



Government of Jammu & Kashmir

ANNUAL REPORT 2013-2014



J&K STATE COMMISSION FOR WOMEN

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ANNUAL REPORT 2013-2014



J&K STATE
COMMISSION
FOR
WOMEN

(GOVERNMENT OF J&K STATE)
J&K STATE COMMISSION FOR WOMEN

SRINAGAR : WOODEN BUILDING, RAJ GHAR LAWNS, OLD ASSEMBLY COMPLEX, SRINAGAR—
190001 "MAY TO OCTOBER"

JAMMU : PRAGATI BHAWAN, JDA COMPLEX (1ST FLOOR), RAIL HEAD, JAMMU TAWI—
180012 "NOVEMBER TO APRIL"

(THIS REPORT COVERS THE PERIOD FROM MARCH, 2013
TO FEBRUARY, 2014)



SHAMIM FIRDOUS



**CHAIRPERSON
J&K STATE COMMISSION FOR WOMEN**

MESSAGE

It gives me immense pleasure to know that J&K State Commission for Women is publishing its 7th Annual Report for the year 2013-14 for dissemination of information regarding various activities undertaken by it.

I believe that the publication will generate necessary awareness about initiatives taken by the J&K State Commission for Women so that people not only realize the importance and working of the Commission but also know the legal rights of women provided to them under the constitution and other laws. I hope that the staff of the Commission shall continue to work with enthusiasm and dedication.

SHAMIM FIRDOUS



SECRETARY'S DESK

J&K State Commission for Women set up in 2000 by an Act "STATE COMMISSION FOR WOMEN ACT, 1999" is one of the apex women organizations in the State. It is a platform not only to address grievances of aggrieved women who approach the Commission, but also is an institution to play a vital role for sensitizing women through awareness camps where issues like legal rights of women, development of girl child, female foeticide, health related issues, exploitation at workplaces, safeguards for women etc. are discussed in addition to working of the Commission.

I am presenting herewith 7th Annual Report of this Commission for the year 2013-14. I would like to bring it home that I joined the Commission as Secretary on 5th June, 2014. During the year under report, the Commission is overwhelmingly on headway in mitigating sufferings and grievances of aggrieved women approaching this Commission for settlement of their cases. 2551 cases have been registered with this Commission so far; Out of which 2412 cases have been disposed off and 139 are under trial for final settlement.

In the end, I would like to extend my congratulations to the staff members of the Commission for their credible performance and sincere cooperation.

DR. MEHRAJ-UD-DIN RATHER, KAS

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INTRODUCTION

The J&K State Commission for Women, one of the apex women organizations, is a statutory and autonomous body set up in march, 2000 by the Government of Jammu and Kashmir under “State Commission for Women Act, 1999”. Besides being a platform to ameliorate the lot of destitute women under constitution and other related laws, its main mission is to safeguard women and recommend legislative measures to overcome the problems confronting them in the present scenario of terrifying incidents occurring with women folk in the State. [SEE THE ACT (**ANNEXURE— I**)]

ORGANISATIONAL SET UP

(1)

- I. Chairperson (Full-Time)
- II. Two members (Part-Time)
- III. Secretary(Full-Time)

(2) Chairpersons posted with the Commission from its inception

<u>Sr. No.</u>	<u>Name</u>	<u>From</u>	<u>To</u>
I	Dr. Girija Dhar	16-01-2000	06-02-2003
II	Advocate Shamim Firdous	19-01-2010	18-01-2013
III	Advocate Shamim Firdous (II Term)	01-03-2013	---

(3) Part-Time Members nominated with the Commission

Sr. No.	Name	Vide SRO/ Dated	Period	Remarks
I	Ms. Farida Mir	64/16.03.2000	Three years	The Member continued to stay away from the Commission and did not attend any of the meetings after April, 2002
II	Ms. Thiles Angmo	64/16.03.2000	Three years	The Member did not join the Commission
III	Prof. Rita Jitendra	89/20.02.2002	Three years	The member joined the Commission in place of Ms. Thiles Angmo on 21.02.2002
IV	Smt. Amreen Badar	318/30.08.2010	Three years	Completed the term
V	Smt. Vijay Laxmi Dutta	318/30.08.2010	Three years	Completed the term

(4) Secretaries posted with the Commission

<u>Sr. No.</u>	<u>Name</u>	<u>From</u>	<u>To</u>
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I	Sh. N. K. Verma, IAS	25-08-2000	31-10-2001
II	Ms. Chandra Gupta, KAS	12-08-2002	22-08-2005
III	Prof. Masooda Yaseen	22-08-2005	31-12-2005
IV	Ms. Hafiza Muzaffar	19-01-2006	13-03-2012
V	Dr. Khurshid A Zargar	16-03-2012	30-04-2012
VI	Ms. Rubina Kousar, KAS	14-06-2012	24-07-2013
VII	Sh. M. Akbar Wani, KAS	25-07-2013	05-06-2014
VIII	Dr. Mehraj-ud-Din Rather, KAS	05-06-2014	

(5) Present status of the Commission

- I. Advocate Shamim Firdous, Chairperson
- II. Dr. Mehraj-ud-Din Rather(KAS), Secretary

STATE COMMISSION FOR WOMEN AS COUNSELING CELL

The Commission is set to dispose off/settle down the cases registered with it through successive counselling and patient hearings of both the parties under the ambit of the Constitution. At present, the Commission touches the following nature of cases:

- Dowry
- Harassment
- Cruelty
- Torture
- Divorce
- Desertion
- Maintenance
- Custody of children
- Cheating/fraud
- Harassment at workplace

**DETAIL OF CASES REGISTERED WITH EFFECT FROM
MARCH, 2013 TO FEBRUARY, 2014**

Kashmir Province			
Sr. No.	Complaint number/Date of registration	Name	Nature of case
01	23/11.03.13	Mrs. Navreena Akhter D/o Ghulam Ahmad Bhat V/S Mr. Pavaiz Ahmad Ganie S/o Abdul Gani Ganie	Torture/harassment
02	24/12.03.13	Mrs. Mariya Shah D/o Peerzada Mushtaq Ahamd Shah V/S Mr. Syed Shuja Kamili S/o Mohammad Aslam Kamili	Recovery of ornaments/custody of child
03	25/13.03.13	Mrs. Kounsar Jan D/o Bashir Ahmad Dar V/S Mr. Mohammad Imran Mir S/o Lal Mir	Recovery of ornaments/maintenance/cruelty
04	26/18.03.13	Mrs. Shugufta D/o Mohammad Maqbool Dar V/S Mr. Showkat Ahmad Khan S/o Abdul Hameed Khan	Torture/harassment
05	27/19.03.13	Mrs. Yasmeena D/o Late, Shair Ali Beigh V/S Mr. Fida Hussain Khan S/o Qasim Ali Khan	Maintenance/recovery of ornaments
06	28/26.03.13	Mrs. Nayeema Begum W/o Mohammad Akbar Lone V/S Mr. Mohammad Akbar Lone S/o Ghulam Mohi-ud-Din Lone	Harassment/maintenance
07	29/04.04.13	Mrs. Rubeena Akhter D/o Ghulam Mohammad Najar V/S	Harassment/dowry/maintenance

		Mr. Junaid Ahmad Khan S/o Abdur Rashid Khan	
08	30/06.04.13	Mrs. Soni Akhter D/o Mohammad Ishaq V/S Mr. Mohammad Maqbool Alamgir (Dangroo) S/o Asadullah	Impotency
09	31/06.04.13	Mrs. Shamshada Hassan D/o Late Ghulam Hassan Karnayee V/S Mr. Shabir Ahmad Wani S/o Ghulam Mohammad Wani	Harassment
10	32/07.05.13	Mrs. Rumana D/o Mohammad Amin Shah V/S Sh. Manzoor Ahmad Bhat S/o Ghulam Mohammad Bhat	Harassment/desertion/ maintenance
11	33/07.05.13	Mrs. Nazira Bano D/o Mohammad Ismail Khan V/S Mr. Mohammad Afzal Goyas S/o Kalim Din	Desertion/harassment
12	34/07.05.13	Mrs. Shafia Shaik Shah D/o Farooq Ahmad Shah V/S Mr. Qazi Umar Aadil Shah S/o Ghulam Nabi Shah	Harassment for dowry
13	35/07.05.13	Mrs. Suraya D/o Ghulam Mohammad Dar V/S Mr. Tariq Ahmad Pathan S/o Ghulam Mohammad Pathan	Harassment/torture
14	36/07.05.13	Mrs. Shafia Shafi D/o Mohammad Shafi Kashani V/S Mr. Mohammad Yaqoob Beigh	Desertion/harassment/ maintenance

		S/o Abdul Salam Beigh	
15	37/07.05.13	Mrs. Raja Begum W/o Haji Wali Dar V/S Mr. Abdur Razaq Dar & Mr. Abdul Hamid Dar S/o Wali Dar	Property dispute
16	38/08.05.13	Mrs. Zahida Akhter D/o Ghulam Nabi Wani V/S Mr. Farooz Ahmad Bhat S/o Mohammad Sideeq Bhat	Torture/harassment
17	39/08.05.13	Mrs. Zamrooda D/o Ghulam Mohammad Shah V/S Mr. Naseer Ahmad Parray S/o Ghulam Mustafa Parray	Harassment/torture
18	40/08.05.13	Mrs. Naseema D/o Satar Sheikh V/S Mr. Ghulam Mohammad Waar S/o Gul Waar	Torture/harassment
19	41/08.05.13	Mrs. Shazia Akhter D/o Ghulam Mohammad Zooji V/S Mr. Bilal Ahmad Rah S/o Ghulam Mohammad Rah	Dorture/harassment
20	42/09.05.13	Mrs. Meema D/o Ghulam Mohammad Sheikh V/S Mr. Naseer Ahmad Wani S/o Ghulam Ahmad Wani	Desertion/harassment/ torture
21	43/09.05.13	Mrs. Rehti W/o Mohammad Sultan Gabroo V/S Mrs. Tasleema D/o Abdul Majeed Shah	Harassment
22	44/09.05.13	Students of GLC V/S	Retention of documents

		Green Land of Education	
23	45/13.05.13	Mrs. Naza Begum D/o Ghulam Hassan Bhat V/S Mr. Mushtaq Ahamd Sheikh S/o Ghulam Hassan Sheikh	Harassment for dowry
24	46/16.05.13	Mrs. Rafia Bagdadi D/o Abdur Rashid Bagdadi V/S Mr. Mubashir Sideeq Bhat S/o Mohammad Sideeq Bhat	Desertion/divorce
25	47/16.05.13	Mrs. Rukaya Parveen D/o Late Ghulam Ahmad Mir V/S Mr. Imtiyaz Ahmad Shah S/o Syed Mohammad Shah	Desertion/harassment/ divorce
26	48/21.05.13	Mrs. Afroza D/o Ghulam Hassan Wani V/S Mr. Fayaz Ahmad Dar D/o Ali Mohammad Dar	Desertion/torture/ harassment
27	49/21.05.13	Mrs. Nigeena D/o Mohammad Ramzan Mir V/S Mr. Mohammad Shafi Wani S/o Sana Ullah Wani	Torture/harassment
28	50/24.05.13	Mrs. Tahira Bano D/o Ghulam Ahmad Shah V/S Mr. Gulzar Ahmad Baba S/o Abdul Aziz Baba	Torture/harassment
29	51/27.05.13	Dr. Rayeesa Rehman W/o Atta Ullah Rehman V/S Dr. Aleem Din Bhat S/o Haji Ghulam Mohammad Bhat	Harassment
30	52/28.05.13	Mrs. Gulshan Akhter D/o Late Ali Mohammad Rather V/S Mr. Mohammad Abbas Rather	Torture/harassment

		S/o Ghulam Mohammad Rather	
31	53/29.05.13	Mr. Ghulam Fatima W/o Mohammad Abdullah V/S Mr. Farooq Ahmad Roshangar S/o Ghulam Mohammad Roshangar	Torture/harassment
32	54/30.05.13	Mrs. Shahzada Akhter D/o Late Ghulam Rasool Reshi V/S Mr. Farooz Ahmad Khan S/o Abdul Gani Khan	Torture/harassment
33	55/03.06.13	Mrs. Shagufta W/o Hafeez Qazi V/S Mr. Ghulam Mohammad Khan S/o Ali Mohammad Khan	Manhandling
34	56/04.06.13	Mrs. Afroza D/o Ghulam Qadir Matta V/S Mr. Raja Waheed S/o Haji Ghulam Ahmad Bhat	Harassment/dowry
35	57/04.06.13	Mrs. Haseena C/o Mohammad Sabir Shah V/S Mr. Mohammad Yaseen S/o Late Ghulam Mohi-ud- Din Shah	Torture/maintenance
36	58/05.06.13	Smt. Balbir Kour D/o Harnam Singh V/S Sh. Davinder Singh S/o Hakumat Singh	Maintenance/harassment
37	59/06.06.13	Mrs. Jabeena D/o Ghulam Mohammad Dar V/S Mr. Mehraj-ud-Din Bhat S/o Abdul Gani Bhat	Desertion/harassment
38	60/11.06.13	Mrs. Naseema Begum	Harassment

		W/o Late Mohammad Ashraf Waar V/S Mr. Mohammad Ayub Wani Project Officer	
39	61/11.06.13	Mrs. Tahira Malik D/o Noor Mohammad Malik V/S Mr. Akhter Rasool Lala S/o Ghulam Rasool Lala	Desertion/harassment
40	62/11.06.13	Mrs. Rubina Akhter D/o Ghulam Mohammad Sofi V/S Mr. Farooz Ahmad Dar S/o Mohammad Shaban Dar	Torture/harassment
41	63/11.06.13	Mrs. Gulshan Bano D/o Ghulam Mohammad Bhat V/S Mr. Farooq Ahmad Allahi S/o Bashir Ahmad Allahi	Torture/harassment
42	64/19.06.13	Mrs. Farooqa Begum W/o Mehraj-ud-Din Bafanda V/S Mrs. Isha D/o Master Ali Mohammad Sheikh	Desertion/harassment
43	65/20.06.13	Mrs. Khalida Akhter D/o Late Mohammad Ahsan Malla V/S Mr. Mudasir Ahmad Khandey S/o Abdul Aziz Khandey	Harassment/Desertion
44	66/20.06.13	Mrs. Masarat D/o Habib Ullah Sheikh V/S Mr. Mohammad Yousuf Sheikh S/o Ghulam Mohammad Sheikh	Desertion/harassment/ torture
45	67/20.06.13	Mrs. Asma Rashid D/o Abdur Rashid V/S Mr. Mudasir Ahmad Shagoo	Torture/harassment for dowry

		S/o Abdul Khaliq Shagoo	
46	68/20.06.13	Mrs. Farida D/o Abdul Aziz Reshi V/S Mr. Abdul Majeed Lone S/o Ghulam Nabi Lone	Harassment/desertion
47	69/20.06.13	Mrs. Neelofar Jan D/o Late Mohammad Qasim Baba(Matto) V/S Mr. Mushtaq Ahmad Tarr S/o Ali Mohammad Tarr	Custody of child
48	70/20.06.13	Mrs. Nighat D/o Ghulam Ahmad Mir V/S Mr. Altaf Ahmad Shah S/o Bashir Ahmad Shah	Harassment/torture/ desertion
49	71/26.06.13	Mrs. Humyra D/o Mohammad Amin Lone V/S Mr. Showkat Hussain Mir S/o Abdur Rashid Mir	Torture/harassment
50	72/26.06.13	Mrs. Asra Sideeq D/o Mohammad Sideeq Bhat V/S Mr. Mohammad Younis Beigh S/o Nazir Ahmad Beigh	Torture/harassment for dowry
51	73/26.06.13	Mrs. Nayeema Begum W/o Mohammad Akbar Lone V/S Mr. Mohammad Akbar Lone S/o Ghulam Mohi-ud-Din Lone	Harassment
52	74/26.06.13	Mrs. Hameeda Begum D/o Late Ghulam Nabi Sheikh V/S Mr. Farooq Ahmad Itoo S/o Mohammad Abdullah Itoo	Harassment/torture
53	75/26.06.13	Mrs. Afreen W/o Ajaz Ahmad Masoodi	Harassment by Father-in-Law

		V/S Mr. Farid Ahmad Masoodi S/o Mohammad Sideeq Masoodi	
54	76/26.06.13	Mrs. Shasita Yousuf Sofi D/o Mohammad Yousuf Sofi V/S Mr. Shabir Ahmad Dar S/o Late Abdul Salam Dar	Harassment for dowry
55	77/26.06.13	Mrs. Rozi D/o Ghulam Mohammad Bhat V/S Mr. Fayaz Ahmad Sheikh S/o Ghulam Qadir Sheikh	Torture/harassment
56	78/26.06.13	Mrs. Zareena D/o Ghulam Qadir Bhat V/S Mr. Shahnawaz Malik S/o Late Ali Mohammad Malik	Desertion/harassment
57	80/02.07.13	Mrs. Nusrat Hameed D/o Haji Abdul Hameed Shah V/S Mr. Idrees Ali S/o Sheikh Mohammad Aslam	Maintenance/recovery of belongings
58	81/02.07.13	Mrs. Zareena Bano D/o Late Abdul Ahad Matto V/S Mr. Javid Ahmad Laway S/o Ghulam Nabi Laway	Harassment/desertion
59	82/03.07.13	Mrs. Jabeena D/o Abdul Jabbar Parra V/S Mr. Qayoom Ahmad Dar S/o Ghulam Mohammad Dar	Harassment
60	83/03.07.13	Mrs. Asiya Jan D/o Late Mohammad Shaban V/S Mr. Bashir Ahmad Kumar S/o Ghulam Mohammad	Harassment for dowry

		Kumar	
61	84/10.07.13	Mrs. Tasleema D/o Mohammad Dilawar Mir V/S Mr. Muzaffar Sheikh S/o Late Ghulam Mohammad Sheikh	Torture/harassment
62	85/10.07.13	Mrs. Gulshan Ara D/o Late Ghulam Rasool Najar V/S Mr. Nisar Ahmad Bhat S/o Ghulam Nabi Bhat	Torture/harassment
63	86/10.07.13	Mrs. Rubina D/o Abdul Jabbar Bhat V/S Mr. Abdul Hameed Dar S/o Noor Mohammad Dar	Torture/harassment
64	87/16.07.13	Mrs. Arshida D/o Late Farooq Ahmad Bhat V/S Mr. Ajaz Ahmad Sofi S/o Ghulam Ahmad Sofi	Harassment for dowry
65	88/18.07.13	Dr. Shahnaz V/S Dr. Parvaiz	Harassment at workplace
66	89/23.07.13	Mrs. Maqbula Begum V/S Mr. Ishtiyah Khan & his wife	Domestic violence
67	90/23.07.13	Mrs. Ameera Sultan W/o Tawsif Ahmad Lone V/S Mr. Tawsif Ahmad Lone S/o Ghulam Mohammad Lone	Harassment for dowry/maintenance
68	91/23.07.13	Mrs. Nayeema Akhter W/o Mushtaq Ahmad Dar V/S Mr. Mushtaq Ahmad Dar S/o Mohammad Akram Dar	Maintenance/2 nd marriage
69	92/29.07.13	Mrs. Rahila Sultan D/o Mohammad Sultan Sheikh V/S	Recovery of ornaments/maintenance

		Mr. Shahnawaz Ahmad Sheikh S/o Ghulam Mohammad Sheikh	
70	93/05.08.13	Mrs. Gousia V/S Mr. Ghulam Nabi Dar S/o Ali Mohammad Dar	
71	94/05.08.13	Mrs. Shokhi W/o Abdul Hameed Badyari V/S Mr. Abdul Hameed Badyari & Others S/o Late Mohammad Ismail Badyari	Harassment/torture
72	95/05.08.13	Mrs. Gulshan Bano D/o Ghulam Mohammad V/S Mr. Makhan Din (Father-in- Law) S/o Juma	Custody of children/ divorce
73	96/16.08.13	Mrs. Akhter D/o Late Ghulam Mohammad Wani V/S Mr. Lateef Ahmad Sofi S/o Abdur Rahim Sofi	Torture/harassment
74	97/16.08.13	Mrs. Shameema Maqbool W/o Mohammad Maqbool Runga V/S Mr. Mohammad Maqbool Runga S/o Ghulam Qadir Runga	Torture/harassment
75	98/16.08.13	Mrs. Sabia Khan D/o Gulzar Ahmad Khan V/S Mr. Mehraj-ud-Din Parray S/o Ghulam Hassan Parray	Torture/harassment
76	99/16.08.13	Mrs. Rubina W/o Jalal Din Khan V/S Mr. Jalal Din Khan S/o Ghulam Mohammad	Torture/harassment

		Khan	
77	100/16.08.13	Mrs. Nayeema Akhter D/o Late Abdul Gani Gabroo V/S Mr. Mohammad Latif Malik S/o Mohammad Yousuf Malik	Torture/harassment
78	101/16.08.13	Mrs. Shagufta Shaheen D/o Sana Ullah Sheikh V/S Mr. Bashir Ahmad Dar S/o Sana Ullah Dar	Harassment
79	102/16.08.13	Mrs. Fatima D/o Ghulam Mohammad Wangnoo V/S Mr. Javid Ahmad Parmoo S/o Sana Ullah Parmoo	Torture/harassment
80	103/20.08.13	Mrs. Rabia Jan D/o Abdul Gani Khan V/S Mr. Nisar Ahmad Wani S/o Mohammad Ismail Wani	Torture/harassment
81	104/21.08.13	Mrs. Tasleema D/o Late Mohammad Sultan Bhat V/S Mr. Showket Ahmad Zoogi S/o Mohammad Amin Zoogi	Divorce
82	105/21.08.13	Mrs. Fozia D/o Mohammad Afzal V/S Mr. Zahoor Ahmad Zargar S/o Lateef Ahmad Zargar	Harassment/torture
83	106/21.08.13	Mrs. Arifa D/o Ali Mohammad Dar V/S Mr. Muzaffar Ahmad Rather S/o Ghulam Mohammad Rather	Harassment
84	107/22.08.13	Mrs. Bilqees D/o Mohammad Maqbool Mir	Torture/maintenance

