

STANDING COMMITTEE ON HUMAN RESOURCE DEVELOPMENT

Issues Related to Safety of Women

THREE HUNDRED AND SIXTEENTH REPORT

INTRODUCTION

The Report began with the admission that crimes against women in India had been on the rise over the past decade. The Committee believed that effective mechanisms needed to be put in place for providing a safe environment for women, and more importantly, the mindset of people needed to be changed. During the course of numerous meetings, the Committee heard representatives from various stakeholders.

It was highlighted that many legislations had been passed for the purpose of women's welfare, like The Sexual Harassment of Women at the Workplace (Prevention, Protection and Redressal) Act, 2013, The Protection of Women from Domestic Violence Act, 2005, The Dowry Prohibition Act (DPA), 1961, etc. However, gender-based violence continued to persist, which implied **lax implementation of the laws**. Their representation in positions of power was abysmally low. To address this, the Committee recommended the reservation of one-third of seats for women at all levels of government.

Several initiatives, like setting up of Fast Track Special Courts (FTSCs), provision of free legal aid, Emergency Response Support System, Safe City Project in 8 cities, etc. It was brought to attention that not all states had given their assent yet for setting up of FTSCs, and that these Courts were inequitably distributed. The Committee called for the rectification of such problems, and recommended measures like **no provision of bail to accused involved in heinous crimes against women, setting up of women cells in all police stations, strengthening of anti-trafficking provisions, etc.**

Safety of Women in Road and Surface Transport

Some state-level initiatives by the Transport Departments in Andhra Pradesh, Uttar Pradesh, Karnataka; CCTV cameras at railway stations, compartments reserved for ladies in trains, Ladies Special Trains in metropolitan cities escorted by lady RPF personnel, etc. for more concerted efforts in this regard, like increased surveillance, complaint mechanism in cases of violence in moving trains, etc.

Role of Education in Societal Transformation

Stakeholders from the education sector, and the health sector, underlined various initiatives for the purpose of women's welfare, like gender sensitisation in higher education, development of Women's Studies, setting up of Internal Complaints Committees, self-defence training for girls, guidelines for medico-legal care of victims/survivors of sexual violence, etc. The Committee recommended more **consistent effort in the education sector, strengthening of medical centres in rural and remote areas, and mandatory public awareness programmes.**

Effective Utilisation of Nirbhaya Fund

In 2013, the Government of India set up the Nirbhaya Fund, for the implementation of initiatives aimed at enhancing the safety and security for women in the country. Some major initiatives under the Nirbhaya Fund include the One Stop Crisis Centres, Women Helpline Scheme, Mahila Police Volunteers Scheme, and various state government initiatives like Nirbhaya Shelter Homes in Nagaland and Nirbhaya Yojana in Uttarakhand. As of March 2020, out of the total apportioned amount under the Nirbhaya Fund, which stood at Rs 7436.66 crores, only Rs 2647.89 crore had been disbursed by the concerned Ministries/Departments. Furthermore, only around 20-30% of the Fund had been actually utilised by the state governments. The **Ministry of Women and Child Development should directly monitor the expenditure of funds**, and the implementation of projects to be overseen by a committee headed by the Cabinet Secretary. It was emphasised that **gender sensitisation drives should be regularly conducted in rural and urban areas.**

RECOMMENDATIONS AND IMPLEMENTATION

| S. No. | Recommendation | Action Taken |
|------------------------------|---|--|
| Legislative Framework | | |
| 1 | Strict implementation of legislations related to safety of women | Ministry of Women and Child Development supplements the efforts of State Governments through schemes such as Beti Bachao Beti Padhao, One Stop Centre, Women Helpline etc.; the Ministry sensitizes all the States/UTs to ensure effective implementation of legislations meant for safety and wellbeing of women |
| 2 | Fixing a time frame for deciding cases of gender based violence against women | Various legislative provisions are already in place |
| 3 | 33% reservation for women at all levels of government | Presently one-third reservation for women is at Panchayat level, but not at state and national level |
| Legal Framework | | |
| 4 | Ministry of Law and Justice and Ministry of Home Affairs need to work in a coordinated manner | The Ministry of Law & Justice have given assistance to states/UTs to set up fast Track Special Courts including exclusive POCSO (e-POCSO) Courts for quick disposal of cases of rape under POCSO Act; the concerned Ministries may set up a joint mechanism so that the requisite integrated changes that are required to be initiated can be formulated |
| 5 | Setting up of Fast Track Special Courts (FTSC) in all states/UTs | Except West Bengal, Arunachal Pradesh and Andaman & Nicobar Islands, all states have set up FTSCs |

