates informed the Commission that they were provided with food three times a day, clothing, medicine etc. They also informed that the Social Welfare and Social Education Department, Govt. of Tripura arranges for vocational training in weaving and handicrafts for them.

The Commission found that the living condition in the protective home was not bad. All inmates live in one dormitory as construction work was going on. However, after visiting the home following recommendations were made by the Commission and sent it to the Social Welfare and Social Education Department, Govt. of Tripura:

1. Strengthening of security arrangement of the home;
2. Providing of at least one counselor for regular counseling of the inmates so that they can return to normal life;
3. Extension of sufficient toilet facilities for the inmates;
4. Arrangement may be made for providing a mini community hall so that the inmates can organise cultural and other programmes for their entertainment and mental development;
5. Establishment of a small library in the Home;
6. Arrangement of sports items for improving the mental health of the inmates;
7. Organising good quality training cum production programme for self employment and entrepreneurship, so that the inmates of the Home can be rehabilitated in future;
8. Screening of documentary films for recreation and education.

Spreading of Awareness Regarding Women’s Rights:

It is true that protection of women’s rights alone can not stop violence against women. To stop violation of rights of women it is important to promote awareness among people regarding the rights available to women. In this regard the State Commissions for Women are taking numbers of activities to spread awareness among common people about the rights of women.

In order to make people aware ASCW, MSCW and TCW have been conducting regular awareness camps, seminars, workshops, meetings, discussions etc.

Assam State Commission for Women:

In the initial years of its functioning the Commission organised several district level meetings of the Commission to educate women about their rights as enshrined in the Indian Constitution and in other laws. The Commission visited Morigaon, Nagaon, Goalpara, Nalbari, Barpeta, Hailakandi, Karimganj, Cachar, Dibrugarh, Golaghat, Tinsukia, Sibsagar and Jorhat in the first year itself. In those meetings the Commission emphasised on generating awareness among women about their fundamental rights. They also emphasised on making women aware of various schemes offered by the development departments of the State Government so that they could derive maximum benefits from them. In these
Role of the State Commissions for Women ...

meetings the Deputy Commissioners, Superintendents of Police besides Project Directors DRDA and other officials took an active part.107

The Commission also regularly observes International Women’s Day on 8th March every year in a befitting manner.

**Table 4.4**

Some of the Awareness Programmes for Spreading Women’s Rights
Awareness (Organised by ASCW)

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Date</th>
<th>Title of Seminar/Awareness Programme</th>
<th>Host Institution/Venue/Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>04/04/94</td>
<td>Women’s Rights</td>
<td>Conference Hall, Gauhati Circuit House</td>
</tr>
<tr>
<td>2.</td>
<td>08/09/95</td>
<td>Women’s Rights</td>
<td>Nagaon</td>
</tr>
<tr>
<td>3.</td>
<td>24/09/95</td>
<td>Women’s Rights</td>
<td>Circuit House, Mangaldoi</td>
</tr>
<tr>
<td>4.</td>
<td>19/09/06</td>
<td>The Protection of Women from Domestic Violence Act, 2005</td>
<td>Assam Administrative Staff College, Khanapara</td>
</tr>
<tr>
<td>5.</td>
<td>01/01/11</td>
<td>Women’s Rights</td>
<td>Conference Hall, Deputy Commissioner Office, Kokrajhar</td>
</tr>
<tr>
<td>6.</td>
<td>05/07/11</td>
<td>Regional level conference on Trafficking</td>
<td>NEDFi Convention Centre, Dispur</td>
</tr>
<tr>
<td>7.</td>
<td>11/11/11</td>
<td>Women’s Rights</td>
<td>Vivekananda Kendra, Institute of Culture, Guwahati</td>
</tr>
<tr>
<td>8.</td>
<td>03/05/12</td>
<td>Women’s Rights</td>
<td>Mayong Development Block, Morigao</td>
</tr>
<tr>
<td>9.</td>
<td>16/05/12</td>
<td>Women’s Rights</td>
<td>Goroimari (Singimari), Kamrup</td>
</tr>
</tbody>
</table>

Source: Office of the Assam State Commission for Women

---

Besides organising these programmes ASCW also publishes leaflet ‘Meera Baido Se Pucho’ in Assamese language in order to make people aware about the rights of women.