		V/S Mr. Aamir Hassan Wani S/o Ghulam Hassan Wani	
85	108/22.08.13	Mrs. Mehmooda Sultan D/o Late Mohammad Sultan V/S Mr. Irshad Hussain Bhat S/o Abdul Aziz Bhat	Torture/harassment
86	109/30.08.13	Mrs. Nagm-ul-Sahar D/o Ghulam Nabi Lone V/S Mr. Farooq Ahmad Dar S/o Bashir Ahmad Dar	Torture/harassment
87	110/02.09.13	Mrs. Malla D/o Jalla Kaloo W/o Sheikh Noor Mohammad V/S Mr. Ghulam Mohammad Kaloo & Mr. Ghulam Nabi Kaloo	Property dispute
88	111/03.09.13	Mrs. Safia D/o Noor Mohammad V/S Mr. Riyaz Ahmad Mir S/o Ali Mohammad Mir	Torture/harassment for dowry
89	112/03.09.13	Mrs. Showkat Jan D/o Mohammad Akbar Shah V/S Mr. Mehraj-ud-Din Ganie S/o Sana Ullah Ganie	Torture/harassment
90	113/03.09.13	Dr. Rehana Kousar V/S Mr. Showket Bukhari	Harassment
91	114/04.09.13	Mrs. Mudasia Bashir D/o Bashir Ahmad Tantray V/S Mr. Fayaz Ahmad Bhat	
92	115/10.09.13	Mrs. Haleema D/o Ghulam Mohammad Rather V/S Mr. Ghulam Mustafa Rather	Harassment/2 nd marriage

		S/o Bashir Ahmad Rather	
93	116/10.09.13	Mrs. Rifat Ara D/o Habib Ullah Rather V/S Mr. Manzoor Ahmad Sofi S/o Ghulam Mohi-ud-Din Sofi	Torture/harassment
94	117/30.09.13	Mrs. Arifa Akhter D/o Mohammad Abdullah Sheikh V/S Mr. Irfan Ahmad Mir S/o Abdul Aziz Mir	Torture/harassment
95	118/30.09.13	Mrs. Rubina Shaheen D/o Ghulam Qadir Dar V/S Mr. Mohammad Amin Mir S/o Abdul Gani Mir	Harassment/torture
96	119/30.09.13	Mrs. Tahira Akhter D/o Abdul Aziz Wani V/S Mr. Bilal Ahmad Khan S/o Ghulam Ahmad Khan	Harassment/torture
97	120/30.09.13	Mrs. Shaheena D/o Ghulam Mustafa Mahagin V/S Mr. Rafiq Ahmad Panzoo S/o Mohammad Sultan Panzoo	Murder case
98	121/01.10.13	Mrs. Kousar Jan D/o Ghulam Mohammad Bhat V/S Mr. Abdur Rashid Dar S/o Ghulam Mohammad Dar	Harassment/recovery of money
99	122/01.10.13	Mrs. Aamina D/o Abdur Rahim Ganchoo V/S Mr. Mohammad Rafiq Wani S/o Late Abdur Rashid Wani	Torture/harassment
100	123/04.10.13	Mrs. Shaheena Akhter D/o Ghulam Nabi Khan V/S	Torture/harassment

		Mr. Mohammad Arshid Khan S/o Abdul Hai Khan	
101	124/04.10.13	Mrs. Neelam Jan D/o Sheikh Ghulam Ahmad V/S Mr. Mohammad Yaqub Kawa S/o Ghulam Mohammad Kawa	Torture/harassment
102	125/04.10.13	Mrs. Chesfeeda Bano W/o Ajaz Ahmad Rather V/S Mr. Ajaz Ahmad Rather S/o Ali Mohammad Rather	Harassment
103	126/04.10.13	Mrs. Rashida Bano D/o Late Mohammad Ismail Khatana V/S Mr. Noorani Khatana S/o Abdur Rashid Khatana	Harassment/maintenance
104	127/04.10.13	Mrs. Fehmeeda D/o Ghulam Mohammad Wani V/S Mr. Mohammad Ramzan Rather S/o Ghulam Mohammad Rather	Harassment
105	128/07.10.13	Mrs. Rubina Raheem D/o Abdur Raheem Darzi V/S Mr. Bashir Ahmad Wani S/o Ghulam Rasool Wani	Harassment/torture
106	129/07.10.13	Mrs. Dazi Jan D/o Khazir Mohammad Reshi V/S Mr. Bashir Ahmad Rather S/o Ghulam Mohammad Rather	Maintenance/harassment
107	130/10.10.13	Mrs. Khatiji D/o Mohammad Ismail Shoola V/S Mrs. Khalida D/o Abdur Rehman Beigh	Harassment

108	131/10.10.13	Mrs. Nusrat Jan D/o Ghulam Mohi-ud-Din Naqash V/S Mr. Imtiyaz Ahmad Zargar S/o Ghulam Mohammad Zargar	Harassment
109	132/10.10.13	Mrs. Ashmala Begum W/o Ghulam Mohammad Reshi V/S Mr. Ghulam Mohammad Reshi S/o Ghulam Hassan Reshi	Harassment
110	133/23.10.13	Mrs. Sartaj Kounsar D/o Masood Kareem V/S Mr. Mohammad Saleem Naqash S/o Ghulam Mohammad Naqash	Harassment for dowry
111	134/23.10.13	Mrs. Nusrat D/o Abdul Salam Bhat V/S Mr. Rafiq Ahmad Khan S/o Abdul Gaffar Khan	Torture/harassment
112	135/24.10.13	Mrs. Haleema Bano D/o Ghulam Ahmad Malik V/S Mr. Mohammad Akbar Wani S/o Mohammad Maqbool Wani	Desertion
113	136/24.10.13	Mrs. Sheenu Bashir D/o Bashir Ahmad Ashwari V/S Mr. Shabir Ahmad Reshi S/o Ghulam Mohammad Reshi	Desertion/maintenance
114	137/06.11.13	Mrs. Safiya D/o Abdur Raheem Ganie V/S Mr. Shafiq Ahmad Mir S/o Mohammad Abdullah Mir	Harassment

115	138/06.11.13	Mrs. Shabnam Fatima D/o Ghulam Nabi Parra V/S Mr. Ajaz Ahmad Malik S/o Late Ghulam Mohammad Malik	Harassment
116	139/06.11.13	Mrs. Rafiqah D/o Sana Ullah Rather V/S Mr. Bashir Ahmad Wani S/o Abdul Gani Wani	Torture/harassment
117	140/06.11.13	Mrs. Bisma Shafi D/o Mohammad Shafi Wadoo V/S Mrs. Haseena Malik W/o Ghulam Ahmad Malik	Harassment
118	141/06.11.13	Mrs. Mehnaz D/o Abdur Rashid V/S Mr. Hyder Ali Mir	Torture/harassment
119	142/06.11.13	Mrs. Nighat D/o Late Ghulam Hassan Dar V/S Mr. Ajaz Ahmad Nila S/o Mohammad Shafi Nila	Harassment
120	143/06.11.13	Mrs. Roshi Umama D/o Late Manzoor Elahi Lone V/S Mr. Irshad Ahmad Shah S/o Noor Gul Shah	Harassment
121	144/06.11.13	Mrs. Shaheena Rasool D/o Ghulam Rasool Bhat V/S Mr. Abdul Wahid Bhat S/o Abdur Rashid Bhat	Harassment
122	145/08.11.13	Mrs. Rifat Mubarik D/o Mir Habib Ullah V/S Mr. Mubarik Ahmad Bhat S/o Late Ghulam Mohammad Bhat	Harassment/torture/ custody of child
123	146/11.11.13	Mrs. Khalida Parveen	Harassment

		W/o Mohammad Amin Dar V/S Mr. Mohammad Amin Dar S/o Ali Mohammad Dar	
124	147/13.11.13	Mrs. Ruksana D/o Mohammad Yousuf Khan V/S Mr. Iqbal Ahmad Tramboo S/o Late Ghulam Mustafa Tramboo	Torture/harassment
125	148/14.11.13	Mrs. Yasmeen Khan D/o Late Nawab Khan V/S Mr. Manzoor Ahmad Dar S/o Late Ali Mohammad Dar	Harassment
126	149/ 06.12.13	Mrs. Asmat Ara D/o Mohammad Ramzan Bhat V/S Mr. Mohammad Ashraf Bhat S/o Ghulam Mohammad Bhat	Torture/harassment
127	150/06.12.13	Mrs. Shafiqa Bano D/o Sana Ullah Dar V/S Mr. Tariq Ahmad Thakur S/o Ghulam Nabi Thakur	Harassment
128	151/06.12.13	Mrs. Farida Akhter D/o Mohammad Jamal Sheikh V/S Mr. Abdur Rashid Sheikh S/o Munawar Sheikh	Harassment/maintenance
129	152/06.12.13	Mrs. Dilshada D/o Mohammad Jamal Dar V/S Mr. Farooq Ahmad Bhat S/o Sana Ullah Bhat	Torture/harassment
130	153/06.12.13	Mrs. Rafiq Akhter D/o Asad Ullah Dar V/S Mr. Farooq Ahmad Sheikh S/o Abdul Salam Sheikh	Harassment

131	154/06.12.13	Mrs. Shahnaz Kounsar W/o Mohsin Khan V/S Sh. Mohsin Khan S/o Mohammad Aslam Khan	Torture/harassment
132	155/06.12.13	Mrs. Tahira Akhter D/o Abdul Ahad Rather V/S Mr. Mohammad Aslam Malik S/o Ghulam Qadir Malik	Harassment
133	156/06.12.13	Mrs. Haneefa Begum D/o Ghulam Ahmad Sheikh V/S Mr. Ashiq Ahmad Bhat S/o Mohammad Sultan Bhat C/o Sheikh Ghulam Ahmad	Harassment/torture
134	157/09.12.13	Mrs. Mir Hinna Saleem D/o Mohammad Saleem Mir V/S Certain Newspapers of Valley	Harassment
135	158/09.12.13	Mrs. Shakeela Bano D/o Mohammad Yousuf Dar V/S Mr. Gulzar Ahmad Machloo S/o Ghulam Qadir Machloo	Torture/harassment
136	159/09.12.13	Mrs. Shakeela Akhter D/o Abdul Ahad Sheikh V/S Mr. Abdur Rashid Sheikh S/o Adul Satar Sheikh	Harassment
137	160/09.12.13	Mrs. Nazira Akhter D/o Mohammad Kalandar V/S Mr. Ghulam Rasool Parray S/o Ghulam Mohammad Parray	Torture/harassment/ maintenance
138	161/09.12.13	Mrs. Mehmooda Akhter D/o Abdul Samad Khan V/S Mr. Gulzar Ahmad Bhat S/o Mohammad Jabar Bhat	Torture/harassment
139	162/18.12.13	Mrs. Rukaya Bano D/o Abdul Gani Shah V/S	Harassment/recovery of ornaments

		Mr. Mushtaq Ahmad Kena S/o Ghulam Mohammad Kena	
140	163/18.12.13	Mrs. Sajeera Begum D/o Mohammad Maqbool Mathu V/S Mr. Manzoor Ahmad Bhat S/o Mohammad Jamal Bhat	Torture/harassment
141	164/18.12.13	Mrs. Tabia Shabir D/o Shabir Ahmad Challo V/S Mr. Shabir Ahmad Challo S/o Ghulam Ahmad Challo	Maintenance
142	165/18.12.13	Mrs. Sameena Akhter D/o Gul Sheikh V/S Mr. Mehraj-ud-Din Sheikh S/o Ghulam Mohi-ud-Din Sheikh	Torture/harassment
143	166/18.12.13	Mrs. Dilshada Bano W/o Ghulam Nabi Khan V/S Mr. Ghulam Nabi Khan S/o Mohammad Ayub Khan	Desertion/maintenance
144	167/26.12.13	Mrs. Fatima Akhter D/o Late Ghulam Ahmad Shah V/S Mr. Muzaffar Ahmad Mir S/o Mohammad Abdullah Mir	Harassment
145	168/26.12.13	Mrs. Afrida D/o Ghulam Rasool Muth V/S Mr. Showkat Ahmad Bhat S/o Asadullah Bhat	Torture/harassment
146	01/16.01.14	Mrs. Asmat (alias Lovely) D/o Mohammad Maqbool Sheikh V/S Mr. Firdous Ahmad Mir S/o Abdul Aziz Mir	Harassment/maintenance/ 2 nd marriage
147	02/16.01.14	Mrs. Sana Faheem	Harassment/desertion

		D/o Abdul Hameed Wani V/S Mr. Faheem Ahmad Bhat S/o Nazir Ahmad Bhat	
148	03/16.01.14	Mrs. Shareen D/o Haji Ghulam Rasool Lone V/S Mr. Mohammad Hafeez Lone S/o Ghulam Ahmad Lone	Harassment/maintenance
149	04/16.01.14	Mrs. Zareena Akhter D/o Ghulam Rasool Mir V/S Mr. Shafat Ahmad Bhat S/o Jabar Bhat	Harassment
150	05/16.01.14	Mrs. Nazima D/o Late Ghulam Mohammad Anchari V/S Mr. Abdur Rashid Shaksaz S/o Khazir Mohammad Shaksaz	Harassment/maintenance
151	06/20.01.14	Mrs. Ferooza Begum W/o Abdur Rehman Chopan V/S Mr. Abdur Rehman Chopan S/o Abdul Ahad Chopan	Torture/ harassment
152	07/22.01.14	Mrs. Dilshada D/o Habib Ullah Bhat V/S Mr. Abdur Rashid Bhat S/o Asadullah Bhat	Divorce/maintenance
153	08/22.01.14	Mrs. Rakshanda Manzoor D/o Manzoor Ahmad Rather V/S Mr. Khaliq Nazir Bhat S/o Nazir Ahmad Bhat	Divorce/recovery of gold ornaments
154	09.22.01.14	Mrs. Syda Bano D/o Abdul Hameed Kaloo V/S Mr. Mohammad Shafi Trankroo S/o Ghulam Mohammad	Harassment

		Trankroo	
155	10/03.0314	Mrs. Huma Bano D/o Ghulam Hassan Wani V/S Mr. Tanveer Ahmad Bhat S/o Abdul Gani Bhat	Harassment/torture/ desertion/recovery of ornaments
Jammu Province			
Sr. No.	Complaint number/ Date of registration	Name	Nature of case
156	06/26.03.13	Smt. Seema Sharma W/o Poshkar Nath V/S Sh. Poshkar Nath S/o Tek Chand	Torture/harassment
157	07/03.04.13	Smt. Swarna Devi W/o Maan Singh V/S Sh. Uraj Singh S/o Kaki Singh	Suicide
158	08/22.04.13	Smt. Santoosha Devi V/S Sh. Utam Singh S/o Jager Nath	Harassment/torture
159	09/23.04.13	Mrs. Rubina D/o Ghulam Nabi Jatt V/S Mr. Mohammad Lateef S/o Makhan Deen Chohan	Torture/harassment
160	10/25.04.13	Smt. Vimla Devi D/o Sewa Ram V/S Sh. Anil Kumar S/o Dopal Das	Cheating/fraud
161	11/06.05.13	Smt. Shimlo Devi W/o Baldev Singh V/S	Harassment
162	12/06.05.13	Mrs. Kaniz Fatima D/o Qazi Mohammad Syed V/S	Custody of children

		Mr. Mohammad Rafiq S/o Moulana Mohammad Shafi	
163	13/07.05.13	Smt. Gurcharn Kour D/o Nirmal Singh V/S Sh. Preetum Singh S/o Talak Singh	Harassment
164	14/13.05.13	Dr. Shabnam Rayees V/S Deputy Medical Superintendent of Psychiatry	Harassment
165	15/21.05.13	Mrs. Zulikha Wani D/o Ghulam Mehdi Wani V/S Mr. Wajahat Hussain Shah	Harassment
166	16/27.05.13	Smt. Suchma D/o Late Puran Chand V/S Sh. Ravi Kumar S/o Tarsan Lal	Maintenance/harassment/ torture
167	17/27.05.13	Smt. Jagjeet Kour D/o Late Asha Singh V/S Sh. Inderjeet Singh S/o Late Gurcharan Singh	Harassment
168	18/29.05.13	Smt. Bimla Devi V/S Dr. D. K. Manyal	Harassment
169	19/03.06.13	Smt. Sheela Devi D/o Late Chooni Lal V/S Smt. Asha Rani D/o Late Chooni Lal	Property dispute
170	20/04.06.13	Mrs. Asma Chowdary D/o Late Bashir Hussain Chowdary V/S Mr. Nisar Hussain S/o Late Mushtaq	Harassment/recovery of belongings
171	21/12.06.13	Smt. Shivani Sarmal D/o Late Omi Sarmal	Torture/harassment

		V/S Sh. Sandeep Singh S/o Pawan Singh Jamwal	
172	22/12.06.13	Smt. Ruhi Gupta D/o Surinder Mohan Gupta V/S Sh. Sudesh Gupta S/o Ramesh Gupta	Harassment/torture
173	23/20.06.13	Smt. Rajdulari Koul W/o Shadi Lal Koul V/S Sh. Shadi Lal Koul S/o Madhav Lal Koul	Desertion/harassment
174	24/10.07.13	Smt. Tripta Kumari D/o Kaka Singh V/S Sh. Awtar Singh S/o Yeshpal Singh	Torture/harassment for dowry
175	25/10.07.13	Smt. Sudershan W/o Late R. P. Sahani V/S Municipal Committee, Jammu	Harassment
176	26/23.07.13	Smt. Arti Kumari W/o Anil Kumar V/S Sh. Anil Kumar S/o Paralnash Digra	Torture/harassment/ dowry
177	27/05.08.13	Mrs. Shahnaz Akhter D/o Noor Mohammad V/S Sh. Ravi Kumar, Ct. 6 th Bn. Pattan	Cheating
178	28/05.08.13	Smt. Arti Chatri W/o Vavik Chatri V/S Mrs. Mehbooba D/o Ghulam Nabi	Harassment
179	29/02.09.13	Smt. Sapna Rani Rajput Manhas D/o Shamsheer Singh V/S Sh. Vijay Singh S/o Tillo Ram Chib	Torture/harassment
180	30/05.09.13	Smt. Samit Sarita	Tortue/harassment

		Chowdhery D/o Darshan Chowdhery V/S Sh. Gorvinder Singh S/o Major Harnam Singh	
181	31/10.09.13	Smt. Samit Megha Khajuria D/o R. K. Khajuria V/S Sh. Ruhit Sahni S/o Tehasbi Kumar Sahni	Harassment
182	32/16.09.13	Mrs. Nahid Akhter W/o Mohammad Ashraf V/S Mr. Constable Mohammad Ashraf S/o Mohammad Bashir Khan	Harassment
183	33/19.09.13	Smt. Shakshi Sharma D/o Bansilal Sharma V/S Sh. Vinod Saini S/o Pretum Saini	Harassment
184	34/30.09.13	Smt. Bimla Kumari S/o Natha Ram V/S H.R. Department, M/S Hindustani Private Limited	Undue harassment
185	35/06.10.13	Smt. Rajni Devi D/o Girdarilal V/S Sh. Parshootum Kumar S/o Sarvan Dass	Harassment for dowry/maintenance
186	36/05.11.13	Smt. Chanchal Sharma D/o Amarnath Bali V/S Sh. Rampal Sharma S/o Milkram Sharma	Harassment
187	37/02.12.13	Smt. Nisha Devi D/o Waryam Chand V/S Sh. Vijay Kumar S/o Shamlal	Harassment/torture
188	38/02.12.13	Smt. Rekha Devi D/o Darshan Singh V/S Sh. Khushal Singh	Torture/harassment

		S/o Munshi Ram	
189	39/09.12.13	Mrs. Suraya D/o Smander Khan V/S Mr. Farooq Ahmad S/o Shamus Deen	Torture/harassment
190	40/10.12.13	Smt. Rekha Devi W/o Jayalal V/S Sh. Jayalal	Torture/harassment
191	41/17.12.13	Smt. Anita Devi W/o Jagdesh V/S Sh. Babu Ram S/o Sain Das	Harassment/torture
192	42/18.12.13	Smt. Kanta Devi W/o Late Suraj Prakash V/S Smt. Anju Rani D/o Daleep Kumar	Harassment
193	43/18.12.13	Smt. Urmilla Devi W/o Narinder Singh V/S Sh. Sudeshwar Singh	Harassment
194	01/21.01.14	Mrs. Zahida Akhter D/o Late Mir Hassan Shah V/S Mr. Aftaf Hussain Shah S/o Taj Hussain Shah	Harassment/maintenance
195	02/21.01.14	Smt. Sheetal Sonu W/o Rajesh Ghai V/S Sh. Harpreet Singh	Harassment
196	03/21.01.14	Smt. Pammi Kashap D/o Late Ram Attar V/S Sh. Munish Sharma	Desertion
197	04/22.01.14	Mrs. Shugufta Parveen D/o Ghulam Ibrahim V/S Mr. Abdul Qayoom S/o Mohammad Akbar	Harassment
198	05/29.01.14	Smt. Shashi Devi	Property dispute

		W/o Tara Mani V/S Sh. Tara Mani S/o Balay Ram	
199	06/17.02.14	Mrs. Safura Bano D/o Alam Din V/S Mr. Nazir Ahmad S/o Ibrahim	Desertion/maintenance
200	07/19.02.14	Smt. Manvi Gupta W/o Atul Kumar V/S Sh. Atul Kumar S/o Ram Raten Gupta	Harassment
201	08/21.02.14	Mrs. Zameeda Bi W/o Late Nizam-ud-Din Bhat V/S Mr. Najam Din & Mr. Javid IQbal S/o Late Nazim-ud-Din Bhat	Property Dispute
202	09/25.02.14	Mrs. Shaheena D/o Syed Ullah Zargar V/S Mr. Tariq Ahmad Sheikh S/o Late Ghulam Ahmad Sheikh	Desetion/maintenance

CASE HEARING AT SRINAGAR & JAMMU OFFICES











CONSULTATIVE COMMITTEE

To boost morale and give a competitive direction to the Commission in working out strategies and remedial measures within the compass of the Constitution and other viable techniques in solving problems confronting women folk at various levels, the Commission vide Order NO: 580/SCW/2013 dated 24.10.2013 constituted a Consultative Committee comprising of the following members, who are well versed in their respective fields and having played tremendous contribution towards betterment of women folk and their empowerment. The members also take part in counselling enthusiastically without any remuneration/perks as and when cases are calendared for hearing at both the headquarters viz., Srinagar/Jammu.

