



UNIT 5



NATIONAL / STATE COMMISSION FOR WOMEN(NCW)

- It was established on 31 January 1992 under the provisions of the Indian Constitution, as defined in the 1990 National Commission for Women Act. The first head of the commission was Jayanti Patnaik.
- The Commission is equipped with powers to safeguard rights of women and ensure their protection and equality against any form of harassment and issues faced in the family and community.
- The Committee on the Status of Women in India (CSWI) recommended nearly two decades ago, the setting up of a National Commission for women to fulfill the surveillance functions to facilitate redressal of grievances and to accelerate the socio-economic development of women.

The commission was created with the following objectives:

- Ensuring protection and welfare of women.
- Recommending to state government on women-based issues.
- The commission occasionally takes steps to create awareness in public regarding the woman- based legislation in the state.
- Handle gender-based issues through timely intervention in case of any violation of relevant laws or opportunity denial or depriving the women of any rights.

ALL WOMEN POLICE STATION

Introduction:

All women police station scheme was started reason to less the all type of violence against the women.

1. Chief minister Jayalalithaa declared open the first all women police station in Tamilnadu, on 1992.
2. India's first all women police station located in Kozhikode, Kerala.
3. The station was inaugurated by the then prime minister Indira Gandhi on 27 October 1973.
4. There are currently 202 all women police station in the tamilnadu.
5. Indira Gandhi came up with the idea of a women's police station at a time when crimes against women was rising in the country.
6. Tripura, Indian state was maximum 82 women police station.
7. Totally there are 518 women police station in India.
8. G.Thilakavathi is the Tamil Nadu's first native woman IPS officer in women police station.
9. All women police station was started taking action in against women certain crimes such as psychological violence, domestic violence and sexual violence.
10. Mumbai: Maharashtra state has no women police station.

YouTube link:

<https://youtu.be/pACQLs1F0JoA>

FAMILY COURT

1) **Meaning of family court.**

Family court, special court designed to deal with legal problems arising out of family relations.

2) **Powers of Family Court.**

- Matters dealt in Family Court:
- Degree for nullity of marriage.
- Restitution of conjugal rights.
- The claim of maintenance.
- Guardianship.
- Custody & access to children.

3) **Function of family court.**

- The purpose and aim of establishing the Family Courts is to protect and preserve the institution of marriage and to
- promote the welfare of children and provide for settlement of disputes by conciliation. The Family Courts Act extends to
- the whole of India except Jammu and Kashmir.

4) **Established Family Court.**

The Central Government enacted the Family Courts Act in 1984 with an intention to encourage prompt settlement of disputes

dealing with family affairs and matrimonial issues.

5) **How many family courts are there in India in 2022?**

718 Family Courts are functional across the country (June 2022).

DOMESTIC VIOLENCE ACT

INTRODUCTION:

The domestic violence was first introduced by the Indian penal code, 1863 section 498(a) when for women's husband and the relative of the husband subjecting to cruelty done with her.

The production of women against domestic violence, 2005 as an act came into force on 26 October 2006 by the parliament of India.

THE PRODUCTION OF WOMEN FROM DOMESTIC VIOLENCE ACT 2005:

Section 18 - Protection order.

Section 19 - Residence order of residing at matrimonial house.

Section 20 - Monetary order which includes maintenance for her self and her children.

Section 21 - Temporary custody of children.

Section 22 - Compensation order for the damages caused to her.

The Causes of Domestic Violence:

- Mental problems
- Poverty and unemployment
- Education
- Young parents
- Historical factors
- Self defence

Types of factors in domestic violence:

- Individual
- Relational
- Community
- Societal

THE GOAL OF THE DOMESTIC VIOLENCE ACT:

To identify and determine that every act of domestic violence is and law full and punishable by law.

HELPLINE NUMBER:

8783088814

YOUTUBE LINK:

<https://Youtu.be/bi-hrPyWSZw>

PREVENTION OF SEXUAL HARASSMENT AT WORK PLACE SUPREME COURT GUIDELINES

Sexual Harassment refers to an employee's continued, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, made to another employee, against his or her wishes. Sexual harassment can occur in a variety of situations. Below are a few examples of sexual harassment.

- Unwanted jokes, gestures, offensive remarks on clothing, and unwelcome comments and repartee.
- Touching and any other bodily contact such as scratching or patting a coworker's back, grabbing an employee around the waist, or interfering with an employee's ability to move.
- Repeated requests for dates that are turned down or unwanted flirting.
- Transmitting or posting emails or pictures of a sexual or other harassment-related nature.
- Displaying sexually suggestive objects, pictures, or posters.
- Playing sexually suggestive music.

According to the Protection of Human Rights Act, 1993 "human rights" means rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India. It is necessary and expedient for employers in work places as well as other responsible persons or institutions to observe certain guidelines to ensure the prevention of sexual harassment of women, because living with dignity is a human right guaranteed by our constitution. It has been laid down by the Supreme Court that it is the duty of the employer or other responsible persons in work places or other institutions to prevent or deter the commission of acts of sexual harassment and to provide the procedure for the resolution, settlement or prosecution of acts of sexual harassment by taking all steps required.

Steps to be taken by the Employers:

All employers or persons in charge of work place whether in public or private sector should take appropriate steps to prevent sexual harassment. Without prejudice to the generality of this obligation they should take the following steps:

- (a) Express prohibition of sexual harassment (as defined above) at the work place should be notified, published and circulated in appropriate ways.
- (b) (b) The Rules/Regulations of Government and Public Sector bodies relating to conduct and discipline should include rules / regulations prohibiting sexual harassment and provide for appropriate penalties in such rules against the offender.
- (c) (c) As regards private employers steps should be taken include the aforesaid prohibitions in the standing orders under the Industrial Employment (Standing Orders) Act, 1940.
- (d) (d) Appropriate work conditions should be provided in respect of work, leisure, health and hygiene to further ensure that there is no hostile environment towards women at work places and no female employee should have reasonable grounds to believe that she is disadvantaged in connection with her employment.

MATERNITY BENEFITS

Meaning of maternity benefit:-

- A payment or other allowance made by the state or an employer to a woman during pregnancy or after childbirth.

The Act covers all maternity benefits in the following sections:

1. Section 4: Employment of, or work of, women prohibited During certain periods.
2. Section 5: Right to payment of maternity benefits.
3. Section 7: Payment of Maternity Benefits in case of Death of a woman.
4. Section 8: Payment of Medical Bonus.
5. Section 9: Leave for miscarriage.
5. Section 10: Leave for illness arising out of pregnancy, Delivery.
6. Section 11: Nursing Breaks.
7. Section 12: Dismissal during absence of pregnancy.
8. Section 13: No deduction of wages in certain cases.
9. Section 18: Forfeiture of maternity benefit prior to one week.

PRE-CONCEPTION AND PRE-NATAL DIAGNOSTIC TECHNIQUES ACT (PC-PNDT Act, 1994)

■ **Introduction :**

Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, 1994 is an Act of the Parliament of India enacted to stop female foeticides and arrest the declining sex ratio in India. The act banned prenatal sex determination

■ **Definitions :**

Sex selection is any act of identifying the sex of the foetus and elimination of the foetus if it is of the unwanted sex.

■ **Objectives :**

The main purpose of enacting the act is to ban the use of sex selection techniques after conception and prevent the misuse of prenatal diagnostic technique for sex selective abortions.

Female foeticide in India

- This process began in the early 1990 when ultrasound techniques gained widespread use in India. There was a tendency for families to continuously produce children until a male child was born.
- The ratio is significantly higher in certain states such as Punjab and Haryana.