**Meghalaya State Commission for Women:**

In order to make people aware the Meghalaya State Commission for Women has conducted series of public hearings, awareness programmes throughout the State of Meghalaya since its inception.

**Table 4.5**

Some of the Awareness Programmes for Spreading Women’s Rights
Awareness (Organised by MSCW)

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Date</th>
<th>Title of Seminar/Awareness Programme</th>
<th>Host Institution/Venue/Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>26/11/04</td>
<td>Anti Dowry Day</td>
<td>Women’s College, Shillong</td>
</tr>
<tr>
<td>2.</td>
<td>04/06/05</td>
<td>Marriage and Family Ties</td>
<td>Tura, West Garo Hills</td>
</tr>
<tr>
<td>3.</td>
<td>24/08/10</td>
<td>Women’s Issues</td>
<td>Ramkrishna Mission Secondary School, Nartiang</td>
</tr>
<tr>
<td>4.</td>
<td>20/09/10</td>
<td>Women’s Issues</td>
<td>Umden, Khasi</td>
</tr>
<tr>
<td>5.</td>
<td>22/11/10</td>
<td>Women’s Issues</td>
<td>Chokpot Information Centre, Chokpot Development Block, South Garo Hills</td>
</tr>
<tr>
<td>6.</td>
<td>14/01/11</td>
<td>Women’s Rights</td>
<td>Holy Family School Hall, Rongjeng</td>
</tr>
</tbody>
</table>

*Source: Office of the Meghalaya State Commission for Women*
Role of the State Commissions for Women ...

From the above table it is seen that the Meghalaya State Commission for women organises public hearings and legal awareness camps on regular basis. To make people aware about the rights of women the MSCW also publishes news letters.

**Tripura Commission for Women:**

Like the ASCW and the MSCW, the TCW also undertakes programmes in order to spread awareness about the rights of women as well as protective mechanisms available for them in cases of violations of their rights.

**Table 4.6**

**Some of the Awareness Programmes for Spreading Women’s Rights**

Awareness (Organised by TCW)

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Date</th>
<th>Title of Seminar/ Awareness Programme</th>
<th>Host Institution/Venue/Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>18/12/08</td>
<td>Reforming of 498 (A)</td>
<td>Conference Hall, Tripura Commission for Women</td>
</tr>
<tr>
<td>2.</td>
<td>01/02/09</td>
<td>Crime Against Women: Ensuring Justice</td>
<td>Pragya Bhavan, Agartala</td>
</tr>
<tr>
<td>3.</td>
<td>09/11/08</td>
<td>Women’s Rights</td>
<td>Manabi Social Organisation, Agartala</td>
</tr>
<tr>
<td>4.</td>
<td>30/12/08</td>
<td>Women’s Rights</td>
<td>Jampuijala, North Tripura</td>
</tr>
<tr>
<td>5.</td>
<td>12/08/08</td>
<td>The Protection of Women from Domestic Violence Act, 2005</td>
<td>Town Hall, Kulai, Ambassa</td>
</tr>
<tr>
<td>6.</td>
<td>30/09/08</td>
<td>Women’s Rights</td>
<td>Matai, South Tripura</td>
</tr>
<tr>
<td>7.</td>
<td>27/01/12</td>
<td>Protection of Girl Child</td>
<td>Kathalia Community Hall</td>
</tr>
</tbody>
</table>

*Source: Office of the Tripura Commission for Women*
Role of the State Commissions for Women ...

From the above table it is seen that the Tripura Commission for Women regularly organises several awareness camps in different places of Tripura. Besides organising awareness camps Tripura Commission for Women also publishes newsletter ‘Jago Nari’ in Bengali in order to spread awareness about women’s rights among people.

Research:

As per Article 10, subsection 1(h) of Chapter-III of the Assam State Commission for Women Act, 1994; Article 13, subsection 1 (g) of Chapter-IV of the Meghalaya State Commission for Women Act, 2005 and Article 11, subsection 1 (e) of Chapter-III of the Tripura Commission for Women Act, 1993 the ASCW, the MSCW and the TCW respectively have to undertake research/special studies related to the women.