01 Mr. Peer Afaq Ahmad
Hon'ble MLA Zadibal

- 02 Mr. Basharat Ahmad Bukhari
Hon'ble MLA Sangrama
C/o Ryan Enclave near CRPF Camp Sheikhpura, Budgam
- 03 Dr. Naheed Soz
Managing Director
Women Development Corporation
- 04 Ms. Hafiza Muzaffar
Ex- Executive Director
Rehabilitation Council
- 05 Ms. Muslim Jan
Senior Editor, Media Education Centre,
University of Kashmir
- 06 Dr. Beauty Bandy
Associate Professor, Department of Law
University of Kashmir
- 07 Dr. Parveen Pandit
Principal B. Ed. College
Srinagar
- 08 Prof. Shaheen Altaf
Principal
Govt. College for Women
M. A. Road, Srinagar
- 09 Dr. Saba Bakshi
Rajbagh, Srinagar
- 10 Mr. Riyaz Ahmad
Retired DIG
- 11 Ms. Zeenat Nazir
Advocate
- 12 Mr. Saleem Pandit
Correspondent
Times of India

A meeting of Consultative Committee Members was chaired by Hon'ble Chairperson in her office chambers at Old Assembly Complex, Srinagar on 26-10-2013.

The meeting was intended to rejuvenate working of the Commission and have valuable suggestions of the newly Consultative Committee constituted, from the vast experience out of their diversified fields, in order to provide such an atmosphere (suitable platform) to ameliorate the lot of destitute women approaching this

Commission for redressal of their grievances, which is the prime mandate of the Commission. The following points were raised and discussed:

- (1) Meeting of Consultative Committee Members once in a month;
- (2) Establishment of Women Police Wing within the Commission as a helping hand;
- (3) Requirement of a Meeting Hall;
- (4) Establishment of at least one Women Police Station in every district to check control of any untoward incidents with women;
- (5) To give teeth to the Commission, it should be vested with powers for proper functioning of its day-to-day office affairs and to punish culprits who damage sanctity/chastity of women. The meeting was apprised by the then Secretary, SCW that the matter of framing rules for the Commission is under process for its finalization before the Government as proposal in this regard has already been submitted for vetting to publish.
- (6) It was felt that there should be appropriate police deployment at Government Women College, Moulana Azad Road, Srinagar with the aim to thwart women students to fall prey of hooligans. The issue was raised by Principal, Government Women College, Moulana Azad Road, Srinagar;
- (7) Moral values amongst society has gone down which has developed a sense of insecurity and is a grave concern for every sane person. All educational institutions including parents are enjoined upon to inculcate moral education in children and young ones for their better future and save nation from declining morally. The matter was raised by Mr. Basharat Ahmad Bukhari, MLA Sangram. It was unanimously decided over that it is need of the hour to cultivate and nurture a young generation with both high moral values and academic excellence to take over the reins of the country in future and give new dimension to the welfare and development of the society where discipline, rule of law, honesty and justice would rule the roost.
- (8) Acquisition of land and construction of office buildings of the Commission of its own both at Srinagar and Jammu;
- (9) To aware general masses including schools, colleges, universities, rural and urban slums, awareness campaigns should be initiated in every district about the legal rights of women besides role and functioning of the Commission. The Administrative Department should augment funds under the Component Head— Seminars/Trainings so that the Commission can reach out to general masses without any impediment;
- (10) The matter regarding “Women Rights and Right of Talak” was discussed thread-barely. The issue was raised by Mr. Saleem Pandit, Correspondent, India Times.
- (11) A mention was also made about remuneration of Part-time Members nominated for this Commission who should be paid at least Rs. 10,000/- per month so that they may attend the office and listen the cases, whenever fixed for hearing, regularly.

The meeting concluded with vote of thanks to the chair on 06.00 PM.

“Empowering women must be a united approach, a cause that requires continued attention and stewardship by all. We need to augment our efforts for empowering women and enhance their progress. It is our moral, social and constitutional responsibility to ensure their progress by providing them with equal rights and opportunities”.

This was stated by J&K State Commission for Women (SCW) Chairperson and MLA, Advocate Shamim Firdous, who was also chief guest at Valedictory Session of Women Science Congress (WSC) held at Jammu University.

ISCA General Secretary (Science Activities) Prof. Arun Kumar, who presided over the function, welcomed the Chief Guest and other dignitaries including Dr. Shashi Ahuja, Prof. R. C. Sobti, Dean of Business School, Prof. Neelam Saraf and Convener of Jammu Women Science Congress, Prof. Anju Bhasin.

The Chief Guest reiterated that empowerment is one of the key factors in determining the status and position of women in our society. We put a special focus on empowering women and girls because we believe they hold the key to long-lasting social change in communities. She further added that it is our moral, social and constitutional responsibility to ensure women progress by providing them with equal rights and opportunities. Demoralizing women amounted to discrimination with women who were still fighting for their rights and equality in every field.

Citing examples of few eminent Indian women achievers like Kalpana Chawla, Sunita Wiliama, Nirupama Rao, Sania Nehwal etc. The Chief Guest further elaborated that today women play an essential role in the every field like Education, Science, IT Profession including management of natural resources and often have a profound traditional and contemporary knowledge of the natural world around her.

“In Jammu and Kashmir State, our girls have performed well in every field and topped in education sector from schools to Universities which is the live example of their performance in every sector”, she added.

Prof. R C Sobti in his address said, “The Ministry of Women & Child Development (WCD) has been implementing the number of schemes which strive towards both economic and social empowerment. There is a need to aware the women folk about the schemes meant for them so that they are not discriminated”.

In her vote of thanks, Prof. Anju Bhasin thanked the Chief Guest and other dignitaries including student fraternity for their participation to make the WSC successful and also thanked the media fraternity for giving excellent coverage to 101st Indian Science Congress event hosted by Jammu University.

While speaking on the occasion, she further said that there is a need to bring about awareness in this neglected and under-privileged section of the society about the income generating activities. The principal of gender equality is enshrined in the Indian

Constitution which not only grants equality to women, but also empowers the state to adopt measures of positive discrimination in favour of women.

Address on the occasion by Advocate Shamim Firdous, Hon'ble Chairperson (MOS), J&K State Commission for Women

Ladies and Gentlemen, I feel pleasure to be over here in this august gathering having been invited to attend the 101st Indian Science Congress today to put forth my views without taking much time on this Valedictory Session of “Women Science Congress”.

Honorable guests and respected ladies, I would like to give my thanks to Professor Mohan Paul Singh Ishar, Vice Chancellor, University of Jammu, for organizing this mega event. I also express my warm wishes to Nobel Laureates, Scientists, Policy Makers, Scholars, representatives from industries & distinguished guests.

It might be very difficult for me to put light on the subject i.e. women and its relation with science & technology. Because I am well aware that I am speaking before eminent scholars, scientists, policy makers and other distinguished dignitaries, who are the real owners of the knowledge and have gathered over here to discuss and revolutionize the concept of women in the field of science and technology.

Respected ladies, I have got an opportunity to serve in a field, where one can realize the actual pain of a women being discriminated, deserted, tortured and suppressed that is “The State Commission for Women”.

Despite the fact that the results declared by the Board of School Education in J&K during recent years have emerged that girls have outnumbered the boys in every field, be it Physics, Chemistry or Mathematics. But while evaluating it at higher level one can hardly see any female dominating the field of science and technology. Even in medical science after crossing through the prestigious MBBS, most of the lady doctors are specialized in gynecology, having no intension about other fields of medical science. It is astonishing to note that girls up to the College level are showing tremendous performance, but nothing is notable thereafter. What is the reason needs to be evaluated and addressed? Is it gender bias or the physiological behavior that has given the men spetial ability to succeed in the field of science? We all are aware that such specialty is not confined with particular class or gender among the humans. The skills

can be brought up by giving due consideration towards women folk through motivated specialized training programmes. It is also true that if girls are brought up in an environment of equality, with no gender bias, then, of course, achievements in the field of science will be tremendous.

While surfing on the internet I came across some lines on the topic which really were coinciding with the knowledge, I have experienced during my tenure in the Women's Commission. I may keep it before the eminent scholars and teachers of the present system and to discuss and evaluate it for the sake of women folk. In most of the cases it has been observed that:

- 01 Teachers & parents often give boys more opportunity to figure out the solutions to a problem by themselves while telling the girls to follow the rules.
- 02 Teachers & parents are more likely to accept questions from boys while telling the girls to wait for their turns.

This is partly due to gender expectations that boys should be active; girls should be quite plus obedient.

It may be or may not be true, but the following few lines told by Dr. Sir Mohammad Iqbal will surely make you & me, to ponder:

یارب شکایت ہے مجھے خداوندانِ مکتب سے
سبق دے رہے ہیں شاہیں بچوں کو خاکسازوں کا

I am not against men folk. It is not the bias of a woman, which makes him to speak against the males. But, it is something related to the system, which we have made together. The time had gone when people used to say men are better leaders than women. Now things have changed, even women have equally proved in the field of leadership. Still males are dominating the whole system, but we should proudly say that for every success of a male, there is a female behind it; may be the mother as in the case of Napoleon.

There are number of individuals who were gifted by the God with certain abilities but could not succeed because the system has not paved the path for their success.

خاک میں کیا صورتیں تھیں پیہم ہو گئیں
سب کہاں کچھ لال گل میں نمایاں ہو گئیں

We have some eminent figures, who like a flower have glorified this world with their superb ideas and have become reckon for others to emulate, for example;

- 01 Madam Cury
- 02 Rachel Carson
- 03 Barbara McClintock
- 04 Rita Levi- Montalcini
- 05 Grtuid Elion
- 06 Elizabeth Blackwell
- 07 CritainNusslin
- 08 KalpanaChowla etc. etc.

Without proceeding further, I would conclude my talk with profound thanks and congratulation to the management for organizing and providing this Mega Interactive Platform, which has really been a successful occasion to enrich our knowledge besides sharing one's own views.

Thanks.

AWARENESS CAMPS WITH EFFECT FROM MARCH, 2013

With effect from March, 2013 to ending February, 2014, the J&K State Commission for Women conducted awareness camps at the following districts of the State in order to impart/aware women about their legal rights and role of the Commission for their empowerment.

S.NO	DATE	NATURE OF ACTIVITY	PLACE
01	24.09.2013	Awareness Camp	Suchheetgarh, R.S. Pura, Jammu
02	21.12.2013	Awareness Camp	Kupwara, Kashmir

Awareness camp at Suchheetgarh, R.S. Pura, Jammu:

On 24th September, 2013 the Commission visited a village Suchheetgarh, R. S. Pura, Jammu situated at International Boarder between India and Pakistan. The women

of this far-flung area came in traditional dress to welcome the Chairperson of the Commission. Smt. Tajvinder Kour (President of a local NGO) along with her members participated in the awareness camp and highlighted problems being faced by the women folk in that boarder area. The NGO complained that no scheme for women oriented has been implemented in their area and they have formed a group to guide the women of the area towards economic empowerment. The then Secretary of the Commission, Mr. Mohammad Akbar Wani (KAS) in his speech highlighted the role of the Commission. No sooner the Chairperson stood up from the chair when requested to address the participants, everybody clapped and cheered to welcome the honourable dignity. The Chairperson in her speech made women of the area aware regarding their rights and explained role of the Commission for empowerment of women. The Chairperson also assured the gathering that in case of any help J&K State Commission for Women would come in their rescue. The awareness programme in addition to women folk was attended by the school girls and the respectables of the area.

At the end, a volunteer of NGO thanked the Chairperson and other members of the Commission for having visited to the boarder area of Suchetgarh out of their busy



schedule.

Awareness camp at Kupwara:

On 21st of December, 2013 the Commission visited far-flung of District Kupwara and held awareness camp for Aaganwari Supervisors, workers and locals of the District. The programme started with the recitation of Holy Verses from Quran by a local Mr. Manzoor Ahmad.

The programme officer of the District gave inaugural speech and welcomed Hon'ble Chairperson for visiting this remote area of Kashmir especially on 1st day of '*Chilia Kalan*' when it was very cold and there was heavy snowfall in the Valley.

Additional District Development Commissioner, Mr. Abdul Aziz Bhat also welcomed the honourable dignitary and highlighted the programmes undertaken by the Government in District Kupwara for the welfare and betterment of the women.

All the participants stood up from their chairs when Honourable Chairperson was welcomed to deliver the speech. The Chairperson was very happy to notice that despite severe cold an impressive gathering was waiting to give a patient hearing of the views of the dignitary. In her speech, the Chairperson highlighted the mandate of the Commission and enjoined upon the women folk to come forward as in the present system there is no difference between males and females and gave examples of so many great ladies of the world who have ruled their countries.

At the end, the Chairperson assured the gathering for full support and cooperation in case of any problem confronting women folk of the area as the Commission is committed to provide its service for mitigating sufferings/woes of the aggrieved women within the compass of the Constitution and other allied laws meant for them. She also thanked the administration for their support to make the occasion a grand success.



INTERNATIONAL WOMEN'S DAY — MARCH, 2013

The J&K State Commission for Women in collaboration with Centre for Women's Studies, University of Jammu has conducted a seminar on "Sexual Abuse" on 6th March, "Brigadier Rajinder Jammu University in International Women's presentation of the Sexual Abuse was also **"Nav Durga Kala Tees Din September**



Jammu has on "Sexual Abuse" in Auditorium" of connection with Day. A dramatic play based on performed by **Manch" titled Key**". More than

600 students of different departments along with HODs and faculty members of the University participated. Prof. Poonam Dawan, Director, Centre for Women's Studies, University of Jammu welcomed the participants. Mtr. Rubina Kousar, Ex-Secretary, J&K State Commission for Women also highlighted the topic of Sexual Abuse and role of the Commission.



'Barsaat Ke Wo Tees Din' a play on girl child sex abuse spellbound the audience at Brig. Rajinder Singh Auditorium, University of Jammu. The socially relevant play was very well written by Pritam Katoch and directed by Aaditya Bhanu. The play was presented by State Commission for Women and Centre for Women Studies, University of Jammu in collaboration with Nav Durga Kala Manch on the eve of International Women's Day.

The plot of the play is based on the love and betrayal. Tees Din endeavors to lift the veil of silence which surrounds child sexual abuse and addresses the issue unflinchingly. It builds on the trauma of a girl who lives with the haunting memories of her abused past.

Her abuser uncle subconsciously lives with her all the time, as part of her dirty reflections. He damages her natural growth, deters her from pursuing her love interests beyond the ominous 30-day period and scars her soul every now and then. As Mala

withers under the psychological pressure extorted on her by the abuser, her mother watches silently, living her own pain-suffering mutely.

Tees Din... shows how children can be exploited by their own immediate relations and what repercussions this abuse has on their psyche.

Portrayed on stage by Reetu Manhas, Aasha Kotwal, Shahsi Bhushan, Aaditya Bhanu, Dilshad Shai, Sumit Sudan and Abhijit Khajuria, costumes were managed by Kannav Chopra while music was executed by Ashish Bhat.

Speaking on the occasion, Prof. Poonum Dhawan, Director Centre for Women Studies, University of Jammu thanked the audience for their cooperation and also said that all the women have to come forward and fight against this molestation to save the nation.

Rubina Kousar, Ex- Secretary, State Commission for Women presented the vote of thanks and strongly appealed that the women require upliftment in the society and should be trained to fight against this crime.

Other dignitaries present on the occasion included staff members of the J&K State Commission for Women, Heads of various Departments of University, faculty members, officers and non-teaching staff as well as scholars and students of the university.

International Women's Day (IWD), originally called International Working Women's Day is marked/ observed on March 8th every year around the world. It is a day when women are recognized for their achievements without regard to divisions whether national, ethnic, linguistic, cultural, economic or political. It is an occasion for looking back on past struggles and accomplishments, and more importantly, for looking ahead to the un-trapped potential and opportunities that await future generations of women.

The J&K State Commission for Women is also commemorating the IW-Day every year to aware women of the State about their legal rights enshrined to them under the constitution and empowerment of women at all levels. The SCW in collaboration with Government Degree College (GDC) Parade, Jammu celebrated 103rd International Women's Day at GDC Prade, Jammu. Minister for Higher Education, Jenab Abdul Gani Malik was the Chief Guest on the occasion while Chairperson, J&K State Commission for Women, Advocate Shamim Firdous was the Guest of Honour.

Principal of the College, Dr. Kiran Bakshi welcomed the dignitaries and threw light on the objective of organizing IWD across the length and breadth of the State.

Mtr. Hafiza Muzaffar, Ex-Executive Director, Rehabilitation Council and the then Secretary of the Commission; Member of the Commission, Vijay Luxami Dutta and several other dignitaries addressed the function and highlighted the importance of celebrating the Day with gaiety and fervour. Mtr. Hafiza Muzaffar stressed for the need of opening offices of Commission at District level so that the women living in far-flung areas would be provided access to the Commission through district offices. She also pleaded for increase in fund allocations to strengthen the Commission.

Former Member Legislative Assembly, Jenab Zubaida Salaria and Commissioner/Secretary Education (Rtd), Naseema Lanker were felicitated for their notable contribution towards women and for their excellent empowerment work in different fields.

Among others, the function was attended by eminent women, NGOs, rural and urban women folk living in slums.

Several students of the college took part in the debate titled "Women & Society". Certificates of participation were awarded to them by the dignitaries.

Addressing the function, the Minister said that with the high standards in education and life style, women have already occupied their place in judiciary, politics, administration and social activities. He added government has given 1/3rd reservation to women in Panchayats and 10,000 women representatives have been elected across the state in the recently concluded elections to the rural bodies to work at grass root level. There is no doubt that girls are outstanding and in almost all the examinations girls secure higher marks and excel in the disciplines of Arts, Commerce and Science.

DATA RECEIVED WITH REGARD TO CRIME AGAINST WOMEN FROM HEADQUARTERS CRIME, J&K

CRIME HEADS									
Month/ Year	Rape/ Gang rape	Kid- napping / Ab- duction	Moles- tation	Eve Teas- ing	Dowry death cases	Cruelty by husband or his relatives	Dowry Restraint Prohi- bition Act, 1960	Suppressi on of immoral trafficking in Women and Girls Act, 1956	Other Crime where women are victim
Mar 2013	31	70	86	28		17			
Apr 2013	33	80	111	38		34	01		
May 2013	34	90	149	30	01	48		01	
June 2013	34	86	180	37		44			
July 2013	31	98	188	43	03	48	01		
Aug 2013	36	98	143	41	01	33			
Sept 2013	47	85	130	31	01	46	01		
Oct 2013	22	77	115	19		37			
Nov 2013	33	76	84	19		36			
Dec 2013	25	62	78	21		33			
Jan 2014	18	66	54	29		26			

Feb 2014	27	46	76	18	-	28	-	-	-
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RTI OF THE COMMISSION

Information provided under RTI Act

Under Right to Information Act, 2009, the J&K State Commission for Women received a total number of 62 cases and the similar numbers have been disposed off/replied.

Sr. No	Year	Applications received	Replied
01	2011	14	14
02	2012	23	23
03	2013	19	19
04	2014 (ending February)	06	06
Total		62	62

ON-LINE COMPLAINTS

The commission has started also receiving online complaints through e-mail: jkwomenscommission@gmail.com

DETAIL OF CASES REGISTERED WITH THE COMMISSION RIHGT FROM ITS INCEPTION (YEAR-WISE)

YEAR	NUMUBER OF CASES
2000	14
2001	39

2002	208
2003	160
2004	265
2005	260
2006	237
2007	216
2008	167
2009	230
2010	159
2011	161
2012	208
2013	194
2014(ending February)	33
TOTAL	2551

ACHIEVEMENTS RIGHT FROM INCEPTION OF THE COMMISSION

1. Total number of cases registered with the Commission from its inception = 2551
2. Number of cases settled as on (ending February, 2014) = 1869
3. Number of cases subjudice/negotiation/outside settlement = 543
4. Actual persuasion as on ending February, 2014 with the Commission =139
5. Kashmir Province = 112
6. Jammu Province= 27
7. Organized awareness camps in far-flung areas to aware women about their rights
8. Field visits at different remote areas of J&K State.
9. Conducted 13 Gender Budgeting workshops in which more than 910 district officers were educated about gender budgeting concept.

SUCCESS STORIES (W.E.F. 03/2013 TO 02/2014)

Sr.	COMPLAINT NO./YEAR	NAME OF THE COMPLAINANT	NAME OF THE RESPONDENT	
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NO				REMARKS
1	22/2013	Mrs. Haseena	Mr. Fayaz Ahmad Wazir	Maintenance Rs.9000/- per month
2	11/2013	Mrs. Aiyana	Mr. Javaid Hussian	Ornaments
3	03/2013	Mrs. Nighat Jan	Mr. Javaid Ahmad	Ornaments/Belongings
4	757/2012	Mrs. Roshan	Mr. Arshid Hussain	Belongings
5	753/2012	Mrs. Yasmeena Riyaz	Mr. Riyaz Ahmad	Ornaments worth Rs. 4.10 lacs/Belongings
6	24/2013	Mrs. Maria	Mr. Shujjah	Portion of house against ornaments worth Rs. 10.50 lacs/Maintenance
7	25/2013	Mrs. Kounsar	Mr. Imran Mir	Maintenance Rs. 1500/- per month
8	313/2012	Mrs. Nusrat	Mr. Mohammad Yousuf	Mehr
9	04/2013	Mrs. Ruqaya	Mr. Javaid Ahmad Mugloo	Maintenance Rs. 3500/- Per month
10	37/2013	Mrs. Raja	Mr. Abdul Razzaq	Maintenance Rs. 2500/- per month
11	651/2012	Mrs.Shakeela	Mr. Ashiq Punjabi	Maintenance Rs. 2800/- per month
12	631/2012	Mrs. Sameena	Mr. Saadat	Rs. 3.00 lacs/Belongings
13	15/2013	Mrs. Zulaikha	Mr. Wajahat	Maintenance Rs. 10000/- per month
14	02/2013	Mrs. Tasleema	Mr. Tariq	Maintenance Rs. 5000/- per month for four months
15	755/2012	Mrs. Mahjabeen	Mr. Javaid Ahmad	Belongings
16	53/2013	Mrs. Fatima	Mr. Farooq	Maintenance Rs. 3000/- per month/Ornaments
17	555/2011	Mrs. Tasleema	Mr. Shakeel Pathan	Belongings
18	28/2013	Mrs. Nayeema	Mr. Mohammad Akbar	Maintenance Rs. 3000/- per month

19	127/2012	Smt. Shakhti	Sh. Mohan	Maintenance
20	20/2013	Mrs. Asma	Mr. Nisar Hussain	Ornaments
21	284/2011	Smt. Soma	Sh. Joginder	Maintenance Rs. 1000/- per month
22	22/2013	Smt. Ruhi Gupta	Sh. Sudesh Gupta	Maintenance Rs. 2500/- per month
23	23/2013	Smt. Rajdulari	Sh. Shadi Lal	Shelter
24	725/2012	Mrs. Hoor	Mrs. Hameen	Belongings
25	61/2013	Mrs. Tahira	Mr. Akhtar	Ornaments
26	704/2012	Mrs. Mahjabeen	Mr. Riyaz Ahmad	Maintenance Rs. 6000/- per month
27	72/2013	Mrs. Aasra	Mr. Younis	Ornaments/Belongings
28	63/2013	Mrs. Gulshan	Mr. Farooq Alai	Previous Maintenance Rs. 18000/-
29	572/2011	Mrs. Shahnaz	Mr. Zahoor Ahmad	Rs. 3.00lacs previous maintenance besides Rs. 4000/- maintenance per month
30	106/2013	Mrs. Arifa	Mr. Muzaffar Ahmad	Partial custody of child
31	107/2013	Mrs. Bilkees	Mr. Aamir	Maintenance
32	15/2013	Mrs. Dilshada	Mr. Mohammad Yousuf	Rs. 34000/- Previous Maintenance besides Rs. 2000/- Maintenance per month
33	54/2013	Mrs. Shahzada	Mr. Feroz Ahmad	Rs. 19000/- as maintenance
34	77/2013	Mrs. Rozy	Mr. Fayaz Ahmad	Rs. 24000/- as maintenance
35	599/2012	Mrs. Samia	Mr. Riyaz Ahmad	Rs. 1000/- as maintenance per month
36	677/2012	Mrs. Gousia	Mr. Junaid	Rs. 5000/- as maintenance per month/ornaments/belon

				gings
37	145/2013	Mrs. Riffat	Mr. Mubarik Ahmad	Belongings
38	135/2013	Mrs. Haleema	Mr. Mohammad Akbar	Rs. 1500/- as maintenance per month

HIGHLIGHTS OF PROCEEDINGS OF SOME OF THE CASES REGISTERED WITH EFFECT FROM 03/2013 TO 02/2014

(01)

Mtr. A (name changed) under complaint No. 72/26.06.2013 approached this Commission alleging that she has been subjected to harassment/torture by her husband and in-laws for dowry. Besides, all her matrimonial belongings are lying with her husband. However, the respondent denied the allegations levelled against him and added that she left the female baby before 13 months. He is ready to continue and will give in writing to take care of her fully, but the applicant is not presently ready to continue with him keeping in view of the behaviour/torture being perpetrated upon her. The respondent accepted that he had taken ornaments of the complainant and sold some of them and put that in his business. He assured to return all in installments.