| | | |
|---|---|--|
| 6 | Balanced regional distribution of FTSCs | For each 165 pending cases, one court is provided, for such States/UTs where pending cases are below 165 but 65 and above, one court has been provided |
| 7 | No bail to accused involved in heinous crimes against women | <p>MHA has furnished certain information against this recommendation, which is as follows:</p> <p>(i) Completion of investigation and filing of charge sheet in rape cases in 2 months and trials shall also be completed in 2 months</p> <p>(ii) Appeals against conviction or acquittal to be disposed of within 6 months</p> <p>(iii) Anticipatory bail to the persons accused of rape or gang rape of a girl under 12/16 years of age has been disallowed</p> <p>(iv) If an accused applies for bail, a 15 days' Notice has to be given to the Public "Prosecutor by the Court on the application of bail of the accused. The presence of the informant or any other person authorised by him shall be obligatory at the time of hearing of the application for bail to the person under sub-section (3) of section 376 or Section 376A or Section 376DA or Section 376DB of the Indian Penal Code</p> |
| Infrastructure Development and Institutional Strengthening | | |
| 8 | MHA to set up women cells in all police stations , recruitment of more women police officers | MHA has released a total of Rs. 107.49 crores to States/UTs for setting up Women Help Desks in 10,749 Police Stations |

| | | |
|----|---|---|
| | | across the country; issued advisories advising States/ UTs to provide 33% reservation to women in police |
| 9 | Single helpline number for seeking help in cases of women safety issues | Single helpline (112) active across all states/UTs |
| 10 | Setting up forensic labs in every state/UT | Forensic Sciences Laboratories (FSLs) have been setup in 32 States/UTs ; in remaining 4 UTs of Chandigarh, Daman Diu Dadra & Nagar Haveli, Lakshadweep and Ladakh, police utilize the forensic sciences facilities available in their neighbouring states or in the Central Forensic Sciences Laboratories |
| 11 | Expansion of Safe City Project, integration with Smart Cities Project | Safe City Projects guidelines provide for integration with other schemes including the Smart City Scheme, wherever, applicable |
| 12 | Establishing a National Anti-Trafficking Bureau | The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill was passed in Lok Sabha in 2018, but not in Rajya Sabha, currently being re-drafted |
| 13 | Anti-Trafficking Relief and Rehabilitation Committee | |
| 14 | Coordination between Ministry of Road Transport and Highways and Transport Departments of states for providing safety in public transport | “Development, Customization, Deployment and Management of State-wise Vehicle Tracking Platform for Safety & Enforcement with AIS 140 specifications under Nirbhaya Fund” Scheme being administered by Ministry of Road Transport and Highways |
| 15 | Mandatory installation of CCTV surveillance, panic button and controllers in public transport | Rule 125H in the Central Motor Vehicle Rules, 1989, provision of vehicle location tracking device and emergency button; some states have taken steps to install |

| | | |
|----|--|--|
| | across the country in a time bound manner | CCTV and panic button in buses; “Development, Customization, Deployment and Management of State-wise Vehicle Tracking Platform for Safety & Enforcement with AIS 140 specifications under Nirbhaya Fund” Scheme |
| 16 | Creation of a database of the drivers, conductors, helpers and associated staff involved in public transport | Sarathi application under the e-Transport Mission Mode Project, facilitated for computerization of Driving License-related services, accessible to all the states/UTs, which can utilize these to extracts the data as per their requirements, can be accessed by the police and other emergency services based on their respective requirements |
| 17 | Mechanism to lodge complaints of sexual harassment in moving trains | Railways have a dedicated helpline (139) where incidents of sexual harassment or crimes against women can be reported, integration with 112 Helpline |
| 18 | Video Surveillance Systems at all railway stations across the country | Railways have approved works for provision of CCTV at all stations except halt stations; CCTV based Video Surveillance System has been provided at 814 Stations (till June 2021) to ensure safety of women |
| 19 | Making gender sensitisation drives a regular feature in urban and rural areas | Initiatives have been taken by various stakeholders like Department of School Education & Literacy, Ministry of Home Affairs, Ministry of Road Transport & Highways and Ministry of Housing & Urban Affairs, Bureau of Police Research |