Assam State Commission for Women:

The ASCW so far has undertaken one study on “Children’s issues in the Assam State Legislative Assembly” funded by UNICEF in the year 2012. However, the ASCW has not undertaken any study specifically related to women.

Meghalaya State Commission for Women:

The MSCW so far has not undertaken any study.

Tripura Commission for Women:

The TCW has undertaken a number of studies so far, such as, “Impact of ICDS on well-being of Women and Children in Tripura”, “Socio-Economic Status of Women Workers in Tea Gardens of Tripura”, “Sexual Harassment of Woman at Workplace: Implementation in Tripura”, “Determinants of Domestic Violence in North Tripura” etc.
Effectiveness:

To have a deep understanding about the role of SCWs it is essential to understand their effectiveness. Effectiveness of any institution can only be understood with reference to various factors such as, continuity, independence, resource, operational efficiency, accessibility and accountability. These factors are discussed below.

i) Continuity:

The State Commissions for Women have been in existence in Assam and in Tripura for more than a decade and Meghalaya for near about seven years. Since the establishment of these institutions numbers of cases of women's rights violation in their respective States have been registered and disposed off by these Commissions. The activities of the Commission show their survival and continuity.

ii) Independence:

The term ‘independence’ is very relative. An organisation or institution can be termed as independent if it is free from any kind of political interference in its workings. Legally ASCW, MSCW and TCW are independent organisations. But these organisations are fully dependent on State Governments for finance and staffing. Not unoften there have been allegations of political interference from the Government specially in the field of appointment of office bearers.

iii) Resource:

Section 11 subsection 1 of the ASCW Act, 1994; Section 14 subsection 1 of the MSCW Act, 2005 and Section 12 of the TCW Act, 1993 lays down that the State Government shall, under appropriation made by the State Legislature by law in this behalf, pay to the Commission by way of grant such sums of money and in such manner as the State Government may think fit for being utilised for the purposes of this Act.
Subsection 2 of the said Acts lays down that the SCWs may spend such sums of money as it thinks fit for performing the functions under this Act, and such sums of money shall be treated as expenditure payable out of the grant referred to in sub-sections (1).

**Table 4.7**

Information Relating to Budget of Assam State Commission for Women

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Amount Sanctioned</th>
<th>Expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993-1994</td>
<td>Rs. 3.00 Lakhs</td>
<td>Rs. 3.00 Lakhs</td>
</tr>
<tr>
<td>1994-1995</td>
<td>Rs. 3.00 Lakhs</td>
<td>Rs. 3.00 Lakhs</td>
</tr>
<tr>
<td>1995-1996</td>
<td>Rs. 6.00 Lakhs</td>
<td>Rs. 6.00 Lakhs</td>
</tr>
<tr>
<td>1996-1997</td>
<td>Rs. 6.00 Lakhs</td>
<td>Rs. 6.00 Lakhs</td>
</tr>
<tr>
<td>1997-1998</td>
<td>Rs. 6.00 Lakhs</td>
<td>Rs. 6.00 Lakhs</td>
</tr>
<tr>
<td>1998-1999</td>
<td>Rs. 9.00 Lakhs</td>
<td>Rs. 9.00 Lakhs</td>
</tr>
<tr>
<td>1999-2000</td>
<td>Rs. 6.00 Lakhs</td>
<td>Rs. 6.00 Lakhs</td>
</tr>
<tr>
<td>2000-2001</td>
<td>Rs. 15.00 Lakhs</td>
<td>Rs. 15.00 Lakhs</td>
</tr>
<tr>
<td>2001-2002</td>
<td>Rs. 5.31 Lakhs</td>
<td>Rs. 5.31 Lakhs</td>
</tr>
<tr>
<td>2002-2003</td>
<td>Rs. 8.71 Lakhs</td>
<td>Rs. 8.71 Lakhs</td>
</tr>
<tr>
<td>2003-2004</td>
<td>Rs. 6.00 Lakhs</td>
<td>Rs. 6.00 Lakhs</td>
</tr>
<tr>
<td>2004-2005</td>
<td>Rs. 7.60 Lakhs</td>
<td>Rs. 7.60 Lakhs</td>
</tr>
<tr>
<td>2005-2006</td>
<td>Rs. 11.73 Lakhs</td>
<td>Rs. 11.73 Lakhs</td>
</tr>
<tr>
<td>2006-2007</td>
<td>Rs. 20.00 Lakhs</td>
<td>Rs. 20.00 Lakhs</td>
</tr>
<tr>
<td>2007-2008</td>
<td>Rs. 12.50 Lakhs</td>
<td>Rs. 12.50 Lakhs</td>
</tr>
<tr>
<td>2008-2009</td>
<td>Rs. 25.00 Lakhs</td>
<td>Rs. 25.00 Lakhs</td>
</tr>
<tr>
<td>2009-2010</td>
<td>Rs. 30.00 Lakhs</td>
<td>Rs. 30.00 Lakhs</td>
</tr>
<tr>
<td>2010-2011</td>
<td>Rs. 35.00 Lakhs</td>
<td>Rs. 35.00 Lakhs</td>
</tr>
</tbody>
</table>