On 18.09.2013 both the parties again attended the Commission. During the course of counselling, the complainant stated that her husband and father-in-law tried to kidnap her, for which she lodged an FIR in Police Station, Nowgam. She was not ready to continue with him, but the respondent stated that he would not divorce her at any cost. He also denied the allegation of kidnapping. The respondent was advised to return the ornaments/belongings of the complainant.

Both the parties were given time to take recourse for amicable solution with the help of their elders to which both the parties agreed and the next time the complainant moved an application wherein she stated that they have got their case settled as per the directions of this Commission. Hence, the case has been closed and consigned to record.

(02)

Mtr. B (name changed) under complaint No. 106/21.09.2013 approached this Commission with a plea that she was forcefully administered the drugs during her pregnancy. With the result her baby got aborted, her condition was critical and she was under treatment at her parental home for the last three months without any financial assistance from her husband, but the respondent denied the allegations. However, he stated that the complainant was not interested to give birth to the child. Firstly, the complainant was not ready to live in a joint family nor was the respondent ready to live

separately as his parents were in old age. The Commission also advised the respondent to give custody of child to his mother on 07.09.2013.

On next date of hearing, counselling was rendered to both the parties. Keeping aside differences, both the parties decided to continue on the basis that the respondent will look after his wife properly and will not give any chance of complaint. Thereby, amicable settlement of the case came into conclusion.

(03)

Mtr. C (name changed) under complaint No. 77/26-06-2013 approached this Commission with the submission that she was deserted by her husband and her matrimonial ornaments were also retained by them. Besides, her husband is not ready to continue with her. She also stated that her ornaments were sold by her husband, which she should be given back. No maintenance was provided during the time she was at her parental home.

The respondent accepted the allegations levelled against him and assured the Commission that he would pay Rs. 3000/- per month as maintenance charges for the last eight months since she was at her parental home; an amount of Rs. 24000/- was paid. He also assured to return the ornaments, which he had sold, to her as early as possible.

The complainant would resume her matrimonial home afterwards. This is a good omen the case is going to settle down soon as has been observed during the course of counselling.

(04)

The Commission received a complaint from Mtr. D (name changed) under complaint No. 63/11-06-2013 with a plea that she was deserted by her husband and was not taking care of her properly. The respondent in reply said that he often advised her to change her attitude, but did not cooperate. He was ready to continue with his wife. She also complained that her Mehr ornaments are lying with President, Samaj Sudhar Committee, Noor Bagh, Srinagar, to which the respondent agreed. During the course of counselling, the respondent was asked to pay maintenance charges to his wife @ Rs. 2000/- per month for nine months in four equal installment; 1st on 16-09-2013. On 28-11-2013, the parties and President, Samj Sudhar Committee, Noor Bagh, Srinagar attended the Commission. The President during hearing stated that the instant case was heard by him and his other colleagues. The ornaments of both the sides are lying with him. Mehar was fixed as 1.50 lakhs, out of which Rs. 50000/- are still unpaid. The complainant added that 10 numbers of gold rings are lying with him, which she needs back. Besides, she was not paid the maintenance amount after 16.09.2013. However, the respondent denied of being in possession of the gold rings, but accepted that he had not paid the maintenance charges fixed on 03.09.2013. He paid Rs. 4500/- against Rs. 18000/- on the said date.

It was decided in the Commission that both the spouses would continue with each other and the complainant would resume her matrimonial home. The case was put pending upto 02-12-2013 by giving stipulated time to come to tacit understanding for finalization of the case.

(05)

The Commission received a complaint from Mtr. E (name changed) under complaint No. 704/13.09.2012 alleging that after marriage her in-laws especially sister-in-law was torturing her for unknown reasons. She along with her two daughters was at her parental home. Besides, she alleged that her husband was not providing any financial assistance to them and her ornaments are in his possession. The respondent denied the former allegations, however, agreed that his sister beat her once as the complainant abused her. Also, the respondent agreed of possession of her ornaments.

During the course of counselling, the respondent was asked to pay previous amount of maintenance for the last 17 months @ 6000/- per month coupled with Rs. 18000/- for admission fee of his daughter amounting to Rs. 1.20 lakhs. The respondent assured that he will deposit Rs. 3000/- per month in the bank account of his wife against previous arrears of Rs. 1.20 lakhs, besides, Rs. 6000/- per month as maintenance. It has been decided that both the parties would attend the Commission on 25-10-2012 to report accordingly. After, the case has been heard several occasions. The complainant stated that she is getting maintenance amount of Rs. 6000/- per month. However, the ornaments are still lying with the respondent. She is ready to continue after getting the ornaments back. The respondent said that he had sold the ornaments and assured that he would return the same in piece meals.

The Commission rendered counselling to both the parties and gave patient hearing of both the parties. They are now in a set mood to reconcile tossing their indifferences. The Commission wishes their prosperity in future.

(06)

Mtr. F (name changed) under complaint No. 04/08-01-2013 approached this Commission with a plea that her husband has deserted her including a child, who is a student of 9th class and contracted second marriage. The respondent is not paying any financial assistance to them. The respondent during the course of counselling accepted that he has contracted second marriage and has not provided any financial assistance to the complainant and the child till date.

Counselling was given to both the parties. The complainant and her child were ready to live with him, but the respondent is not ready to continue and has categorically stated that he would divorce her and the child has a choice to live with him. Both the parties were given enough time by the Commission for reconciliation and in this connection efforts are in force for finalization of the case.

(07)

A case has been lodged by father of one Mtr. G (name changed) under complaint No. 751/24-12-2012 with this Commission alleging that a reign of terror has been unleashed on her daughter with filthiest abuses and false canvassing. On 15-04-2013, the complainant along with his daughter attended the Commission but the respondent failed to attend. The Commission approached to the Ministry of Labour & Social Affairs, UAE and SHO, Police Station, Chanpora for presence of the respondent. On 17.09.2013, both the parties attended the Commission and recorded their statements. The respondent stated that his wife attended her parental home but did not return. He accepted that he beated his wife at Sharjah as she was levelling illicit allegation against him. The wife of the respondent said they were in Dubai and she got ill and asked her husband to get a ticket so that she could go to her hometown, but he did not provide. At last, she got a ticket arranged by her father and went to her parental home. The respondent also attended to her at her parental home for reconciliation to resume the matrimonial home. She was pragnent and the matter could not be got materialized. In the mean time, the wife of the respondent gave birth of the second female child. She was also divorced by her husband.

During the course of counselling, the respondent was asked to return all her matrimonial belongings and was also asked to pay Rs. 6000/- per month as maintenance to his daughters for the last nine months i.e., Rs. 54000/- and deposit the same in the Commission for onward submission to her. The Commission has given some time to both the parties to think over the matter with an open-mind for its final settlement.

(08)

The SCW received a complaint from Mtr. H (name changed) under complaint No. 677/26-07-2012 alleging that her husband and in-laws tortured her mentally soon after she conceived. Maltreatment and cruelty by her in-laws was aimed to abort her pregnancy. She also stated that she incurred several lakhs of rupees on medical care by her parents. She gave birthl to a male child, but her husband and father-in-law did not visit her nor spend a single penny, instead kept all her matrimonial belongings in their possession which include gold, passport etc worth Rs. 16 lakhs.

Both the parties attended the Commission after summoning and during the course of hearing, the applicant stated that the respondent was harassing, torturing her and unilaterally divorced her. The respondent denied the allegation and stated that his wife was not cooperating with him. She left the matrimonial home on her own choice. The plaintiff further stated that her husband was insisting her to leave the job, but she did not agree and thereby divorced her, retained all her matrimonial belongings. However, due to interference of police, some of the ornaments and belongings have been received by her in tarnished form. The respondent agreed that some of the ornaments are still lying with him and assured that he would pay the value of the missing ornaments. Both the parties were advised to reconcile for the sake of the child and their better future.

The Commission took up the matter with the concerned SHO for the presence of the respondent in this Commission on the prescribed date slated for hearing. Therefore, both the parties attended the Commission on 20-11-2013. The complainant again stated that some of her ornaments are still lying with him, which she needs back. Besides, the respondent is paying only Rs. 3000/- per month towards maintenance charges of the child and requested for its enhancement. The respondent stated that he had divorced the applicant and returned all her belongings except a few which are missing and he assured to pay the value of these items along with the expenses needed for the child. The respondent further assured that he would pay Rs. 5000/- per month towards maintenance charges excluding the Admission and Tuition fee. The value of the ornaments shall be paid to the complainant on 19.12.13.

On 02.01.2014, both the parties attended the Commission. The respondent handed over a Pashmina Shawl to the complainant and swore by the Holy Quran that nothing else was lying with him. The respondent assured the Commission that he would fulfil all amenities of the child.

(09)

A complaint received from Mtr. I (name changed) under complaint No. 37/07-05-2013 alleging that her step-sons are trying to grab her property after the death of her husband. She further stated that she was being tortured and harassed by her step-children. The complainant attended the Commission on 16.05.2013 after summoning both the parties. However, the respondents approached to this Commission along with some court documents which revealed that the case of three kanals of land is pending before the court of law. The complainant requested that she may be given her rights as per Shariya and proper lookafter. The respondent assured the Commission that the complainant would be provided maintenance charge of Rs. 2500/- per month and shall not harass her and look after her properly.

The Commission stressed upon the respondent(s) to ensure proper care of the lady being needy and on the other hand advised the complainant to inform the Commission if they (respondents) try to harass her. The case has been closed and the file has been consigned to records

(10)

Mtr. J (name changed) under complaint No. 24/12-03-2013 approached the Commission alleging that she was tortured by her husband and in-laws. She also stated that she sold all her matrimonial belongings including the land and sent the money to her husband as he was a borrower at Dubai. This was all fraud. They deposited the whole amount (value of ornaments) in J&K Bank, Branch Hari Singh High Street. Besides, her husband had got engagement with a Pakistani namely Ms. Raina Mukhtar. She also stated that she was in Dubai and her husband used to torture her on one pretext or other. After expiry of the term of visa, she returned to Srinagar and delivered a baby after a major operation by spending more than Rs. 1.50 lakhs provided by her father. The respondent also returned from Dubai and after lot of persuasions by her in-laws, she again resumed. Her husband again used to demand money from her saying

that he has been terminated and has now intention to start business. She was beaten and not given proper food as well. After this, she was dragged out of the matrimonial home.

The Commission took up the matter with the concerned SHO and got the respondent present in this Commission on 15.04.2013. After hearing from both the parties, the Commission asked the respondent to pay maintenance for the last seven months to his wife i.e., Rs. 21000/- @ Rs. 3000/- per month, besides handover the custody of the child along with the ornaments to her. The respondent agreed and assured that he would return all the rights to his wife immediately and both the parties were asked to report to this Commission along with their elders on the next date of hearing.

Accordingly, both the parties attended the Commission on 21.05.2013. The complainant stated that her husband had not returned the ornaments nor had paid any maintenance. However, she has taken custody of the child. The respondent accepted that he did not pay the maintenance due to poor financial position and assured that he would pay it during the month of June, 2013.

After sound counselling, both the parties were made ready to continue with each other and were given fifteen days more time to think over their future. Regarding the ornaments, which the respondent had sold during the year 2009 (worth Rs. 10.57 lacs), they would come up with an agreement/conditions for re-payment of the said amount viable/acceptable to both the parties and get it registered in the court of law. Further, the respondent will pay an amount of Rs. 5000/- every month (Rs. 2000/- on account of the previous maintenance). Both the parties attended the Commission on 02-07-2013 along with documents/agreement, which were contradictory. The applicant wanted her Mehr and some Pashmina Shawls back amounting to Rs. 13.00 lakhs, but the respondent denied the plea of Mehr amount and Pashmina Shawls. He stated that he would pay Rs. 9.57 lakhs to the complainant within five years and if failed, he would sell out his propoery and are bound to pay it in one go. Copies of both the agreement(s) were submitted by both the parties. On 21.11.2013, the complainant and the father of the respondent were handed over a copy of agreement made by both the parties to each other for their perusal and further action. Both the parties requested that they need some changes in the said documents. It was also agreed up on by both the parties that the respondent and his father-in-law would make an agreement wherein it shall be mentioned that the Annexe of the house of the respondent's father to be kept in the name of the complainant along with some portion of land against the value of the ormanents for five years. During the period, the amount shall be returned to the complainant by the respondent and his father. After preparation of documents, the complainant will resume her matrimonial home.

The Commission has advised both the parties to get the agreement executed as soon as possible for their better future. Hence, the case was settled in the Commission on 21.11.2013.

Mtr. K (name changed) under complaint No. 61/11-06-2013 lodged a complaint against her husband saying that he never took care of her and not provided any financial assistance. Out of the wedlock, she has a child, but her husband divorced her and is not accepting the child. All her matrimonial belongings are lying with him.

Both the parties attended the Commission on 04-07-2013 after summoning. During the course of hearing, the respondent denied the allegations and stated that he had not divorced the complainant. He accepted that he had not provided any maintenance to her for the last two months. He further stated that he would not leave her at any cost and is ready to continue. While counselling, it came to know that the ornaments of the complainant were lying with the uncle of the respondent.

The Commission advised the respondent to return the ornaments to the complainant without any further delay. The respondent assured that he would return the same on 8th June, 2013 and the complainant has been asked to approach this Commission in case he fails to fulfil his commitment.

(12)

Mtr. L (name changed) under complaint No. 555/11-06-2013 approached this Commission with a plea that her husband died in the year 2007 and out of the wedlock, she has a male child. She complained that her brother-in-law was harassing her so she left the matrimonial home. She was deprived of the property there. Besides, all her belongings are lying there. She requested that her belongings and property together with the child be returned to her. The respondent while hearing stated that he was ready to provide whatever was due to her and the child but he denied the allegations of harassing her. Both the parties attended the Commission on 20.06.2013 and it was amicably agreed upon that the complainant would take her essential belongings from the matrimonial home and keep the rooms under lock. Secondly a proper division of the property shall be made and distributed to the legal heirs as soon as possible under intimation to this Commission. Hence, the Commission resolved the matter in the interest of the complainant. The respondent also agreed for full cooperation. Hence, the case was closed.

(13)

The SCW received a complaint from Mtr. M (name changed) under complaint No. 572/07-10-2011 alleging that her son-in-law has deserted her daughter along with the child. The respondent denied the allegation saying that his wife was not staying with him, but accepted that he has not provided any financial assistance towards the welfare of the child. He further stated that he had divorced his wife during the year 2008 and got remarried. He also said that he has paid all the rights of his ex-wife. However, some of the ornaments are lying with him and assured that he would return the same immediately. The respondent would also pay maintenance to the child. The Commission asked the complainant to attend this Commission along with her daughter on the next date of hearing.

After several summons, both the parties attended the Commission and during the course of hearing, the ex-wife of the respondent stated that ten years before she was pregnant, her husband left her and from that day he never took care of her and the child. She tried to patch up, but all in vain. The respondent, instead, was insisting her to leave the job. The respondent denied the allegations and stated that he was taking care of his ex-wife fully. He agreed that he had contracted second marriage and was not providing any financial assistance towards his ex-wife and the child. The ex-wife of the respondent further said that her son is such a patient that he needs special care throughout the life period. The ex-wife of the respondent also denied the plea of the divorce given by him as she had not received any such document till date.

The respondent was asked to pay the previous maintenance charges to his son, which he agreed and assured that he would pay Rs. 5.28 lakhs as per the details given under:

From 2004 to 2008 @ Rs. 4000/- per month; amounting to Rs. 2.40 lakhs

From 2009 to 12/2012 @ Rs. 6000/- per month; calculating to Rs. 2.88 lakhs

Total

Rs. 5.28 lakhs

He was further asked to pay Rs. 10000/- per month for the maintenance/medical care of his son and was given two months time to return all the matrimonial belongings to his ex-wife.

After summoing through police, the respondent attended the Commission on 13.06.2013. Both the parties, during the course of hearing, discussed over the matter thoroughly and the respondent was asked to pay Rs. 5.28 lakhs towards his son, who is suffering from life threatening disease, besides, Rs. 10000/- per month to his son for maintenance and health care. The respondent requested for consideration and lenient view in the said amount. Therefore, it was amicably agreed upon by both the parties that the respondent would pay Rs. 4.56 lakhs upto June, 2013 towards maintenance of his son including Mehr. Regarding the custody of the child, the respondent requested for his permanent custody but the complainant asked for some time.

The Commission summoned both the parties and they attended the Commission on 05-09-2013. After threadbare discussion, the respondent stated that he is not in a position to pay the said amount in one go as agreed upon in the previous hearing and requested that he would pay it instalments. He further assured that he would pay Rs. 3.00 lakhs within one month upto 04.10.2013 and the rest of the amount (i.e., Rs. 1.56 lakhs) after one year during the month of September, 2014. He would also pay Rs. 4000/- per month as maintenance charges towards his child and the same would be deposited in the Commission after every month. Parties also amicably agreed for partial custody of the child after every 15 days to the respondent.

The Commission advised both the parties to fulfil all the commitments.

(14)

Mtr. N (name changed) under complaint No. 561/31-05-2012 lodged against her husband alleging that she has been harassed and tortured right from the beginning of the marriage. Presently she is residing with her father along with the children. She has

not been provided any financial assistance during the said period by her husband. The respondent stated that she was misbehaving with him, which was the main reason of their dispute. He agreed that he had not paid anything for the maintenance of his wife and the children. During the course of counselling, the complainant stated that she was ready to continue with her husband, however, he and her sister used to beat me and she is interested to live separately with her husband. The respondent stated that he had divorced her and also agreed that he had sold the ornament of the complainant, which he would return back. The Commission asked the respondent to pay Rs. 2000/- per month towards the maintenance charges of his children till final decision of the case, which the parties amicably agreed.

On the next hearing, the complainant stated that she is not ready for divorce. However, the respondent is not willing to continue. He agreed that he had sold the ornaments, for which he received Rs. 35000/- and assured to pay the said amount to the complainant in instalments within three months. He further said that he would prepare a 'Will' for his grand-children viz-a-viz property as per Shariyat, but the complainant did not agree. Both the parties again were summoned and they attended the Commission for counselling. The complainant stated that the respondent is not paying any maintenance to the children; the respondent accepted it and also accepted that he had sold the ornaments of the complainant worth Rs. 35000/- during the year 2010 and the present value of the said ornaments is Rs. 54000/-, which he is ready to pay to the complainant in three instalments i.e., Rs. 20000/- after two months and the rest of the amount in two instalment after paying Rs. 20000/-, besides; Rs. 2500/- per month as maintenance charges for the children and Rs. 300/- per month against previous arrears of Rs. 5000/- . The complainant was asked to give the custody of the children after every 10 days to the respondent, she agreed. She was not ready for divorce.

The Commission served summons to both the parties and they attended the Commission on 21.05.2013. The respondent is not ready to continue with the complainant, however stated that he is ready to pay maintenance and Rs. 54000/- value of the ornaments. On the other hand, the complainant is not ready to accept divorce and is keen to continue. Through counselling, it has been amicably agreed by both the parties that the respondent would pay Rs. 2800/- per month as maintenance and the complainant would give the custody of the children after every 15 days to the respondent for a night. The respondent assured that he would pay the maintenance on 1st June, 2013. The Commission is optimum that the case is resolved soon.

(15)

Mtr. O (name changed) under complaint No. 725/17-10-2012 lodged a complaint against her husband alleging that she was married during 1987 and got divorced after 25 years by the respondent in the year 2012. All the matrimonial belongings are lying with him and he is not providing any maintenance to her. She also stated that 1/3rd of the property had been promised to be given to her after intervention of some respectables, but he failed to fulfil. The respondent during the hearing stated that they were issueless and the complainant was pressing hard for divorce (KHULA). So, he contracted second marriage. He denied the plea of the divorce and said that the complainant is still his wife. He assured the Commission that he would give 10 Marlas of land and a room to her subject to the condition that she would live there. The Commission fixed the next date of hearing on 02-07-2013. It was reported to the Commission that the respondent had divorced the complainant, besides all the ornaments were lying with him. It further stated that the respondent has paid the Mehr

of the complainant. The respondent was several times asked to return the belongings/ornaments, but he failed. He denied and further stated that he is still ready to continue with the complainant as he has not divorced her. He assured that whatever be available with him of the complainant, he would return all on 03-07-2013. The complainant was advised to inform the Commission accordingly. Hence, the case is about to be settled in one or two hearings.