| | | |
|---|--|---|
| | | and Development (BPR&D) conducts regular training programmes, including gender sensitization modules, other initiatives include increased lighting at blind spots, Samagra Shiksha, self-defence training for girls, promotion of sensitivity towards gender-based issues by NCERT, courses on gender sensitisation introduced by NCERT, etc. |
| Role of Education in Societal Transformation | | |
| 20 | Crucial role of HRD (Education) Ministry in changing mindset of people | National Education Policy, 2020 has recommended to include in the curriculum ethical reasoning, Indian values and all basic human and Constitutional values, NCERT also advocates value/peace education as a holistic, integrated and whole school approach |
| 21 | Inclusion of moral values in school curriculum | |
| 22 | Education Ministry to hold workshops and make students aware about the institutional framework available in case of any gender based violence and crime | Saksham Portal launched, toll-free number 1800-111-656 for registration of grievances related to women and sexual harassment, advisories to Vice-Chancellors of all universities, Internal Complaint Committees in all IIMs, etc. |
| 23 | Proactive role of universities and colleges in generating awareness | Advisory given to universities to add more content in curriculum in addition to gender sensitization about leadership, sacrifices and the remarkable role placed by women in all walk of life |
| 24 | More universities and colleges to open Department of Women Studies | The Department of Higher Education has informed that fresh proposals will be |

| | | |
|---|---|---|
| | | invited/ processed after the finalisation of revised guidelines of Women Studies |
| 25 | Strengthening of medical centres, especially in rural and remote areas of the country, doctors and para-medical staff need to be updated on the legal requirements to ensure that loopholes in the medico/legal report cannot be exploited | National Health Policy 2017; Guideline & protocol on Medico Legal Care (MLC) of victims/survivors of sexual violence has been developed; Handbook for community level workers (ASHA), "Mobilizing for Action on Violence Against Women" has been developed for community outreach services; Guideline on "Public Health Response to Violence against Women and Children" has been developed |
| 26 | Ministry of Health and Family Welfare should sensitize the medical staff about the psychological condition of the victims of gender-based violence and the need to handle them with empathy and due sensitivity | |
| 27 | Public awareness programmes through press and media should be mandatorily conducted to educate public about laws in place for safety and security of women along with consequences for violating of these laws | Various initiatives have been undertaken in this regard by stakeholders, such as sensitization and training of the police personnel/law enforcement agencies, programmes for creating awareness among vulnerable sections of the society, AIR broadcasting programmes on safety and security of women, etc. |
| Effective Utilisation of Nirbhaya Fund | | |
| 28 | One trained police officer should be ear-marked in every police station to handle cases of gender-based violence | A project under Nirbhaya Fund for this purpose, Rs. 100 crores released to states/UTs for its implementation, around 8000 officers trained |
| 29 | Ministries should ensure that projects under Nirbhaya Fund should be timely implemented | At present out of the allocated funds of Rs. 9549 crores and funds released as Rs. 4241 crores, the funds utilized so far stand |

| | | |
|----|--|---|
| | | at around Rs. 2989 crores only; the concerned Ministries must develop a robust mechanism for constant monitoring of projects/schemes being handled by them. |
| 30 | Ministry of Women and Child Development to directly monitor the expenditure of funds, on account of under-utilisation of the Fund | The Ministry has followed up with the states/ UTs through video conferences, telephone calls and using electronic media |
| 31 | One Stop Crisis Centres should be set up in each district of the country | As on 31st July, 2020, a total of 733 OSCs have been approved in 730 districts, out of which, 683 OSCs have already been operationalised. |
| 32 | The status of implementation of the projects/schemes under the Nirbhaya Fund should be overseen by a Committee under the Chairmanship of the Cabinet Secretary | An Empowered Committee reviews the progress/ status of the implementation of the appraised projects/ schemes on regular basis in conjunction with the concerned Ministries/ Departments for expediting implementation of the projects/ schemes in a time-bound manner |