*Source: Office of the Assam State Commission for Women*
### Table 4.8
Information Relating to Budget of Meghalaya State Commission for Women

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Amount Sanctioned</th>
<th>Expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004-2005</td>
<td>Rs. 8,37,000.00 Lakhs</td>
<td>Rs. 8,37,000.00 Lakhs</td>
</tr>
<tr>
<td>2005-2006</td>
<td>Rs. 6,01,361.01 Lakhs</td>
<td>Rs. 6,01,361.01 Lakhs</td>
</tr>
<tr>
<td>2006-2007</td>
<td>Rs.6,69,256.00 Lakhs</td>
<td>Rs.6,69,256.00 Lakhs</td>
</tr>
<tr>
<td>2007-2008</td>
<td>Rs. 6,76,456.00 Lakhs</td>
<td>Rs. 6,76,456.00 Lakhs</td>
</tr>
<tr>
<td>2008-2009</td>
<td>Rs. 7,30,936.00 Lakhs</td>
<td>Rs. 7,30,936.00 Lakhs</td>
</tr>
<tr>
<td>2009-2010</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>2010-2011</td>
<td>Rs. 16,00000.00 Lakhs</td>
<td>Rs. 16,00000.00 Lakhs</td>
</tr>
</tbody>
</table>

NA: Not Available

*Source: Office of the Meghalaya State Commission for Women*

### Table 4.9
Information Relating to Budget of Tripura Commission for Women

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Amount Sanctioned</th>
<th>Expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994-1995</td>
<td>Rs. 8,15,778.00 Lakhs</td>
<td>Rs. 4,90,021.00 Lakhs</td>
</tr>
<tr>
<td>1995-1996</td>
<td>Rs. 11,36,749.00 Lakhs</td>
<td>Rs. 6,01,223.00 Lakhs</td>
</tr>
<tr>
<td>1996-1997</td>
<td>Rs. 11,52,648.00 Lakhs</td>
<td>Rs. 6,35,241.00 Lakhs</td>
</tr>
<tr>
<td>1997-1998</td>
<td>Rs. 14,74,886.00 Lakhs</td>
<td>Rs. 9,10,672.00 Lakhs</td>
</tr>
<tr>
<td>1998-1999</td>
<td>Rs. 13,78,704.05 Lakhs</td>
<td>Rs. 12,47,457.00 Lakhs</td>
</tr>
<tr>
<td>1999-2000</td>
<td>Rs. 12,83,577.43 Lakhs</td>
<td>Rs. 11,82,174.00 Lakhs</td>
</tr>
<tr>
<td>2000-2001</td>
<td>Rs. 10,89,089.82 Lakhs</td>
<td>Rs. 10,37,363.00 Lakhs</td>
</tr>
<tr>
<td>2001-2002</td>
<td>Rs. 10,76,155.06 Lakhs</td>
<td>Rs. 9,78,683.00 Lakhs</td>
</tr>
<tr>
<td>2002-2003</td>
<td>Rs. 11,73,997.08 Lakhs</td>
<td>Rs. 10,71,457.00 Lakhs</td>
</tr>
<tr>
<td>2003-2004</td>
<td>Rs. 12,91,067.00 Lakhs</td>
<td>Rs. 10,23,431.00 Lakhs</td>
</tr>
<tr>
<td>2004-2005</td>
<td>Rs. 14,46,341.33 Lakhs</td>
<td>Rs. 11,59,026.00 Lakhs</td>
</tr>
<tr>
<td>2005-2006</td>
<td>Rs. 21,38,721.48 Lakhs</td>
<td>Rs. 17,31,258.73 Lakhs</td>
</tr>
<tr>
<td>2006-2007</td>
<td>Rs.25,96,980.23 Lakhs</td>
<td>Rs.19,82,986.00 Lakhs</td>
</tr>
<tr>
<td>2007-2008</td>
<td>Rs.32,90,122.23 Lakhs</td>
<td>Rs.15,32,163.00 Lakhs</td>
</tr>
<tr>
<td>2008-2009</td>
<td>Rs.44,90,890.23 Lakhs</td>
<td>Rs.21,97,365.00 Lakhs</td>
</tr>
<tr>
<td>2009-2010</td>
<td>Rs. 45,25,958.23 Lakhs</td>
<td>Rs. 25,67,832.00 Lakhs</td>
</tr>
</tbody>
</table>

*Source: Office of the Tripura Commission for Women*