(16)

Mtr. P (name changed) under complaint No. 53/30-05-2013 approached this Commission with a plea that her son-in-laws and in-law are harassing and torturing her daughter. They tried their level best to get the behaviour of the respondent changed, but all in vain. She further stated that the respondent had contracted second marriage in Assam, where he is doing his business. The complainant along with her daughter and the respondent attended the Commission on 10-06-2013 after serving summons to them. The wife of the respondent stated that her husband is not taking care of her and the children. The respondent denied all the allegations levelled against him and stated that he is providing all the essential facilities to his wife and the children. He further stated tht his wife always scuffles with his mother and other family members. The complainant complained that her Devrani interferes in her life. The respondent denied and assured that he would take care of his wife and the children and would not allow family members to interfere in their life. He also assured that he would return all the gold ornaments, in his possession, to his wife. The Commission asked to pay Rs. 3000/- per month to his wife for day-to-day utilization.

The wife of the respondent reapproached the Commission and stated that her husband had not changed his behaviour and dragged her out of the matrimonial home. The respondent was summoned severally, but he did not attend and lastly was presented in the Commission through police. Both the parties attended the Commission on 14-10-2013. The complainant (wife of the respondent) stated that he has dragged her out of the home along with two children. All her matrimonial belongings/ornaments are lying with him. The respondent said that he had divorced his wife as she did not change her behaviour. He denied the retention of the gold and stated that she had taken the ornaments on the same day when she resumed on 11-06-2013. The complainant denied and reiterated that the ornaments are in his possession.

The Commission took up the matter with the SHO Women Police, Rambagh, Srinagar for recovery of the ornaments from the respondent. The respondent has been asked to pay Rs. 3000/- per month to his wife and the children till the case is resolved. The Commission has also granted some time to both the parties for any kind of reconciliation.

(17)

The SCW received a complaint from Mtr. Q (name changed) under complaint No. 54/30-05-2013 alleging that her husband has deserted her and filed a suit in the court of law, but she is not in a position to follow being very poor. The respondent was summoned up, but he did not turn up. The matter was taken up with the police and on 06-09-2013, he was represented by his parents who stated that the respondent is presently out of state. The complainant also attended the Commission and said that her husband was harassing and torturing her and levelled false allegations against her. She is presently at her parental home since the last five years. Father of the respondent assured the presence of his son on the next date of hearing. Accordingly, the case was heard on 19-09-2013. The complainant stated that the husband was torturing her and was giving her liquidation threats and she is presently at her parental home without any financial assistance. She is not ready to continue with his husband in view of his

behavior and torture. The respondent denied the allegation and said that the complainant had filed a suit in the court of law for Khulah. However, the respondent had filed a suit for restitution of conjugal rights. He further stated that he would continue with her and provide no chance of any grievance.

The Commission asked the respondent to pay maintenance to his wife @ Rs. 800/- per month till the final settlement of the case, which he agreed to. The previous amount works out Rs. 19200/- for two years, the respondent assured that he would pay the said amount in two installments; 1st installment on 01-10-2013. They have been given some time to negotiate and hence, the case is likely to move towards positive end.

(18)

Mtr. R (name changed) under complaint NO. 769/16-01-2013 approached to the Hon'ble Minister for Social Welfare Department through an application stating and alleging therein that her husband snatched her six year old son and not allowing her to resume the matrimonial home. Besides, he sold all her matrimonial belongings.

The Personal Section of the Hon'ble Minister for Social Welfare Department forwarded the said complaint to this Commission for conducting an enquiry into the matter and its further action under law.

Both the parties were summoned and heard in the Commission. During the course of counselling, the respondent alleged that the complainant is a drug addict, consuming corex, alprox, smoking etc. The respondent had already divorced her. The surpanch/Auqf Sadar is well aware of it. The complainant stated that she did not accept it. However, she accepted that she was smoking. She also stated and alleged that the respondent has sold all her matrimonial belongings, which the parents had given her. Both the applicant and the respondent said that the case is already subjudice in the court of law under 488. During the counselling, both the parties said that they had a joint venture/partnership of establishing of laboratory with one of the friends of the respondent. The partnership deed was also made for the purpose and the documents in this regard are lying with the respondent. The respondent agreed that some amount was also paid by the father of the complainant for the laboratory.

The Commission advised the complainant to produce list of the belongings/gold items and the respondent were also asked to produce the revelant documents of the laboratory and accounts/receipts thereof in order to see the factual position. Both the parties agreed. The Commission directed that both the parents of the complainant and the responded to be summoned to record their witness/statements with regard to this case.

Next time on 08-04-2013, both the parties attended the Commission. The mother of the respondent did not turn up. The respondent was asked to attend the Commission on 09-04-2013 along with his mother. The next day, the complainant and the respondent along with his mother attended the Commission. During the course of hearing, the mother of the respondent was asked about the gold ornament of the complainant. She stated that one day the complainant took everything from the matrimonial home except a gold set, which was later handed over to her. The respondent stated that the complainant had taken all her belongings/ornaments from his house and nothing lies in his possession. He further stated that the complainant has liberty to come any day to his house for lifting her belongings, if any. However, she should inform him in advance and attend along with some respectables, the complainant agreed. Hence, the case was settled.

(19)

The Commission received a complaint from Mtr. S (name changed) under complaint No. 107/22-08-2013 stating that her husband and in-laws tortured and

harassed her for dowry and is presently residing at the parental home along with the daughter. The husband is not providing any financial assistance to the complainant and the child.

Both the parties were summoned to attend the Commission on 06-09-2013. While hearing, the respondent states that he is taking care of his wife and the child properly, but his mother-in-law is interfering and is interested to break this relation. Also, the complainant is not interested to live in a joint family that is why she has left for the parental home. Further, she once tried to commit the suicide.

The Commission granted some time both the parties for reconciliation and asked the respondent to pay Rs. 2500/- per month towards maintenance charges to his wife and the child on 09-09-2013.

On the next date of hearing, both the parties attended the Commission. During the course of hearing, the complainant stated that the respondent only paid Rs. 1500/- instead of Rs. 2500/- towards the maintenance charge. After resuming the matrimonial home, the respondent again started beating her. She again left for the parental home due to fear of torture. The respondent denied the allegations and stated that she is not interested to stay at the matrimonial home. The applicant further stated that her husband is not taking care of her and always brings his friends home and is giving them the most preference. She is not ready to live in a joint family. The respondent assured that he would stay away from his friends in future and want to live with his wife peacefully. However, he is not ready to live separately.

Both the parties were again granted some time for reconciliation. The respondent was further asked to pay maintenance charges to the complainant and the child till the settlement of the case, he agreed. The case is likely to mature for the final settlement in next one or two hearings.

(20)

Mtr. T (name changed) under complaint No. 753/24-12-2012 approached this Commission with a complaint against her husband saying that he divorced her and sold her ornaments worth Rs. 82000/- and kept the amount with some more cash in the bank. She requested that all the ornaments, belongings, Mehr and the cash amount may be returned to her. The respondent accepted that he had taken Rs. 92000/- from her during 2010. Besides, he divorced the complainant. The respondent assured that he would return all the rights and the cash. He also accepted that the Mehr and the six ponds of gold are in his possession. The value of the ponds comes to Rs. 1.56 lacs. Total amount approximately Rs. 2.50 lacs are in his possession. With regard to the ornaments, which the complainant is alleging are with the respondent, shall be discussed and decided on the next date of hearing.

Both the parties were served summons and they attended the Commission on 13-06-2013. Previsouly, the respondent accepted to return the ornaments besides the Mehr, six ponds (total value Rs. 2.50 lacs). The complainant further stated that she has some more ornaments in the possession of the respondent. But the respondent stated that only few ornaments lies with him, which he is also going to return.

It was amicably agreed upon by both the parties that the respondent, in addition to Rs. 2.50 lacs and the ornaments, would return the following gold items or its value amounting to Rs. 410275/- to the complainant:

1. Bangles

03 No.

- | | |
|-------------|--------|
| 2. Pounds | 03 No. |
| 3. Rings | 03 No. |
| 4. Gold set | 01 No. |

The Commission asked the complainant to take her belongings from the house of the respondent on 16-06-2013 and the respondent was directed to return Rs. 410275/- to the complainant on 19-06-2013 in the Commission at Srinagar Office. Hence, the case was settled.

(21)

The SCW is in receipt of a complaint from Mtr. U (name changed) under complaint No. 03/08-01-2013 stating that her husband along with a lady fled away and took all the valuable things worth Rs. 17.00 lacs. The applicant in her application stated that she approached Police Station Bemina and Batmaloo for help, but all in vain.

The Commission took up the matter with the Senior Superintendent of Police, Srinagar for presence of the respondent in person in this Commission. Accordingly, the respondent and the complainant attended the Commission on 09-04-2013. The complainant stated that her husband deserted her and flew with a lady. Now they are recovered. All her ornaments and belongings are lying with the respondent. She has a baby and her husband is not providing any financial assistance to them. The respondent accepted that four pounds of gold are lying with him. He also accepted that he used ATM Card of his wife and withdrew Rs. 22000/- out of it. He stated that he had contracted second marriage with the lady in question. The Commission asked the respondent to return all the ornaments and belongings of the complainant.

Both the parties were summoned and they again attended the Commission on 15-04-2013. While hearing, the respondent stated that only three ponds of gold and Rs. 22000/- cash are with him. The respondent was asked to produce Nikah Nama of his second marriage, but he failed. He stated that the documents are lying with the cousin of the second wife of the respondent, but the cousin denied the retention of documents when called for in the Commission on the same date of hearing. The respondent requested some time for returning of the ornaments and the cash of the complainant. The Commission granted stipulated time to the respondent and further directed him to attend the Commission on 06-05-2013 along with the ornaments and the cash. He assured that he would return the ornaments and the cash on the scheduled date. The Commission summoned the respondent and his parents for hearing the case on 16-05-2013. The complainant and the father of the respondent attended the Commission. However, the respondent failed to attend. The father of the respondent said that he had ousted his son during December, 2012 for contracting second marriage and he has no whereabouts of him till date.

The respondent is absconding, the father of the respondent was asked to pay maintenance to the complainant and the child as this was an arranged-marriage. The father of the respondent agreed to pay Rs. 3000/- per month to his daughter-in-law and her daughter till the respondent is traced.

(22)

Mtr. V (name changed) under complaint No. 28/26-03-2013 approached this Commission with a plea that her husband deserted her two years back. The applicant filed a suit in the court of law and was receiving an amount of Rs. 2000/- per month. After some time, her husband patched up with her after the row. The respondent again dragged her out from the matrimonial home. She further alleged that she is presently at the parental home without any financial assistance and is expecting a baby.

Both the parties were summoned and they attended the Commission on 21-06-2013. During the course of counselling, the complainant stated that her husband had left her four months back. She is pregnant and is presently at the parental home along with the first child. The respondent is not providing any financial assistance to them. The respondent stated that the complainant often tried to commit suicide as she is not interested to live in a joint family. He further stated that an unknown person was calling him that he had illegal affairs with his wife. The respondent further stated that he had requested her not to keep any contact with that person, but she categorically refused. On this, the respondent divorced the applicant. The complainant denied the allegations and stated that she was interested to continue with the respondent.

The Commission asked the respondent to pay Rs. 3000/- towards the maintenance of the complainant and the child subject to the withdrawal of the court case, which he agreed. The dispute is going to conclude in next one or two hearings.

(23)

Smt. W (name changed) under complaint No. 23/20-06-2013 approached this Commission with the submission that she was deserted by her husband along with the son without any reason. She further alleged that her husband had taken all her matrimonial belongings/ornaments and was demanding divorce from her. The respondent is paying Rs. 4500/- per month as maintenance, which does not suffice to meet the requirements as she is living in a rented house.

Both the parties were called in the Commission on 29-06-2013 and they were rendered counselling. During the course of hearing, the complainant stated that she got married with the respondent back in the year 1990. Right from the beginning of the marriage, the respondent was harassing her on one or other pretext. She was doing a job. But for the sake of the matrimonial ties, she left the job. Out of the wedlock, she has one child, who is studying outside the State. She said that the respondent had deserted her and she is presently living in a miserable condition in a rented room. Her husband is not allowing her to stay with him. Further, her husband has kept a lady in his house. She has apprehension that he might have some illicit relations with that lady. The complainant is ready to continue with the respondent along with the child. The respondent filed a suit in the court of law for divorce. However, he is providing maintenance to the complainant and his child as per court orders. He denied the allegations levelled against him by the complainant. The respondent further stated that he had constructed a house, which the complainant wants to grab. The respondent said that he would not continue with his wife and the child in view of their behaviour.

The complainant was accompanied with her son, who is interested to live with both of the parents.

The Commission directed the office to summon three more persons involved along with both the parties to oversee the factual position of the case. Summons were issued, all the persons attended the Commission on 25-09-2013. However, one party failed to attend. While hearing, the respondent stated that he was paying Rs. 9000/- per month as maintenance charges towards his son and the complainant. However, the complainant has filed some suits against him in different courts. President, Welfare Committee and others stated that they were keen to get the matter resolved at their own level, but the respondent was not cooperating. Besides, they did not want the presence of the lady other than the complainant in the house of the respondent. The father-in-law of the lady residing on rent in the house of the respondent said that she was torturing her husband, who is in depression. The said lady has left her husband and is living in the house of the respondent. She is receiving maintenance of Rs. 2000/- per month from her husband. The father-in-law of the said lady requested that she should not live in the house of the respondent. The complainant stated that she would not divorce the respondent at any cost. She is ready to resume with her husband. She further stated that due to presence of the lady in the house of her husband, the respondent is ignoring her and the child. The respondent stated that the lady is living in his house as a tenant. He denied the allegations levelled against him.

The Commission took up the matter with IGP, Jammu to investigate the matter thoroughly and furnish the factual position of the case for further course of action at this end.

(24)

The Commission received a complaint from Smt. X (name changed) under complaint No. 20/04-06-2013 alleging that her husband and in-laws were harassing her. She was deserted by her husband and grabbed all her matrimonial belongings/gold ornaments.

The Commission summoned both the spouses and they attended the office of the Commission on 27-06-2013. During the course of hearing, the complainant stated that her husband is harassing her due to unknown reasons. The respondent left the complainant only after one month of the marriage and is not paying any attention towards her. The respondent denied the allegations and stated that his wife left the matrimonial home on her own choice. He several times tried to take his wife back, but she did not cooperate. The complainant denied and stated that all her belongings are lying with her husband, which she demands back. The respondent stated that when the complainant left the matrimonial home, she retained keys of the locker in her possession. But he assured whatever be with him, he would return all. However, he stated that the complainant had taken all her ornaments from the house of the respondent.

Both the parties attended the Commission on 25-09-2013 after summons were issued to both the parties. The complainant stated that she did not receive her

ornaments. But the respondent stated that there is nothing in shape of ornaments lying with him. However, he accepted that he had broken the locker of his wife in her absence and found nothing in. The complainant stated that her Mehr amounting to Rs. 3.60 lacs and other ornaments (list already given to the respondent including Rs. 3.60 lacs Mehr amount) are lying with her husband, whom she wants back. However, if the respondent takes an oath that nothing is with him, she will leave all her Mehr/ornaments. The respondent assured that he would deposit the ornaments or its value in the Commission on 11-11-2013.

The Commission heard both the parties even after 11-11-2013. The respondent assured that he would return the Mehr after two months as he is not in a position to pay the Mehr at this stage. It was amicably agreed upon by both the parties that after two months the respondent would pay the Mehr to his wife and stay with her at Jammu for a period of three months. Afterwards, they would live at Reasi. The case is going to decide in next one or two hearings.

(25)

The SCW received a complaint from Smt. Y (name changed) under complaint No. 95/25-09-07 stating that her husband and in-laws are torturing her for want of dowry/money from the parental home. She also alleged that on Mundan ceremony, her mother-in-law compelled her to bring a black santro car otherwise they want to do away with her life. However, she managed only Rs. 10000/- from the parents.

Both the parties were summoned in the Commission for hearing. The complainant stated that her husband and in-law are torturing her for want of dowry and other things for which she is not in a position to obtain. The respondent also levelled some allegations against the complainant. Counselling were rendered to both the parties, they were ready to continue. They were given some time for reconciliation. During the next date of hearing, both the parties stated that they are now ready to continue. The Commission welcomed the stand of both the parties of living together happily.

The complainant again approached the Commission with the plea that her husband is torturing/beating her on baseless and mearger issues. Besides, he is a drunkard. The education of her sons is being affected badly.

The Commission took up the matter with the concerned police for presence of the respondent in this Commission. Both the parties attended the Commission on the date slated for hearing. While hearing, the respondent assured that he would not repeat his past in future and would live peacefully with the complainant. He further assured the Commission that he would pay an amount of Rs. 8000/- per month to his wife for the maintenance of family and also Rs. 2000/- per month for her personal expenditure. The respondent will also deposite the above-mentioned amount into the account of his wife and will not beat his wife in future. The complainant re-approached the Commission again stating that the respondent had not paid the maintenance amount of Rs. 10000/- and also did not deposit school fees of the child. She requested that the matter of the maintenance chages may be taken up with the employer of her husband as he had amicably given an undertaking for the purpose. Both the parties attended the

Commission on 27-06-2013. The complainant, while hearing of the case, stated that her husband is not providing any maintenance to her and the child. Therefore, she is in a miserable condition. The respondent stated that he had filed a suit in the court of law against her wife for divorce. However, he accepted that he had not provided any financial assistance to his wife and the child in view of the said court case. The complainant answered in negation about the case lodged in the court of law.

The Commission took up the matter with the Director Health Services for its logical conclusion. The officer assured full support and cooperation. The matter is expected to be heading towards its fruitful solution.

(26)

Smt. Z (name changed) under complaint No. 755/31-12-2012 stating that her husband and in-laws were harassing her and she was deserted by the husband for want of dowry.

Both the parties were summoned to attend the Commission on 15-04-2013, but the respondent failed to attend. The Commission took up the matter with the concerned police for presence of the respondent in this Commission on 11-06-2013. Both the parties attended the Commission on the scheduled date. While hearing the case, the complainant stated that her husband was torturing her and was demanding dowry. Besides, dragged her out from the matrimonial home and divorced her. The respondent denied the allegation of torturing and stated that the complainant was trying to commit suicide due to unknown reasons. Therefore, he divorced her. The complainant denied the allegation levelled by the respondent of committing suicide and further stated that he was not properly taking care of her. Besides, all her belongings, ornaments and other items are lying with the respondent. The respondent stated that the complainant had taken all her ornaments. However, one bed is in his possession, which he is ready to return.

The matter was taken up with the police for recovery of the belongings of the complainant from her husband and meantime, the Commission also summoned the respondent to attend. The respondent attended and submitted a copy of document of an agreement executed by the Tradeers Federation revealing that the complainant had taken all her belongings and nothing stands in the possession of the respondent. The Commission is making headway to reconcile the case as early as possible for the betterment of both the parties.

(27)

A complaint from Mtr. A1 (name changed) under No. 25/13-03-2013 stating that she was harassed by her husband and mother-in-law for want of dowry and her all her matrimonial belongings were in the possession of the in-laws. She further stated that she is presently at the parental home.

During the course of hearing, the complainant stated that her husband is not accepting the child as she is pregnant. The respondent denied the allegation and further

stated that one gold set (big), pounds (five numbers), broach (one number), rings (two) and one 'Suum' of the complainant are lying with him. He also accepted that he had not paid maintenance to his wife till date.

The Commission asked the respondent to pay Rs. 1500/- per month as maintenance charges to his wife and return all the ornaments through the Commission on 06-05-2013. Besides, the complainant was asked to attend the matrimonial home before 06-05-2013. The respondent assured the Commission that he would deposit the ornaments and pay maintenance to his wife.

Both the parties were summoned and they attended the Commission on 06-06-2013. While counselling, the complainant stated that she had taken the ornaments from the matrimonial home. However, some ornaments are still lying with the respondent which she needs back. The respondent stated that he would return those ornaments after settlement of the case. The complainant further stated that she had not received any maintenance amount from the husband. The respondent accepted and assured that he would deposit the same into the bank account of the applicant with effect from 07-06-2013 @ Rs. 1500/- per month. The complainant stated that she is ready to continue with her husband and live a life peacefully and happily. The respondent further stated that his wife is pregnant at this stage. Till delivery he would not take her back, but assured that he would properly take care of her for medication.

It was amicably agreed upon by both the parties that the respondent would keep all ornaments in a joint bank locker by or before 12th June, 2013. The said ornaments shall not be used by any party and should not be operated upon till final settlement of the case and the rent of the locker shall be borne by the brother of the complainant. Both the parties are advised to report the Commission on 13-06-2013 about the implementation of the directions.

Both the parties were summoned and they attended the Commission on 04-07-2013. The complainant stated that the respondent did not deposit the ornaments in any locker and paid only Rs. 3000/- towards the maintenance charges till date. The respondent accepted and stated that he would retain all the ornaments in his personal custody till final settlement of the case. He further stated that he had deposited only Rs. 6000/- in the bank account of the complainant. He assured that he would be in touch with his wife and would maintain her properly and also assist her for her medication.

On 21-11-2013, both the spouses attended the Commission and during the counselling, the complainant stated that she gave birth of a male child. Her husband attended her once at the parental home. Afterwards, he never came to see her and the baby. The respondent accepted and stated that being ill he could not look after his wife and the son. The cousin of the respondent, during the course of hearing, requested for granting some time to both the parties for final settlement of the case. The time was granted by the Commission. On 02-12-2013, both the parties attended the Commission. All the issues were resolved. However, the complainant stated that the ornaments should be kept in a locker, which shall be operated upon jointly. The respondent assured that

he would keep the same in a locker at Pampore Branch next week in the name of both the spouses. Hence, the case was settled.

(28)

The SCW received a complaint from Mtr. B1 (name changed) under No. 135/24-10-2013 stating that her husband is harassing her for the reasons that she is issueless. Both the parties were summoned and they attended the Commission on 30-11-2013. The complainant stated that she was issueless, her husband left her two months back and contracted second marriage with her consent subject to the condition that he would lookafter her properly and provide equal justice both the wives. However, he did not pay any maintenance charge to her. The respondent accepted and assured that he would pay Rs. 1500/- per month towards the maintenance to his wife (the applicant). The father of the respondent while hearing of the case requested for some time to settle the case on his own level, the time was granted.