From the sections as stipulated in the SCW Acts of respective States it is clear that the Commissions are dependent on the respective State Governments for the fund. In addition to the fund received from the State Government sometimes they also receive funds from National Commission for Women, New Delhi and other organisations for conducting seminars, workshops, awareness camps etc.

An analysis of the above table shows that both the ASCW and the MSCW receive annually from the Government Rs. 12.55 lakh (approximately) and Rs. 10.23 lakh (approximately) respectively. These Commissions have been utilising the full sanctioned amount. In case of the TCW it can be noticed that although it gets an amount of Rs. 18.98 lakh (approximately) on an average which is higher than that of the ASCW and the MSCW, it is unable to spend the whole amount. It only utilises (in an average) Rs. 12.72 lakh (approximately) per year which is almost equal to the expenditure incurred by both the ASCW and the MSCW annually. Further, it is important to mention here these Commissions do not propose any amount for sanction to the State Government.

According to Section 12 of the ASCW Act, 1994; 15 of the MSCW Act, 2005 and Section 13 of the TCW Act, 1993 all accounts of the State Commissions for Women are required to be audited by the office of the Accountant General of the respective States or any other person appointed by him. According to the ASCW, MSCW and TCW they maintain proper accounts. But till date no accounts has been audited by the office of the Accountant General as specified in the Act. Accounts are audited by Chartered Firms.

iv) Operational Efficiency:

Efficiency of an institution can be judged on the basis of how it undertakes its activities. This is identified as operational efficiency. It is required for better functioning and implementation of rules. Further, efficiency of any institution depends upon the efficiency and the coordinated efforts of the staff as the stipulated functions are implemented by them. At present the strength of staff members in ASCW is 10, for MSCW it is 9 and TCW has 28 staff members. It is to be noted that the staff members of all these Commissions are working in their
Role of the State Commissions for Women ...

respective SCWs either on deputation or contract basis. But it is these staff members who look after the different tasks of the Commissions and due to the coordinated efforts of the personnel these Commissions works efficiently.

v) Accessibility:

Functioning or role of any protective organisations depends upon the accessibility of these organisations to those who require them. Naturally, unless the State Commissions for Women reach the victims of violation of their rights actual objective of establishing SCWs would not be achieved.