Both the parties attended the Commission on the next hearing. The complainant stated that the respondent did not pay maintenance to her for the last two months. The respondent stated that he would pay as soon as his pay is released. On the next hearing, both the parties attended. The parents of the respondent, while hearing, stated that the respondent contracted second marriage with the consent of the applicant as she was issueless. The father of the respondent further stated that he is keen to see the respondent to have his both the wives, but he is not properly taking care of the applicant.

The Commission advised the respondent to take care of both the wives properly. For the purpose, he was given some time. The complainant was advised to reapproch the Commission in case of any grievance in future.

(29)

Smt. C1 (name changed) under No. 22/12-06-2013 approached the Commission with a complaint stating that she was tortured and harassed physically and mentally by her husband from the very beginning of the marriage. She further said that she is presently at her parental home.

Summons were served by the Commission to both the spouses for hearing on 28-06-2013. Both the parties attended the Commission and during hearing of the case, the complainant alleged that her husband and mother-in-law were torturing her for want of dowry and also threatened her to divorce. Her husband is not providing financial assistance to her and the child for the last four months. She further stated that she is ready to continue but not in a joint family especially with her mother-in-law. The respondent denied all the allegations levelled against him and stated that the behaviour of the complainant is not up to mark with him and his family. He further stated that he had provided Rs. 5000/- to her at the time when she left for the parental home. However, she denied.

The Commission observed that there are meager differences between the spouses and they were advised to ameliorate their relation for their better future. The respondent requested for some time. He was asked to pay the maintenance charges @ Rs. 3000/- per month to his wife and the child till settlement of the case. The respondent stated that he is presently jobless and is not in a position to pay the said amount. But assured to pay Rs. 2500/- per month in two installments i.e., Rs. 1500/- on 1st of every month and Rs. 1000/- on 15th till settlement. He paid Rs. 1500/- to his wife on spot.

After grating some time by the Commission to both the parties for reconciliation, the complainant again approached the Commission with a request that her husband is now in favour of settlement. Therefore, she requested for withdrawal of the case. The case was closed and the file was consigned to records.

(30)

The Commission is in receipt of a complaint from Mtr. D1 (name changed) under No. 757/31-12-2013 with a plea that her husband and mother-in-law are torturing her for want of the dowry. The respondent has divorced her.

The case was slated for hearing on 10-04-2013 and summons were issued to both the parties. The complainant attended the Commission. However, the father of the respondent represented his son saying he is ill. The father of the respondent assured that all the belongings would be returned to the complainant on 14-04-2013. He further stated that the decision taken by the Mohalla Committee shall be executed on 14-04-2013 and the Commission is to be informed accordingly. Hence, he requested for closure of the case. Hereafter, the respondent also submitted a copy of a document revealing that the case was settled amicably in a cordial atmosphere. Hence, the case is closed.

(31)

Mr. E1 (name changed) under complaint No. 22/26-02-2013 approached the Commission stating that her husband is beating her and is threatening to divorce. She further stated that she has three daughters out of the wedlock.

Summons were issued to both the parties vide No. 666 dated 11-03-2013 and both the parties attended the Commission on 08-04-2013. During the course of hearing, the complainant stated that she was married to the respondent 15 years back. Everything was going smoothly, but the behaviour of her husband changed abruptly. He started beating and threatening to divorce. He is not providing any financial assistance. The respondent stated that he received two summons one from court of law and other from this Commission. So he divorced her. He is not ready to continue with his wife. The complainant does not want divorce. She requested for maintenance and is ready to continue with the husband along with three daughters.

The Commission has taken up the case with the employer of the respondent for deduction of Rs. 9000/- per month from his salary for onward transmission to the

complainant and to be deposited in her personal account number till final settlement of the case. The respondent agreed to pay Rs. 9000/- per month.

(32)

The SCW received a complaint from Mtr. F1 (name changed) under No. 145/08-11-2013 with a plea that her husband deserted her for the reasons not known to her. He is not paying any financial assistance to her and the child.

Both the parties were summoned to attend the Commission for counselling on 30-11-2013, the complainant stated that her husband is levelling baseless allegation to her. He had left her two years back along with the child and is not providing any financial assistance to them. The respondent stated that his wife has illegal relations with some people, which is the main reason of their dispute. The complainant denied the allegation and stated that all the belongings are lying with her husband. The respondent stated that he had divorced her and the ornaments are lying in a locker. He has further transferred an amount of Rs. 15000/- into the personal account of the complainant.

The complainant was advised to collect her belongings from the matrimonial home and to submit the list of the ornaments in the possession of the respondent. Also, the matter was taken up with the Manager, JK Bank, Natipora not to allow the parties to operate up on the locker in his branch till further correspondence from this Commission. The respondent was also asked to produce proof of the allegations levelled against his wife.

The Commission served several summons to the respondent, but he failed to attend. The matter was accordingly taken up with the concerned police station for his presence in this Commission in order to resolve the case on its merits.

(33)

The Commission received a complaint from Mtr. G1 (name changed) under No. 15/24-01-2013 stating that her husband was harassing her. During her pregnancy, he used to beat her. The respondent deserted her and she is presently at the parental home along with her daughter without any support and help of the husband.

Both the parties were summoned and they attended the Commission on 11-09-2013. During the hearing of the case, the complainant stated that her husband had deserted her two years back without any financial assistance along with her child. The respondent stated that his wife was always quarrelling with him and was not behaving with his family properly. He sent her to the parental home. He further stated that she was pregnant and at the time of delivery she did not inform him, but he attended her at LD Hospital. However, he accepted that he had not paid any maintenance to his wife and the child. The complainant stated that her ornaments are lying with the respondent. She further stated that she spent a huge amount on medication at the time of delivery, which she wants back. The respondent stated that he had handed over the ornaments of his wife to her father. The father of the complainant accepted and stated that he sent the same to his daughter through his son and daughter-in-law. The complainant stated that

she received the ornaments from his brother. However, she kept it in the locker at the matrimonial home and left for the parental home. The respondent and his brother stated that when they came to know about the retention of the ornaments by the complainant in the locker. They called some respectables and in their presence broke the locker and found nothing there. They informed the complainant accordingly.

It was amicably agreed upon by both the parties that the salesman ABC (name changed) will take an oath with regard to the ornaments. Besides, the respondent will return the bracelet to his wife and also pay Rs. 2000/- per month as maintenance charges for the last 17 months amounting to Rs. 34000/- by or before 27-09-2013 and on the same day, the complainant will convey the date to the respondent for resuming the matrimonial home.

The parties were again summoned and they attended the Commission on 21-10-2013. The respondent accompanied by the salesman, who stated that the ornaments were lying with the complainant and in this regard, he would take an oath. The respondent stated that he would pay the previous maintenance amount in full. However, he wants to get his wife to resume. He also stated that he would continue with his wife in a rented room to avoid any further escalation in the bitterness of their relations. The complainant is not ready to stay in a rented room. Some stipulated time was granted both the parties for reconciliation.

On 21-11-2013 both the parties attended the Commission after summoning. The complainant stated that she was ready to continue with the husband at the matrimonial home, however, she was not ready to stay in a rented room. The respondent is also ready to take his wife back and keep her in a joint family, but she did not agree. Time was again granted to think over the matter. After some time, both the parties were called in the Commission, the complainant said that the respondent after 21-11-2013 had not paid any maintenance to her and the child. The respondent accepted and stated that since the Commission was with Darbar Move, so he could not pay the said amount. He assured to pay the said amount within three days. One person accompanying with the respondent requested the Commission for granting some time to resolve this dispute at his own level. The time was granted by the Commission and he was advised to intimate the Commission regarding the outcome of the case accordingly.

(34)

Smt. H1 (name changed) approached the Commission under No. 284/06-06-2011 stating that her husband is not maintaining her and the children for the last three years.

The matter was taken up the concerned police station to present the respondent in the Commission. Both the parties attended the Commission on the scheduled date. During the course of hearing, the complainant stated that her husband was not looking after her and the children properly. The respondent stated that his wife often used unparliamentary language against him. He further said that his children and wife were used to beat him and also did not behave properly. The complainant further stated that her husband stayed away often and did not bother about the basic and other amenities for his family. The respondent stated that he was paying to his family. However, from the

last three months he stopped to pay because of the rude behaviour of his wife and the children.

The Commission asked the respondent to pay Rs. 1000/- per month towards the maintenance charges for the last three months plus providing of basic amenities. The parties assured that they would live with each other peacefully and would not give a chance for any grievance in future. The case was settled and the Commission wished for their better future.

The complainant re-approached the Commission and stated that there was no change in the behaviour of the respondent, he was not giving proper attention towards his family and was not fulfilling their liabilities. Also, he was torturing her physically and mentally. The case was heard in the Commission and it was amicably settled. The respondent assured that he would take care of his wife and the children properly.

Since the respondent did not fulfill his agreement. Therefore, the case was again heard by calling both the parties in the Commission on 28-06-2013. While hearing, the complainant stated that the respondent was supposed to pay Rs. 1000/- per month but he stopped the same from the last three months. He was also abusing her and threatening her to leave the matrimonial home. The respondent accepted that he had not provided the maintenance charges to his wife because she was abusing him and had developed a habit of quarrelling. He assured that he would pay the maintenance amount on 05-07-2013 for the last three months. Both the spouses assured and took a vow to live in a cordial atmosphere for their better future and would not give any chance for grievance.

(35)

Mtr. I1 (name changed) approached the Commission under No. 631/08-05-2012 stating that her husband suffered her mentally due to his strange behaviour besides the behavior of the niece of her husband is not good. All her belongings /ornaments are lying with her husband.

The Commission decided to take up the matter with the National Commission for Women, New Delhi for stopping of visa of the respondent. However, the farther of the respondent submitted an application where-in he stated that his son had communicated him that he would be available within one month and further requested that the next date of hearing may be fixed accordingly. In the mean time, the Commission has directed the office to call the parents of the respondent on the next date of hearing.

The parents of the respondent attended the Commission and the brother of the complainant also attended on behalf of his sister. The father of the respondent stated that the allegations levelled in the complaint were not elaborated and there was an outside agreement, the details of which were not recorded in the complaint. He stated that he had requested some respectables for intervention in the matter to get his

daughter-in-law back to the matrimonial home but all in vain. He assured that his son would be available within one month.

Imam Sahib of Jamia Masjid, brother of the complainant and others involved were summoned in the Commission to ascertain the factual position of the case. The dispute is mostly because of the interference of the niece of the respondent, the allegations and counter allegations of both the spouses. The matter was several times resolved, but the root cause of the dispute remained unsolved. The Commission rendered counselling to both the parties, but indepth bitterness was found intact. Therefore, the matter could not be solved on its merits. Both the parties amicably agreed to prepare a document of mutual divorce deed. The respondent will return all the belongings/ornaments and the cash as has been agreed upon including Iddat period.

Both the parties attended the Commission on 22-05-2013. It was decided and agreed upon by both the parties during the previous hearing that a mutual divorce deed would be prepared as it was observed that this relation could not be continued. The respondent was supposed to return Rs. 3.00 lacs to the complainant besides the gift items and the parties would sign the divorce document. The respondent accepted that some belongings of the complainant were lying with him at Delhi, which he would return immediately. Regarding refrigerator and LG AC two ton, he stated that he had despatched the same through cargo. The receipt of the items is lying with him. The complainant stated that she was yet to receive the items. Regarding the gift items, the respondent assured that he would pay one gold pund besides Rs. 12000/- as Iddat amount. The respondent provided cheque of Rs. 3.00 lacs also. A friend accompanying the respondent assured the Commission that he would facilitate the return of refrigerator, AC, personal belongings of the complainant already shifted through the cargo on 27th May, 2013. Further, the respondent would return one gold pound and Iddat money Rs. 12000/- on 23-05-2013.

Both the parties signed the mutual dissolution of marriage document on 22-05-2013 in the Commission. Hence, the case concluded in the Commission (by mutual consent of both the parties) in presence of the witnesses from both the sides.

Female Foeticide: Killing the Girl Child

Save the girl child (they are assets not burden), otherwise disastrous consequences await us

‘A newborn girl with umbilical cord yet to be tied was found dead in a water-field bathroom bucket at JLNH Hospital’ (GK).

‘A newborn girl was abandoned at Kashmir’s lone childcare specialty GB Pant hospital’. (GK, February 8, 2013).

'Unclaimed baby cries unheard at children's hospital, September 21, 2012' (GK).

So the birth of a girl child is an ill omen for the family? What if they had killed the first women on earth? Jammu and Kashmir is a patriarchal society in which a cultural bias against women has contributed to frequent cases of female infanticide with an unfortunate and dismaying trend from the last decade. **Sex ratio is an important indicator of socio-economic health of every society, and it is worrisome to see an increase in the skewed sex ratio, J&K was healthier with 963 females in 1981. It steadily dropped to 941 females in 2001, plunging further to 862 females in 2011.** On the contrary, if we look at literacy rate of this state, from the last decade it almost showed a jump of 10 percent which is quite a healthy figure. Now the question is what kind of education is being imparted to us? How has this education helped women to have a better and unbiased status in the society?

When we compare this data within other states, we are among few states struggling on this parameter. The rest of the states are doing much better than us, if the past one decade is taken into account. Now with the help of new modern Technology, which facilitates a series of pre-natal tests, diagnostic tests are being misused. Female foetuses are selectively aborted after such pre-natal sex determination. And unfortunately some of our doctors have sold the nobility of their profession just for the sake of earning some extra money. In rural part of J&K, where access to modern technology is limited, female infanticide is shockingly even more common. When the parents find that a girl child is born, inhumane and monstrous means are adopted to kill her, ranging from strangulation to drowning, and in case the life of the girl child is spared, she is often being neglected and forced to be a simple domestic help, crushing her childhood and all her dreams. What is disturbing is that female infanticide is not considered a big crime and rarely do culprits get convicted. Sex Determination was banned in India in 1994 and despite state's own 'J&K Pre-conception and Prenatal Sex Selection/Determination (Prohibition and Regulation) Act 2002', and irrespective of strict laws against the sex determination, a huge mafia runs the show behind the scenes.

Every social evil and unethical act like female foeticide has some age old and longstanding lame reasoning behind it, which is used as genuine justification by its staunch supporters. The root cause for female foeticide lies within the cultural norms as well as the socio-economic policies of the society. The most female foeticide plague-ridden countries are the South Asian countries like China, India, Vietnam, Korea etc. from where this social evil has mushroomed today to the rest of world, thus making female foeticide juxtapose with global pandemic like Polio and AIDS. If we look at the genesis, though there are many reasons for high incidence of female foeticide in Jammu and Kashmir, some of which include a deep rooted traditional and cultural preference of having a son, which parents believe to be old age support, continued practice of dowry, concern for safety of the girl child, exploitation and abuse of women and girl children. Domestic torture, lack of parental support and inadequate or no education is also its main cause.

Given the skewed sex ratio of the state, there will be undesirable social consequences like rise in rape cases, molestations, growth of homosexuality, inbound

female trafficking, sex trade, late marriages etc. Not only this, if this trend continues, we are not far from the state of polyandry (Polyandry is a form of union in which a woman has more than one husband at a time, or in which brothers share a wife in common). The implications are very tragic, grave, painful and disastrous to even contemplate. Nature has its own balancing equation which has put both males and females in a set order inevitable for the smooth and prosperous growth of humans in general. The issue of female foeticide has created an alarming situation.

Being civilized citizens, it is our duty to raise our voice against the declining sex ratio and killing of the girl child. Being a father, a mother, a brother, a husband, a sister, it is our primary duty to come forward and stop this menace. Female foeticide is not just the killing of a girl child but it is akin to killing of entire civilization. This social evil destroys the very fabric of our society. Although all of us take pride in our culture, we need to also think that there is something fundamentally wrong with our culture that assumes the superiority of males, and that celebrates women for being meek, submissive and synonymous with only sacrifices. Unless and until we do not take the onus of ending this social evil, it will kill our identity.

This social evil needs a social stand, a firm stand from all of us.

What is female foeticide?

The act of aborting or terminating a foetus while it's still in the womb, because it is female, is known as female foeticide. This can be done after determining the sex of the child before it's born, through ultrasound scans.

Although, sex determination in India is illegal, the practice is rampant and has become a multi-million dollar industry. Coupled with prospective parents desperate for a boy child, and physicians who are carrying out these abortions, female foeticide has become a shameful and shocking reality of our nation.

What is the main cause of female foeticide?

For centuries, families across many parts of India have regarded a male child as the preferred of the two sexes. Today, some of the key reasons that exist for the preference of a male child are as follows:

- The tradition of paying dowry at the time of a daughter's marriage is alive and kicking. This amount can be so huge that many parents will go to extreme lengths to avoid having a daughter in the first instance.
- A son is seen as someone who can earn and care for his parents in old age, while a daughter will get married and go away.
- A son can carry on the family name, while a daughter becomes part of her husband's family.
- Girls are seen as consumers, whereas boys are seen as producers.
- Many families consider it a status symbol to have a son, and a point of shame to have a daughter.

- Often, the pressure to bear a male child on the woman is so great that she herself might choose to get sex determination done and abort the baby if it's a girl.
- Illiteracy, poverty and the tag of 'burden' that is assigned to a girl child, makes the desire for a male child even stronger.

What impact does female foeticide have on the sex ratio?

Sex ratio refers to ratio of females to males in a given region. Practices like female foeticide and female infanticide (killing a baby girl after she is born) have had an adverse effect on the sex ratio of a nation and gives rise to further social evils. As per the Indian Census 2011 report, the sex ratio of India (females per 1000 males) is as follows:

Average India sex ratio — 923

Rural sex ratio — 946

Urban sex ratio — 900

State with highest female sex ratio — Kerala — 1058

State with lowest female sex ratio — Haryana — 861

What are the long term impacts of female foeticide?

The most important impact of female foeticide is the skewed ratio it gives rise to. The dearth of females leads to other complications like female trafficking, kidnappings and an increase in assault and rape against women.

Female foeticide is a horrific and illegal practice that has got to be stopped. The way to do this is by implementation of stronger laws and bringing about a change in the mind-set of our countrymen— an uphill task, but absolutely crucial nevertheless.

Marriage of conviction

The change in lifestyle of both spouses after marriage is but natural and is to be accepted gradually

The entire humankind originated from the relationship of Adam (PBUH) and Eve (PBUH). To tie in such kind of a bond, that actually laid the foundation of the best of all creations, was among the primary commandments of the Creator ordained unto mankind. Marriage is among the signs of Allah and the strongest bond between two people, and a sacred union that is supposed to bring peace and tranquility in one's life. As such, marriage is one of the important aspects of life that enjoins a strong commitment between two persons.

All religions strongly advocate safeguarding this bond. It is not just the two life-partners who are responsible to uphold the spirit of their married life, but it is decreed upon elders of two families to intervene in an unpleasant situation in order to bridge the differences. It is quite imperative that a married couple as well as their elders should make all efforts to prevent the relationship from falling apart. Reconciliation in such matters is quite appreciated and stressed upon in Islam.

The most hated lawful thing(s) by the Prophet (PBUH) is divorce. Moreover, separation per se is an unlawful act. Islam dislikes both immensely. There is no point in breaking the communication with your life-partner whatever the level of bickering. The moment spouses stop talking and listening to each other patiently, the relationship heads towards bigger crisis. The big noisy quarrels inside home are far better than sitting outside amidst others to decide upon separation from each other forever.

The change in lifestyle of both spouses after marriage is but natural and is to be accepted gradually. Those who are unable to adapt to new changes can't be together in harmony. The truth is that no one can be a free bird after entering into a sacred bond like marriage. That's why certain people feel constrained after getting married. They feel marriage is holding them back from fulfilling their desires and achieving their goals. They feel caged. But the fact is that marriage liberates people from false trappings and gives them a sense of meaning and direction.

That's why marriage comes with a set of responsibilities and duties. It is never like a Bollywood movie full of flights of imagination. When we get married, we need to understand that a new dawn has set in, carrying dreams and assurances that are genuine and enduring for a blissful life.

Besides, the plane of expectations puts a strain on the relationship, causing personality conflict. The marital expectations rarely align with the realities of what life is like inside marriage. The moderate level of hopes and expectations makes the sailing smooth. It also helps in building trust easily as clashes do not occur too often and synchronization develops slowly. As rightly said, 'We come to love not by finding a perfect person, but by learning to see an imperfect person perfectly.'

The fact is that importance and essence of marriage is assimilated from family values nurtured at home. Every son and daughter has to learn such lessons from the parents. Lessons like— Getting married demands adjustments and acceptance. Moving on in married life demands trust and respect. Living happily demands forgiveness. Being soul-mates demands following the commandments of Allah regarding married life.

However, in this fast world, where women want more 'emancipation' and men want 'carefree' lifestyle, we are losing the true fundamental nature of relations. When bonding happens over superficial promises and conditions, the lifespan of relationship is but predictable. When worldly things become essentials of relations, their fate is bound to be reproachful. When mothers instigate their daughters for 'rebellion against in-laws', relationship is doomed. When sons get 'provocative briefing' misunderstandings brew. Unnecessary interferences from the so-called 'concerned' spoil the affairs. No doubt, it is the moral responsibility of the experienced elders to resolve marital issues of their

offspring sincerely keeping in view the sensitivity of the relation and the life of the people involved. However, nowadays, it is observed that bitterness in the relationship soars by immature and arrogant intervention of the near ones who claim to know everything about family values. Ironic! This relation is a very dear relation in the sight of Allah and His Prophet (PBUH) and whosoever tries to play with those whose life is at stake, can't be pardoned.

In Kashmir, the rate of separations and divorces has gone up since last few years. The factors are known to all of us. The faults are there with all of us. But, we prefer not to pay heed towards such social catastrophe. For paying any attention to such grave issue needs looking inwards, evaluating our individual roles and being hones, the mission that seems impossible.

Women Education and Upliftment

Napoleon once said, "Give me one good woman and I will give you a good and strong nation". Abraham Lincoln also had said, "whatever I am and whatever I would be, I owe to my angel like mother". All these sayings tell us that a woman plays a very important role in making good citizens and thus making a nation strong.

In the olden days, women were given no rights. They were treated badly. They used to remain within the four walls of the house. Their duty was to do household work. But with the passage of time, women were brought out of those bondages for the betterment of the society and the nation. But also in the modern times, women are not given such rights which she ought to be given. She is deprived of her rights. A woman is idol of charity, kindness, compassion and self control. A woman is a mother, a daughter, a sister and a savior of a family. She is the symbol of self-sacrifice. The great Prophets, the Philosophers, the Poets and all the other great personalities have come to this world only because of women. Then what is the reason that the women are not respected. All the religions have given a great status to the women.

Now-a-days women education is very important and it is in progress. Men have been left behind by women in many fields. She does her household work as well as other activities. Due to education, she is able to touch the heights of sky, which has been recently proved by Kalpana Chawla, Kiran Bedi etc. She has made a tremendous progress in every field par excelling men. If women are educated, they can make a nation strong because the child leans the best lesson of citizenship in the lap of his mother. So, education is very important for women.

But unfortunately, we are facing many evils:

The ratio of females is decreasing day-by-day as compared to the males according to the latest census. This is quite threatening. If the ratio of women will decrease, automatically the population will also decrease. The whole life system will be disturbed. So, in order to continue in this world, we should ponder over it and take necessary corrective measures to check the reasons for the decline in the female ratio. Everybody

should take keen interest to check this decline. If this is not stopped, a day will come when there will be no life on this earth.

Dowry system is another big evil. There are thousands of girls among the poor masses who can't be married because their parents can't arrange a good dowry. Such girls are victims of social injustice. Thousands of young girls are burnt alive every year only due to this evil. We all have to come forward to uproot this evil.

It is clear that only the nation whose women are good and educated can touch the skies. Women have to be courageous and daring. We all should come forward to uproot all those activities which are a threat to women folk.

Teachings and doctrines regarding honour and dignity of a woman, in almost all the religions, are very kind and affectionate. We must cast ourselves in the same mould of these teachings and doctrines while treating women and establish women's rights through these sayings and commandments which can improve/promote their position and status.

MEETING OF STATE COMMISSIONS FOR WOMEN ON 30TH JANUARY, 2014 AT DR. MARRI CHANNA REDDY HUMAN RESOURCES DEVELOPMENT, INSTITUTE ROAD NO. 25, JUBILEE HILLS, HYDERABAD— 500169, ANDHRA PRADESH

Paper presentation by Advocate Shamim Firdous, Hon'ble Chairperson (MOS), J&K State Commission for Women

We all know violence against women has attained enormous proportions in our country including J&K State. Hardly a day passes when one does not come across a media report in newspapers of shocking crimes occurring with women. Women not only experience violence outside homes but also a large number of women in families are subjected to domestic violence. Rape a beastly act is committed upon women, which has now become a fashion of the day. Violence against women is a serious human rights threat in our country. Most women suffer silently rather than report the matter to the police or even to their parents for fear of honour or further victimization. Situation indeed is alarming. Everyone is witnessing a steep rise in violence taking place against women. We all must come forward with determination to stop practices related to wife beating, harassment of women, denial of basic rights and needs to women, demand of dowry, grabbing of working woman's money, threat of divorce to wives, eve-teasing of girls, sexual exploitation, denial of due property rights, abuse of women by in-laws, rape

of woman etc. We must analyze the root cause of such atrocious incidents taking place with women.

The J&K Government has constituted the State Commission for Women, mandated to ameliorate women's lot and is charged with responsibility to investigate and examine all the matters relating to safeguards of the women in every sphere of life, but still there are some constraints that our Commission faces in certain areas and needs due attention of the Government for their remedial measures in order to make the functioning of the Commission more vibrant and smooth:

- 01 Establishment of investigating cell of the Commission with the requisite staff is of a paramount importance to deal with the cases registered with it in a befitted manner.
- 02 Nomination of Members with monthly remuneration in order to make their attendance possible on regular basis whenever dates are fixed for hearing of the cases.
- 03 Opening of district level offices of the Commission to provide nearest platform for needy/destitute women approaching for help.
- 04 Acquisition of land and construction of its own office both at Srinagar and Jammu including working women hostels, short stay homes for destitute women and help lines.
- 05 Delegation of more civil court powers coupled with criminal court powers to make working of the Commission challenge free.
- 06 Creation of staff proficient in family counseling for the Commission

The above-mentioned points have already been put before the Government of Jammu and Kashmir for consideration.

Presently, the J&K State Commission for Women is actively involved/ engaged in dealing with the matrimonial dispute cases arising out due to family feuds and other allied issues. More so, this Commission has been paying frequent visits to all the Districts of the J&K State to oversee the living conditions of the women folk, who are entangled in family and other social clashes. Awareness camps together with workshops for educating women for their legitimate rights enshrined to them under the Constitution and other laws of the State/Country are held at the District headquarters so that the same percolates down and reach to the needy in far-flung and inaccessible areas of the J&K State.

The J&K State has also taken a number of measures for uplifting the lot of women in the society and latest in the series of measures is the promulgation an Act for the Protection of Women against Domestic Violence through an Ordinance.

The society in general and the police in particular have a moral responsibility to safeguard the rights of women while dealing with the cases pertaining to violation of laws by them and their simultaneous arrest and other related issues. The behaviour and approach in the Police Station as well during interrogation on the part of the police to this vulnerable section of the society should not only be quite softening but should carry weight of tenderness towards this depressed class of society. This would definitely be a step in the right direction as it will deliver a message of harmony, security and straight forwardness amongst the women involved in crimes.

In view of the vulnerable atmosphere where women are subjected to various hardships in the shape of Domestic Violence/Violence at Workplaces and other social evils connected with the section of the population, there is persistent need of interactions with various sections of the society, where the Police have a major role to play in mitigating the sufferings of this deprived class of the society and uplift their status to the desired level. This will definitely be a morale booster and will encourage the women folk in keeping their status high and upright in the society. This idea will not only be for upliftment of the status of women but for human worth in its entirety and will not only be an end of inequality towards women but to restore universal justice.

Recommendation in shape of suggestions:

The Commission has the powers of a civil court in the matter of summoning and enforcing the attendance of any person from any part of India and examining him on oath; requiring the discovery and production of any document; receiving evidence on affidavits; requisitioning any public record or copy thereof from any court or office; issuing commissions for the examination of witnesses and documents; and any other matter which may be prescribed.

Taking shelter of the above-mentioned powers, the Commission can empower the hapless women legally, but economic empowerment shall make the distressed women more stable financially. Aggrieved women who approach this Commission should be helped out by providing some financial assistance keeping in view the dimension/sensitivity of their cases. The Commission needs to be given powers with regard to it. Hence, requires provision of funds for this noble cause.

Requisite powers for implementation of the Domestic Violence Act passed by the J&K State Legislature needs to be delegated to this Commission as this is the right forum for the distressed, down trodden and suppressed women to highlight their woes for remedy and redressal as after approaching the Protection Office under the Act, the complaints shall be forwarded to the courts by the Protection Officers which is going to take lot of time in finalizing these matters; yet under the Act the cases should be disposed of within a period of 60 days only. If the Commission is given the powers to dispose of the cases, it will take less time and the delivery of goods will be fast.

This Commission should be given all powers of a civil court coupled with criminal court powers. Besides, needs to be empowered at par with the National Commission for Women and other State Commissions for Women to avoid discrimination being faced by the women folk of J&K State.

It has been generally observed that all practices related to violence against women may not be controlled wholly or negated completely with the formulation and application of the relevant social legislation only. There is also the need of broader social support through the organization of social movement against these inhuman practices.

The social legislation must be implemented sincerely and completely without any bias by the law implementing agencies; especially the practices of violence against women will either be stopped temporarily or negated completely.

In order to develop this idea, police needs intensive and extensive trainings in social issues and social control especially related to women.

The role of courts stands crucial in the resolution of the problems related to violence against women. It follows that social justice to the concerned women has to be provided in reasonable time-frame, with lesser financial cost, and in some cases, on priority basis. Moreover, justice to the suffering women, especially belonging to the lower economic classes, cannot be done absolutely without providing them the free legal aid from the initiation to the completion of their cases.

It seems important to establish sufficient number of family courts in the state to deal with and resolve chronic as well as fresh cases of violence against women. Rape cases should be put to trial on fast track basis by special family courts having female

judges and lawyers so that the victim is not put to humiliation and insult during the course of proceedings of the case.

In addition to the police and courts, the role of “Mohalla Committees” seems highly relevant and needed for the realistic, effective and productive resolution of women’s problems related to them. These committees may compose of the social notables, senior citizens, family heads and other relevant persons of the concerned locality and may function within the local area only.

It seems necessary to develop among women awareness about their rights and obligation in all fields of life. This process should be carried out in the schools and colleges, universities and religious places, political and cultural platforms. It needs a broader, deeper and continuous campaign by women as well as by men. Without proper social awareness among women, they can neither think about nor can resist different practices related to violence against them.

Those accused of committing rape and convicted by the Hon’ble Court should be given life imprisonment till death without any leniency or without parole.

Role of witness as evidence be not made necessary as sometimes witness gets corrupted or is compelled by threats, resulting in withdrawal of the statements. It is suggested that DNA test/report may be preferably considered in the matter of rape cases.

Steps to be taken for protection of women and conviction of criminals by the Government through prompt action as justice delayed is justice denied.

The Commission has decided to appoint a Legal Expert Committee to review all provisions, Acts and Laws pertaining to women’s safeguards and suggest amendments or introduction of new laws for the benefit of gender equality and gender justice.

Improvement in the planning process for socio-economic development of women:

The issue relating to empowerment of women, lay emphasis on bringing a social change and creating disciplined, dedicated, qualified and responsible society vis-à-vis gender inequalities in the society so that gender analytical framework is evolved to resolve gender issues on priority basis to facilitate women development, besides to equip the participants with the latest information on the issues relating to women development in the field of education, economic independence, health and legal rights

and also lay stress on the promotion of gender sensitivity among the Police Officers while dealing with the cases of violence against women.

Women will not gain power and greater control over their lives if they do not know about the society they live in, its economic, social and political system. Women need to understand the broader context in which their activities take place. Women, to gain power, need:

- the removal of institutional barriers— be they laws, administrative policies and practices and /or cultural norms which discriminate against women;
- The enactment of legislation which guarantees equal access to opportunities and resources and equal protection under the laws;
- Ensuring women's access to education, knowledge and skill which are critical to improving the ability of women to achieve their potential for themselves, their families and their communities.

Women need to enter the planning processes of our societies, at all levels— be it family level, community level. Are women present or absent from meetings? Village or district level, where are they? At National level, is women's input invited or considered in development plans? How do national plans affect women's work, role, and contribution to society? Participation by women in planning means more than simply adding women to a section of the national development plans of governments. This knowledge and understanding is part of the empowerment of women. Women need to know these things to be able to work together to mobilize for change. Moreover, such government programmes, policies and schemes must be incorporated, which are totally women oriented or women specific.

J&K State Commission for Women would like to undertake promotional and educational research in collaboration with Universities and representative organizations of expertise and repute through a medium, which would entirely benefit and remain in the interest of women/adolescent girls/female children of J&K State. This Commission will try every level best, to the extent possible, in bringing prosperity amongst women victimized at the hands of miscreants in J&K State by taking various initiatives at different Government and Semi-Government Departments by way of providing women specific schemes and soft/ concessional loans for starting self-employment activities in order to make themselves self-reliant. In addition to economic and educational support, maintenance of health would be the prime agenda for women in general and women

sufferers in particular. In this regard, this Commission will take a prompt step for granting approval from J&K State Government.

In addition to above, the Commission is trying to have surveys and research conducted through Field Workers, Social Activists and Academicians on women related issues to enable it to determine the thrust area of weakness as far as women's empowerment is concerned and accordingly make recommendation to the government to give special attention to such areas while policy planning.

DETAILS OF LIBRARY BOOKS PURCHASED FOR J&K STATE COMMISSION FOR WOMEN

S. No.	Book	Writer
01	Women & Human Right	Lina Gonsalves
02	Women in India	Smt. Sudharani Shrivastava
03	Law Relating to Offences against Women	V. K. Dewan
04	Empowerment of Women	K. Shanti
05	Women in Politics, Management & Decision Making Process	Laxmi Devi
06	Modern Working Women & Development Banking	Kranti Raina
07	Rural Women Empowerment & Development Banking	N. Lalitha
08	Status of Indian Crisis & Conflict in Gender Issues (Vol. I)	Uma Shanker Jha Arti Mehta * Latika Memon
09	Status of Indian Women Crisis & Conflict in Gender Issues (Vol. II)	Uma Shanker Jha Arti Mehta * Latika Memon
10	Status of Indian Women Crisis & Conflict in Gender Issues (Vol. III)	Uma Shanker Jha Arti Mehta * Latika Memon
11	Women & Sexual Exploitation, Harassment at Workplace	Rehana Sikri
12	Muslim Women & Islamic Tradition Studies in Modernization	Madam Allana
13	Role of Women in the 21 st Century	* Sunil Gupta * Mukta Gupta

14	Women Empowerment & Challenge of Change	L. Memon
15	Women's Development & Social Conflict	Utpala Nayak
16	Crimes against Women & Protective Laws	Shobha Saxena
17	Women as Human Resource	Laxmi Devi
18	Tiger Lady	
19	Oxford Directionery	Catherine Soanes
20	Oxford Compendium of English (set of three books)	Susan Ratcliffe
21	Britannica Ready Reference Encyclopedia (set of three books)	Theodore Pappas

LIST OF LAWS RELATING TO WOMEN

WOMEN-SPECIFIC LEGISLATIONS

- The Immoral Traffic (Prevention) Act, 1956
- The Dowry Prohibition Act, 1961 (28 of 1961) (Amended in 1986)
- The Indecent Representation of Women (Prohibition) Act, 1986
- The Commission of Sati (Prevention) Act, 1987 (3 of 1988)
- Protection of Women from Domestic Violence Act, 2005
- The Sexual Harassment of Women at Workplace (PREVENTION, PROHIBITION and REDRESSAL) Act, 2013

WOMEN-RELATED LEGISLATIONS

- The Indian Penal Code, 1860
- The Indian Evidence Act, 1872
- The Indian Christian Marriage Act, 1872 (15 of 1872)
- The Married Womens' Property Act, 1874 (3 of 1874)
- The Guardians and Wards Act, 1890
- The Workmens' Compensation Act, 1923
- The Trade Unions Act 1926
- The Child Marriage Restraint Act, 1929 (19 of 1929)
- The Payments of Wages Act, 1936
- The Payments of Wages (Procedure) Act, 1937
- The Muslim Personal Law (Shariat) Application Act, 1937
- Employers Liabilities Act 1938
- The Minimum Wages Act, 1948
- The Employees' State Insurance Act, 1948

- The Factories Act, 1948
- The Minimum Wages Act, 1950
- The Plantation Labour Act, 1951 (amended by Acts Nos. 42 of 1953, 34 of 1960, 53 of 1961, 58 of 1981 and 61 of 1986)
- The Cinematograph Act, 1952
- The Mines Act, 1952
- The Special Marriage Act, 1954
- The Protection of Civil Rights Act, 1955
- The Hindu Marriage Act, 1955 (28 of 1989)
- The Hindu Adoptions & Maintenance Act, 1956
- The Hindu Minority & Guardianship Act, 1956
- The Hindu Succession Act, 1956
- The Maternity Benefit Act, 1961 (53 of 1961)
- The Beedi & Cigar Workers (Conditions of Employment) Act, 1966
- The Foreign Marriage Act, 1969 (33 of 1969)
- The Indian Divorce Act, 1969 (4 of 1969)
- The Contract Labour (Regulation & Abolition) Act, 1970
- The Medical Termination of Pregnancy Act, 1971 (34 of 1971)
- Code of Criminal Procedure, 1973
- The Equal Remuneration Act, 1976
- The Bonded Labour System (Abolition) Act, 1979
- The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979
- The Family Courts Act, 1984
- The Muslim women Protection of Rights on Dowry Act, 1986
- Mental Health Act, 1987
- National Commission for Women Act, 1990 (20 of 1990)
- The Protection of Human Rights Act, 1993 [As amended by the Protection of Human Rights (Amendment) Act, 2006 [No. 43 of 2006]
- Juvenile Justice Act, 2000
- The Child Labour (Prohibition & Regulation) Act
- The Pre-Natal Diagnostic Techniques (Regulation and Prevention of misuse) Act, 1994

NATIONAL POLICY FOR THE EMPOWERMENT OF WOMEN (2001)

Introduction

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women.

Within the framework of a democratic polity, our laws, development policies, plans and programmes have aimed at women's advancement in different spheres. From the Fifth Five Year Plan (1974-78) onwards, there has been a marked shift in the approach

to women's issues from welfare to development. In recent years, the empowerment of women has been recognized as the central issue in determining the status of women. The National Commission for Women was set up by an Act of Parliament in 1990 to safeguard the rights and legal entitlements of women. The 73rd and 74th Amendments (1993) to the Constitution of India have provided for reservation of seats in the local bodies of Panchayats and Municipalities for women, laying a strong foundation for their participation in decision making at the local levels.

India has also ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993.

The Mexico Plan of Action (1975), the Nairobi Forward Looking Strategies (1985), the Beijing Declaration as well as the Platform for Action (1995) and the Outcome Document adopted by the UNGA Session on Gender Equality and Development & Peace for the 21st century, titled "Further actions and initiatives to implement the Beijing Declaration and the Platform for Action" have been unreservedly endorsed by India for appropriate follow up.

The Policy also takes note of the commitments of the Ninth Five Year Plan and the other Sectoral Policies relating to empowerment of Women.

The women's movement and a wide-spread network of non-Government Organisations which have strong grass-roots presence and deep insight into women's concerns have contributed in inspiring initiatives for the empowerment of women.

However, there still exists a wide gap between the goals enunciated in the Constitution, legislation, policies, plans, programmes, and related mechanisms on the one hand and the situational reality of the status of women in India, on the other. This has been analyzed extensively in the Report of the Committee on the Status of Women in India, "Towards Equality", 1974 and highlighted in the National Perspective Plan for Women, 1988-2000, the Shramshakti Report, 1988 and the Platform for Action, Five Years After- An assessment"

Gender disparity manifests itself in various forms, the most obvious being the trend of continuously declining female ratio in the population in the last few decades. Social stereotyping and violence at the domestic and societal levels are some of the other manifestations. Discrimination against girl children, adolescent girls and women persists in parts of the country.

The underlying causes of gender inequality are related to social and economic structure, which is based on informal and formal norms, and practices.

Consequently, the access of women particularly those belonging to weaker sections including Scheduled Castes/Scheduled Tribes/ Other backward Classes and minorities, majority of whom are in the rural areas and in the informal, unorganized sector – to education, health and productive resources, among others, is inadequate. Therefore, they remain largely marginalized, poor and socially excluded.

Goal and Objectives

The goal of this Policy is to bring about the advancement, development and empowerment of women. The Policy will be widely disseminated so as to encourage active participation of all stakeholders for achieving its goals. Specifically, the objectives of this Policy include

- (i) Creating an environment through positive economic and social policies for full development of women to enable them to realize their full potential;
- (ii) The *de-jure* and *de-facto* enjoyment of all human rights and fundamental freedom by women on equal basis with men in all spheres – political, economic, social, cultural and civil;
- (iii) Equal access to participation and decision making of women in social, political and economic life of the nation;
- (iv) Equal access to women to health care, quality education at all levels, career and vocational guidance, employment, equal remuneration, occupational health and safety, social security and public office etc.;
- (v) Strengthening legal systems aimed at elimination of all forms of discrimination against women;
- (vi) Changing societal attitudes and community practices by active participation and involvement of both men and women;
- (vii) Mainstreaming a gender perspective in the development process;
- (viii) Elimination of discrimination and all forms of violence against women and the girl child; and
- (ix) Building and strengthening partnerships with civil society, particularly women's organizations.

Policy Prescriptions

Judicial Legal Systems

Legal-judicial system will be made more responsive and gender sensitive to women's needs, especially in cases of domestic violence and personal assault. New laws will be enacted and existing laws reviewed to ensure that justice is quick and the punishment meted out to the culprits is commensurate with the severity of the offence.

At the initiative of and with the full participation of all stakeholders including community and religious leaders, the Policy would aim to encourage changes in personal laws such as those related to marriage, divorce, maintenance and guardianship so as to eliminate discrimination against women.

The evolution of property rights in a patriarchal system has contributed to the subordinate status of women. The Policy would aim to encourage changes in laws relating to ownership of property and inheritance by evolving consensus in order to make them gender just.

Decision Making

Women's equality in power sharing and active participation in decision making, including decision making in political process at all levels will be ensured for the achievement of the goals of empowerment. All measures will be taken to guarantee women equal access to and full participation in decision making bodies at every level, including the legislative, executive, judicial, corporate, statutory bodies, as also the advisory Commissions, Committees, Boards, Trusts etc. Affirmative action such as reservations/quotas, including in higher legislative bodies, will be considered whenever necessary on a time bound basis. Women-friendly personnel policies will also be drawn up to encourage women to participate effectively in the developmental process.

Mainstreaming a Gender Perspective in the Development Process

Policies, programmes and systems will be established to ensure mainstreaming of women's perspectives in all developmental processes, as catalysts, participants and recipients. Wherever there are gaps in policies and programmes, women specific interventions would be undertaken to bridge these. Coordinating and monitoring mechanisms will also be devised to assess from time to time the progress of such mainstreaming mechanisms. Women's issues and concerns as a result will specially be addressed and reflected in all concerned laws, sectoral policies, plans and programmes of action.

Economic Empowerment of women

(i) Poverty Eradication

Since women comprise the majority of the population below the poverty line and are very often in situations of extreme poverty, given the harsh realities of intra-household and social discrimination, macro economic policies and poverty eradication programmes will specifically address the needs and problems of such women. There will be improved implementation of programmes which are already women oriented with special targets for women. Steps will be taken for mobilization of poor women and convergence of services, by offering them a range of economic and social options, along with necessary support measures to enhance their capabilities

(ii) Micro Credit

In order to enhance women's access to credit for consumption and production, the establishment of new and strengthening of existing micro-credit mechanisms and micro-finance institution will be undertaken so that the outreach of credit is enhanced. Other supportive measures would be taken to ensure adequate flow of credit through extant financial institutions and banks so that all women below poverty line have easy access to credit.

(iii) Women and Economy

Women's perspectives will be included in designing and implementing macro-economic and social policies by institutionalizing their participation in such processes. Their contribution to socio-economic development as producers and workers will be recognized in the formal and informal sectors (including home based workers) and

appropriate policies relating to employment and to her working conditions will be drawn up. Such measures could include:

reinterpretation and redefinition of conventional concepts of work wherever necessary e.g. in the Census records, to reflect women's contribution as producers and workers;

preparation of satellite and national accounts; and

development of appropriate methodologies for undertaking (i) and (ii) above.