ASCW, MSCW and TCW are located in the state capitals and are easily accessible to any one. These Commissions has their own website (e.g. ASCW- www.womencommissionassam.gov.in, MSCW- www.mscw.gov.in and TCW- www.tcw.nic.in) in order to reach the unreached.

vi) Accountability:

According to the sections 13 and 14 of the ASCW Act, 1994 the ASCW has to prepare annual reports stating full details of its activities of the previous year and submit to the State Government; the State Government places it before its legislature. Section 13 (3) of the MSCW Act, 2005 and section 11 (4) of the TCW Act, 1993 state that the MSCW and the TCW are required to prepare reports of their activities and submit to their respective State Governments every six months and the State Governments would place it before Legislatures.

So far the Assam State Commission for Women has placed ten Annual Reports to the Government of Assam in the last eighteen years. In case of Meghalaya and Tripura they publish News Letters more or less after every six months highlighting their success stories. In addition to this they publish Annual Reports like the ASCW and submit it before their respective State Governments mentioning their full activities. Meghalaya State Commission for Women has placed four Annual Reports in the last seven years and Tripura Commission for Women has placed nine Annual Reports to their respective State Governments for
Role of the State Commissions for Women...

placing before the Legislature in the last eighteen years. This shows that none of the SCWs submit the reports to the Government regularly.

Transparency of SCWs towards common people can be shown in different ways. Any person can see the accounts, annual reports, publications any time with prior permission of the Commission. However, the names of the accused or complainant cannot be known unless it is published by the Commission.

Summing Up:

- Since its establishment in the year 1994 to December 2011 the ASCW has registered 1400 cases out of which 631 (45.07%) cases have been disposed within that period. Since 2005 to March 2012 a total number of 341 cases have been registered in the MSCW and only 192 (56.30%) cases have been disposed; the total number of registered and disposed cases in the TCW since 1994 to March 2011 is 16419 and 6165 (37.55%) respectively. It is thus seen that the MSCW has disposed highest percentage of cases followed by the ASCW and the TCW.

- These three Commissions have taken cases which cover different areas of women’s rights violation such as, rape, kidnapping, sexual harassments, maintenance etc. The Commissions register both *suo-moto* cases and when they are approached by the victims directly or by anyone else on behalf of the victims.

- An upward trend in terms of registering and disposing cases by the ASCW and the TCW can be observed whereas the opposite trend is found in case of the MSCW although the MSCW has disposed maximum number of cases in comparison to other Commissions.

- An analysis of the cases under study shows that though the Commissions are mere recommendary body they go to different places wherever violation of women’s rights takes place. The Commission members have also investigated and discussed with victims and sometimes with accused in order
to get a deep insight into the cases. The Commissions try to solve problems amicably and also give its necessary recommendations.

- After the establishment to till date the Commissions have visited many jails, custodial homes etc. and submitted a detailed recommendation to the State Government as a part of their stipulated functions.

- In order to spread awareness among different sections of people regarding rights and protective mechanisms available to women the Commissions regularly organise awareness programmes, hearings etc. Besides these they also publish newsletter, leaflets to make people aware about the rights of women.

- It has also come to our notice that the ASCW has conducted only one research on the issues related to child whereas both ASCW and MSCW have not conducted a single study on women’s issues. But the TCW has been conducting studies related to women regularly.

- It is found that all the Commissions are dependant on their respective State Governments for funding. Both the ASCW and the MSCW have utilised the whole amount received from the Government whereas the TCW is always left with unspent amount of the fund. The study reveals that the annual expenditure of these three Commissions on average is almost similar to each other.

- All the Commissions maintain proper accounts and such accounts are audited by Chartered firms although as per the Acts these have to be audited by the office of the Accountant General of their respective States.

- It has been found that the ASCW since its establishment in 1994 has so far placed only ten annual reports to the Government of Assam. The MSCW has submitted four reports to the Government since its establishment in 2005 and the TCW has submitted nine since its establishment in 1994. Interestingly,
there is no pressure on them from the Governments to submit reports regularly.

In this chapter we have analysed the role of SCWs in terms of their functions and objectives. The study shows that the SCWs in these three States of Northeast India have not been as active as expected. The fact that these bodies are dependent on the State Governments and also that these are only recommendary bodies affect their functioning negatively to some extent. They are independent body in name and not so much in practice. Nonetheless, these Commissions have ushered some hope in the minds of all those women who face a brutal violation of their human rights.