(iv) Globalization

Globalization has presented new challenges for the realization of the goal of women's equality, the gender impact of which has not been systematically evaluated fully. However, from the micro-level studies that were commissioned by the Department of Women & Child Development, it is evident that there is a need for re-framing policies for access to employment and quality of employment. Benefits of the growing global economy have been unevenly distributed leading to wider economic disparities, the feminization of poverty, increased gender inequality through often deteriorating working conditions and unsafe working environment especially in the informal economy and rural areas. Strategies will be designed to enhance the capacity of women and empower them to meet the negative social and economic impacts, which may flow from the globalization process.

(v) Women and Agriculture

In view of the critical role of women in the agriculture and allied sectors, as producers, concentrated efforts will be made to ensure that benefits of training, extension and various programmes will reach them in proportion to their numbers. The programmes for training women in soil conservation, social forestry, dairy development and other occupations allied to agriculture like horticulture, livestock including small animal husbandry, poultry, fisheries etc. will be expanded to benefit women workers in the agriculture sector.

(vi) Women and Industry

The important role played by women in electronics, information technology and food processing and agro industry and textiles has been crucial to the development of these sectors. They would be given comprehensive support in terms of labour legislation, social security and other support services to participate in various industrial sectors.

(vii) Support Services

The provision of support services for women, like child care facilities, including crèches at work places and educational institutions, homes for the aged and the disabled will be expanded and improved to create an enabling environment and to ensure their full cooperation in social, political and economic life. Women-friendly personnel policies will also be drawn up to encourage women to participate effectively in the developmental process.

Social Empowerment of Women

(i) Education

Equal access to education for women and girls will be ensured. Special measures will be taken to eliminate discrimination, universalize education, eradicate illiteracy, create a gender-sensitive educational system, increase enrolment and retention rates of girls and improve the quality of education to facilitate life-long learning as well as development of occupation/vocation/technical skills by women. Reducing the gender gap in secondary and higher education would be a focus area. Sectoral time targets in existing policies will be achieved, with a special focus on girls and women, particularly those belonging to weaker sections including the Scheduled Castes/Scheduled Tribes/Other Backward Classes/Minorities. Gender sensitive curricula would be developed at all levels of educational system in order to address sex stereotyping as one of the causes of gender discrimination.

(ii) Health

A holistic approach to women's health which includes both nutrition and health services will be adopted and special attention will be given to the needs of women and the girl at all stages of the life cycle. The reduction of infant mortality and maternal mortality, which are sensitive indicators of human development, is a priority concern. This policy reiterates the national demographic goals for Infant Mortality Rate (IMR), Maternal Mortality Rate (MMR) set out in the National Population Policy 2000. Women should have access to comprehensive, affordable and quality health care. Measures will be adopted that take into account the reproductive rights of women to enable them to exercise informed choices, their vulnerability to sexual and health problems together with endemic, infectious and communicable diseases such as malaria, TB, and water borne diseases as well as hypertension and cardio-pulmonary diseases. The social, developmental and health consequences of HIV/AIDS and other sexually transmitted diseases will be tackled from a gender perspective.

To effectively meet problems of infant and maternal mortality, and early marriage the availability of good and accurate data at micro level on deaths, birth and marriages is required. Strict implementation of registration of births and deaths would be ensured and registration of marriages would be made compulsory.

In accordance with the commitment of the National Population Policy (2000) to population stabilization, this Policy recognizes the critical need of men and women to have access to safe, effective and affordable methods of family planning of their choice and the need to suitably address the issues of early marriages and spacing of children. Interventions such as spread of education, compulsory registration of marriage and special programmes like BSY should impact on delaying the age of marriage so that by 2010 child marriages are eliminated.

Women's traditional knowledge about health care and nutrition will be recognized through proper documentation and its use will be encouraged. The use of Indian and alternative systems of medicine will be enhanced within the framework of overall health infrastructure available for women.

Nutrition

In view of the high risk of malnutrition and disease that women face at all the three critical stages viz., infancy and childhood, adolescent and reproductive phase,

focussed attention would be paid to meeting the nutritional needs of women at all stages of the life cycle. This is also important in view of the critical link between the health of adolescent girls, pregnant and lactating women with the health of infant and young children. Special efforts will be made to tackle the problem of macro and micro nutrient deficiencies especially amongst pregnant and lactating women as it leads to various diseases and disabilities.

Intra-household discrimination in nutritional matters vis-à-vis girls and women will be sought to be ended through appropriate strategies. Widespread use of nutrition education would be made to address the issues of intra-household imbalances in nutrition and the special needs of pregnant and lactating women. Women's participation will also be ensured in the planning, superintendence and delivery of the system.

Drinking Water and Sanitation

Special attention will be given to the needs of women in the provision of safe drinking water, sewage disposal, toilet facilities and sanitation within accessible reach of households, especially in rural areas and urban slums. Women's participation will be ensured in the planning, delivery and maintenance of such services.

Housing and Shelter

Women's perspectives will be included in housing policies, planning of housing colonies and provision of shelter both in rural and urban areas. Special attention will be given for providing adequate and safe housing and accommodation for women including single women, heads of households, working women, students and trainees.

Environment

Women will be involved and their perspectives reflected in the policies and programmes for environment, conservation and restoration. Considering the impact of environmental factors on their livelihoods, women's participation will be ensured in the conservation of the environment and control of environmental degradation. The vast majority of rural women still depends on the locally available non-commercial sources of energy such as animal dung, crop waste and fuel wood. In order to ensure the efficient use of these energy resources in an environmental friendly manner, the Policy will aim at promoting the programmes of non-conventional energy resources. Women will be involved in spreading the use of solar energy, biogas, smokeless chulahs and other rural application so as to have a visible impact of these measures in influencing eco-system and in changing the life styles of rural women.

Science and Technology

Programmes will be strengthened to bring about a greater involvement of women in science and technology. These will include measures to motivate girls to take up science and technology for higher education and also ensure that development projects with scientific and technical inputs involve women fully. Efforts to develop a scientific temper and awareness will also be stepped up. Special measures would be taken for their training in areas where they have special skills like communication and information technology. Efforts to develop appropriate technologies suited to women's needs as well as to reduce their drudgery will be given a special focus too.

Women in Difficult Circumstances

In recognition of the diversity of women's situations and in acknowledgement of the needs of specially disadvantaged groups, measures and programmes will be undertaken to provide them with special assistance. These groups include women in extreme poverty, destitute women, women in conflict situations, women affected by natural calamities, women in less developed regions, the disabled widows, elderly women, single women in difficult circumstances, women heading households, those displaced from employment, migrants, women who are victims of marital violence, deserted women and prostitutes etc.

Violence against women

All forms of violence against women, physical and mental, whether at domestic or societal levels, including those arising from customs, traditions or accepted practices shall be dealt with effectively with a view to eliminate its incidence. Institutions and mechanisms/schemes for assistance will be created and strengthened for prevention of such violence, including sexual harassment at work place and customs like dowry; for the rehabilitation of the victims of violence and for taking effective action against the perpetrators of such violence. A special emphasis will also be laid on programmes and measures to deal with trafficking in women and girls.

Rights of the Girl Child

All forms of discrimination against the girl child and violation of her rights shall be eliminated by undertaking strong measures both preventive and punitive within and outside the family. These would relate specifically to strict enforcement of laws against prenatal sex selection and the practices of female foeticide, female infanticide, child marriage, child abuse and child prostitution etc. Removal of discrimination in the treatment of the girl child within the family and outside and projection of a positive image of the girl child will be actively fostered. There will be special emphasis on the needs of the girl child and earmarking of substantial investments in the areas relating to food and nutrition, health and education, and in vocational education. In implementing programmes for eliminating child labour, there will be a special focus on girl children.

Mass Media

Media will be used to portray images consistent with human dignity of girls and women. The Policy will specifically strive to remove demeaning, degrading and negative conventional stereotypical images of women and violence against women. Private sector partners and media networks will be involved at all levels to ensure equal access for women particularly in the area of information and communication technologies. The media would be encouraged to develop codes of conduct, professional guidelines and other self regulatory mechanisms to remove gender stereotypes and promote balanced portrayals of women and men.

Action Plans

All Central and State Ministries will draw up time bound Action Plans for translating the Policy into a set of concrete actions, through a participatory process of consultation with Centre/State Departments of Women and Child Development and National /State Commissions for Women. The Plans will specifically including the following: -

- i) measurable goals to be achieved by 2010;
- ii) identification and commitment of resources;
- iii) responsibilities for implementation of action points;
- iv) structures and mechanisms to ensure efficient monitoring, review and gender impact assessment of action points and policies; and
- v) introduction of a gender perspective in the budgeting process.

In order to support better planning and programme formulation and adequate allocation of resources, Gender Development Indices (GDI) will be developed by networking with specialized agencies. These could be analyzed and studied in depth. Gender auditing and development of evaluation mechanisms will also be undertaken along side.

Collection of gender disaggregated data by all primary data collecting agencies of the Central and State Governments as well as Research and Academic Institutions in the Public and Private Sectors will be undertaken. Data and information gaps in vital areas reflecting the status of women will be sought to be filled in by these immediately. All Ministries/Corporations/Banks and financial institutions etc will be advised to collect, collate, disseminate and maintain/publish data related to programmes and benefits on a gender disaggregated basis. This will help in meaningful planning and evaluation of policies.

Institutional Mechanisms

Institutional mechanisms, to promote the advancement of women, which exist at the Central and State levels, will be strengthened. These will be through interventions as may be appropriate and will relate to, among others, provision of adequate resources, training and advocacy skills to effectively influence macro-policies, legislation, programmes etc. to achieve the empowerment of women.

National and State Councils will be formed to oversee the operationalisation of the Policy on a regular basis. The National Council will be headed by the Prime Minister and the State Councils by the Chief Ministers and be broad in composition having representatives from the concerned Departments/Ministries, National and State Commissions for Women, Social Welfare Boards, representatives of Non-Government Organizations, Women's Organisations, Corporate Sector, Trade Unions, financing institutions, academics, experts and social activists etc. These bodies will review the progress made in implementing the Policy twice a year. The National Development Council will also be informed of the progress of the programme undertaken under the policy from time to time for advice and comments.

National and State Resource Centres on women will be established with mandates for collection and dissemination of information, undertaking research work, conducting surveys, implementing training and awareness generation programmes, etc. These Centers will link up with Women's Studies Centres and other research and academic institutions through suitable information networking systems.

While institutions at the district level will be strengthened, at the grass-roots, women will be helped by Government through its programmes to organize and strengthen into Self-Help Groups (SHGs) at the Anganwadi/Village/Town level. The women's groups will be helped to institutionalize themselves into registered societies and to federate at the Panchayat/Municipal level. These societies will bring about synergistic implementation of all the social and economic development programmes by drawing resources made available through Government and Non-Government channels, including banks and financial institutions and by establishing a close Interface with the Panchayats/ Municipalities.

Resource Management

Availability of adequate financial, human and market resources to implement the Policy will be managed by concerned Departments, financial credit institutions and banks, private sector, civil society and other connected institutions. This process will include:

Assessment of benefits flowing to women and resource allocation to the programmes relating to them through an exercise of gender budgeting. Appropriate changes in policies will be made to optimize benefits to women under these schemes;

Adequate resource allocation to develop and promote the policy outlined earlier based on (a) above by concerned Departments.

Developing synergy between personnel of Health, Rural Development, Education and Women & Child Development Department at field level and other village level functionaries'

Meeting credit needs by banks and financial credit institutions through suitable policy initiatives and development of new institutions in coordination with the Department of Women & Child Development.

The strategy of Women's Component Plan adopted in the Ninth Plan of ensuring that not less than 30% of benefits/funds flow to women from all Ministries and Departments will be implemented effectively so that the needs and interests of women and girls are addressed by all concerned sectors. The Department of Women and Child Development being the nodal Ministry will monitor and review the progress of the implementation of the Component Plan from time to time, in terms of both quality and quantity in collaboration with the Planning Commission.

Efforts will be made to channelize private sector investments too, to support programmes and projects for advancement of women

Legislation

The existing legislative structure will be reviewed and additional legislative measures taken by identified departments to implement the Policy. This will also involve a review of all existing laws including personal, customary and tribal laws, subordinate legislation, related rules as well as executive and administrative regulations to eliminate all gender discriminatory references. The process will be planned over a time period 2000-2003. The specific measures required would be evolved through a consultation process involving civil society, National Commission for Women and Department of Women and Child Development. In appropriate cases the consultation process would be widened to include other stakeholders too.

Effective implementation of legislation would be promoted by involving civil society and community. Appropriate changes in legislation will be undertaken, if necessary.

In addition, following other specific measures will be taken to implement the legislation effectively.

Strict enforcement of all relevant legal provisions and speedy redressal of grievances will be ensured, with a special focus on violence and gender related atrocities.

Measures to prevent and punish sexual harassment at the place of work, protection for women workers in the organized/ unorganized sector and strict enforcement of relevant laws such as Equal Remuneration Act and Minimum Wages Act will be undertaken,

Crimes against women, their incidence, prevention, investigation, detection and prosecution will be regularly reviewed at all Crime Review fora and Conferences at the Central, State and District levels. Recognised, local, voluntary organizations will be authorized to lodge Complaints and facilitate registration, investigations and legal proceedings related to violence and atrocities against girls and women.

Women's Cells in Police Stations, Encourage Women Police Stations Family Courts, Mahila Courts, Counselling Centers, Legal Aid Centers and Nyaya Panchayats will be strengthened and expanded to eliminate violence and atrocities against women.

Widespread dissemination of information on all aspects of legal rights, human rights and other entitlements of women, through specially designed legal literacy programmes and rights information programmes will be done.

Gender Sensitization

Training of personnel of executive, legislative and judicial wings of the State, with a special focus on policy and programme framers, implementation and development agencies, law enforcement machinery and the judiciary, as well as non-governmental organizations will be undertaken. Other measures will include:

Promoting societal awareness to gender issues and women's human rights.

Review of curriculum and educational materials to include gender education and human rights issues

Removal of all references derogatory to the dignity of women from all public documents and legal instruments.

Use of different forms of mass media to communicate social messages relating to women's equality and empowerment.

Panchayati Raj Institutions

The 73rd and 74th Amendments (1993) to the Indian Constitution have served as a breakthrough towards ensuring equal access and increased participation in political power structure for women. The PRIs will play a central role in the process of enhancing women's participation in public life. The PRIs and the local self Governments will be actively involved in the implementation and execution of the National Policy for Women at the grassroots level.

Partnership with the voluntary sector organizations

The involvement of voluntary organizations, associations, federations, trade unions, non-governmental organizations, women's organizations, as well as institutions dealing with education, training and research will be ensured in the formulation, implementation, monitoring and review of all policies and programmes affecting women. Towards this end, they will be provided with appropriate support related to resources and capacity building and facilitated to participate actively in the process of the empowerment of women.

International Cooperation

The Policy will aim at implementation of international obligations/commitments in all sectors on empowerment of women such as the Convention on All Forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), International Conference on Population and Development (ICPD+5) and other such instruments. International, regional and sub-regional cooperation towards the empowerment of women will continue to be encouraged through sharing of experiences, exchange of ideas and technology, networking with institutions and organizations and through bilateral and multi-lateral partnerships.

(ANNEXURE— I)

THE STATE COMMISSION FOR WOMEN ACT, 1999
(Act No. V of 1999)

(13th April, 1999)

An Act to constitute a State Commission for Women and to provide for matters connected therewith or incidental thereto.

Be it enacted by the Jammu and Kashmir State Legislature in the Fiftieth Year of the Republic of India as follows:-

CHAPTER I

Preliminary

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

(1) This Act may be called the State Commission for Women Act, 1999.

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

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

2. *Definitions.*— In this Act, unless the context otherwise requires:-

(a) “Commission” means the State Commission for Women constituted under section 3;

(b) “Government” means Government of Jammu and Kashmir;

(c) “Member” means as Member of the Commission;

(d) “Prescribed” means prescribed by rules made under this Act.

CHAPTER II

The State Commission for Women

3. *Constitution of the State Commission for Women.* —

(1) The Government shall constitute a body to be known as the State Commission for Women to exercise the powers conferred on, and to perform the functions assigned to it, under this Act.

(2) The Commission shall consist of—

(a) a whole time Chairperson and two part-time Members to be nominated by the Government from amongst eminent women for the State committed to the cause of women.

(b) one Secretary of the rank of Additional Secretary to Government to be nominated by the Government.

4. *Term of office and conditions of service of Chairperson and Members.*—

(1) The Chairperson and every Member shall hold office for such period, not exceeding three years, as may be specified by the Government in this behalf.

(2) The Chairperson or a Member may, by writing and addressed to the Government, resign from the office of Chairperson or, as the case may be, of the Member at any time.

(3) The government shall remove a person from the office of Chairperson or a Member referred to in sub-section (2) if that person—

- (a) becomes an un-discharged insolvent;
- (b) gets convicted and sentenced to imprisonment for an offence which in the opinion of the Government involves moral turpitude;
- (c) becomes of unsound mind and stands so declared by a competent court;
- (d) refuses to act or becomes incapable of acting;
- (e) is, without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission; or
- (f) in the opinion of the Government has so abuses the position of Chairperson or Member as to render that person's continuance in office detrimental to the public interest; Provided that no person shall be removed under this clause until that person has been given a reasonable opportunity of being heard in the matter.

(4) A vacancy caused under sub-section (2) or otherwise shall be filled by fresh nomination.

(5) The salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson and Members shall be such as may be prescribed.

5. *Officers and other employees of the Commission.* —

(1) The Government shall provide the Commission with such officers and employees as may be necessary for the efficient performance of the functions of the Commission under this Act.

(2) The salaries and allowances payable to, and the other terms and conditions of service of, the officers and other employees appointed for the purpose of the Commission shall be such as may be prescribed.

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

7. *Vacancies etc. not to invalidate proceedings of the Commission.* — No act or proceedings of the Commission shall be questioned or shall be invalid on the ground merely of the existence of any vacancy or defect in the constitution of the Commission.

8. *Committee of the Commission.*—

(1) The Commission may appoint such committees as may be necessary for dealing with such special issues as may be taken up by the Commission from time to time.

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

9. *Procedure to be regulated by the Commission.*—

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

CHAPTER III

Functions of the Commission

10. *Functions of the Commission.*—

- (1) The Commission shall perform all or any of the following functions, namely:-
- a) investigate and examine all matters relating to the safeguards provided for women under the Constitution and other laws;
 - b) present to the Government, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
 - c) make in such reports, recommendations for the effective implementation of those safeguards for improving the condition of women by the State;
 - d) review, from time to time, the existing provisions of the Constitution of Jammu and Kashmir and other laws affecting women and recommend amendments thereto so as to suggest remedial legislative measures to meet any lacunae, inadequacies or shortcomings in such legislations;
 - e) take up the cases of violation of the provisions of the Constitution and other laws relating to women with the appropriate authorities;
 - f) looking into complaints and take suo moto notice of matters relating to-
 - i. deprivation of women's rights;
 - ii. non-implementation of laws enacted to provide protection to women and also to achieve the objective of equality and deployment;
 - iii. non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships and ensuring welfare and providing relief to women/ and take up the issues arising out of such matters with appropriate authorities;

- g) call for special studies or investigations into specific problems or situations arising out of discrimination and atrocities against women and identify the constraints so as to recommend strategies for their removal;
 - h) undertake promotional and educational research so as to suggest ways of ensuring due representation of women in all spheres and identify factors responsible for impeding their advancement, such as, lack of access to housing and basic services, inadequate support services and technologies for reducing drudgery and occupational health hazards and for increasing their productivity;
 - i) Participate and advise on the planning process of socio-economic development of women;
 - j) evaluate the progress of the development of women under the State;
 - k) inspect or cause to be inspected a jail, remand home, women's institution or other place of custody where women are kept as prisoners or otherwise and take up with the concerned authorities for remedial action, if found necessary;
 - l) fund litigation involving issues affecting a large body of women;
 - m) make periodical reports to the Government on any matter pertaining to women and in particular various difficulties under which women toil;
 - n) any other matter which may be referred to it by the Government.
- (2) The Government shall cause all the reports referred to in clause (b) of sub-section (1) to be laid before each House of the State Legislature along with a memorandum explaining the action taken or proposed to be taken on the recommendation and the reasons for the non-acceptance, if any, of any of such recommendations.
- (3) The Commission shall, while investigating any matter referred to in clause (a) or sub-section (i) of clause (f) of sub-section (1) have all the powers of a civil court trying a suit and, in particular, in respect of the following matters, namely:-
- (a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
 - (b) requiring the discovery and production of any document;
 - (c) receiving evidence on affidavits;
 - (d) requisitioning any public record or copy thereof from any court or office;
 - (e) issuing commissions for the examinations of witnesses and documents; and
 - (f) any other matter which may be prescribed.

CHAPTER IV

Finance, Accounts and Audit

11. *Grants by the Government.*—

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

12. *Accounts and audit—*

- (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Government.
- (2) The accounts of the Commission shall be audited by the Comptroller and Auditor General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Comptroller and Auditor General.
- (3) The Comptroller and Auditor General and any person appointed by him in connection with the audit of the accounts of the Commission under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Commission.
- (4) The accounts of the Commission, as certified by the Comptroller and Auditor General or any other person appointed by him in this behalf, together, with the audit report thereon shall be forwarded annually to the Government by the Commission.

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

14. *Annual report and audit report to be laid before State Legislature—* The Government shall cause the annual report together with a memorandum of action taken on the recommendations contained therein and the reasons for the non-acceptance, if any, of any of such recommendations and the audit report to be laid as soon as may be after the reports are received before each House of State Legislature.

CHAPTER IV

Miscellaneous

15. *Chairperson, Members and staff of the Commission to be public servants—* The Chairperson, the members, officers and other employees of the Commission shall be deemed to be public servants within the meaning of section 21 of the Ranbir Penal Code.

16. *Government to consult Commission—* The Government shall consult the Commission on all major policy matters affecting women.

17. *Power to make rules—*

- (1) The Government may, by notification in the Government Gazette, make rules for carrying out the provisions of this Act.

- (2) In particular, and without prejudice to the generality of the foregoing power, such as rules may provide for all or any of the following matters, namely:-
- (a) salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson and Members under sub-section (2) of section 5;
 - (b) allowances for attending the meetings of the committee by the co-opted persons under sub-section (3) of section 8;
 - (c) other matters under clause (f) of sub-section (4) of section 10.
 - (d) the form in which the annual statement of account shall be maintained under sub-section (1) of section 12;
 - (e) the form in, and the time at, which the annual report shall be prepared under section 13;
 - (f) any other matter which is required to be, or may be, prescribed.
- (3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of State Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(Sd.)
Addl. Secretary to Government,
Law Department.