

Annual Administrative Report
(2010-2011)

**Arunachal Pradesh
State Commission for Women
(APSCW)**



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Komoli Mosang
Chairperson

The A.P. State Commission for Women
Arunachal Pradesh::Itanagar.

Foreword

The second body of Arunachal Pradesh State Commission for Women took its office in the year 2008 and since then, it has covered many a milestone in resurrecting the social and economic status of women in the State. It has organized workshops/consultations, constituted expert committees on economic empowerment of women, conducted workshops/seminars for gender awareness and took up publicity campaign for women's education, violence against women, etc. in order to generate awareness in the society against these social evils, besides attending and participating in Regional and National level Programmes / Workshops & Seminars related to the issues of women.

In these times, when education is an essential element for all round development of oneself, it is to be seen that there are still districts in our State in which the female folks have been pushed down to the brink of the threshold because of lack of education. It is basically due to this that social evils such as child marriage and gender biasness are still prevalent. Therefore, the State Commission in association with Sarva Shiksha Abhiyan, Rajya Mission had taken up the initiative of a case-study themed 'Situational Analysis on Social Context of School drop-out among School Children with special reference to girl-child in Kurung Kumey District', which is one of the most backward districts in the State. Based on the case report, the Commission has recommended the State Government for better implementation of their policies and programmes, so that the Government's initiative can be harnessed at the grass-root level and to adhere to more efficient educational policies for the girl-child.

Despite the child marriage Prohibition Act 2006 coming into force, it still remains a bitter reality in this era of rapid change and fast development. The age-old saga of child marriage can only be thwarted by conducting Legal Awareness Programmes to impart practical knowledge to women about their legal rights provided under various laws. There are also cases where young girls are forced into marriages against their will and therefore, the present body of State Commission for Women in order to highlight the prevailing practices of child marriage and forced marriage system in few districts of Arunachal Pradesh, has produced a short documentary themed 'Women Empowerment and Child Marriage System in Arunachal Pradesh'.

I would also like to specifically mention the Daporijo MMS case. It is hard to believe that wrong can be done by some denizen to its own sister & brother of the State. The Commission had taken up the matter and instituted an independent inquiry committee with the Vice-Chairperson Ms. Mepung Tadar as the Chairperson of the Committee and two Members from the Civil Society to find out the facts. The report of the Committee has been submitted to the Government of Arunachal Pradesh on the 3rd of June '20 99 for further legal action as per the judiciary.

The State Commission for Women has carried forward the works of its earlier body and is working hard towards empowering women. Since its inception, the first body of the Women Commission had submitted only one Annual Report but the present body of the Women Commission has tried its best to bring out its first and second Annual Report in three years of its assuming the Office, even with bare minimum facilities and with just two officials in the Office. This is specially mentioned here so as to foster the momentum of change and advancement in the years to come by the future body of the Commission. I would also like to bring forth the information that the expenditure incurred had not been audited since the inception of the Commission but, the Second body of the Commission had taken up the matter and the accounts of the Commission till date has been audited. Besides the actual power of functioning, the second body of the Commission has also put their best foot forward for running of the administration efficiently.

At last, I take this opportunity to convey my grateful appreciation to my young and promising colleague, Vice-Chairperson, Mrs. Tadar Mepung and my other colleague Members of the Commission Mrs. Tadar Yadir, Mrs. Yater Nasi and Mrs. Secha Rajkumar for their uniform collective decisions and also for a remarkable team spirit, the staff of the Commission for their tireless effort and selfless working spirit. I am also extremely grateful to Mrs. Mamata Riba Naksang, former Member Secretary and an extraordinary lady with lots of zeal to be the frontrunner to carry out the works of the Commission selflessly, for her extremely efficient management of the administration. It is also impeccably true to put on record and pay my gratitude to our Legal Counsel, Mrs. Nada Kani, whose help and constant guidance has benefited the Commission. Significantly, I would also like to convey my gratitude to Mrs. Ponung Ering Angu, the present Member Secretary for her enormous ardor and enthusiasm towards the functioning of the Commission.

The legacy of women in development and welfare of a society is beyond recognition by any man and the only need of the hour is that women be given due recognition for what they stand for and not some mere object in the background, but someone who is worth the sacrifices that she has made for the welfare of this universe. I convey my best wishes for the sojourn of the Commission and hope that the women of our State will wake up to the clarion call of the Commission for them to be socially and economically sound.



Ms. Komoli Mosang

Introducing Arunachal Pradesh State Commission for Women

In accordance with the purposes of protecting the interests of women and to guarantee their progress and development, the Government of Arunachal Pradesh constituted the Arunachal Pradesh State Commission for Women, (APSCW) under the Arunachal Pradesh State Commission Act 2005. This is a statutory Commission and has commenced work from 17th January 2005

Constitution of the Commission

The Arunachal Pradesh State Commission for Women, when it took office in 2005, consisted of Chairperson, and three other Members and one Member Secretary. The first body of APSCW relinquished office on March 2008.

Members of the Second Team of APSCW assumed office on 23rd June 2008.

The Second Team of the Commission assumed office on 23/6/2008. The Chairperson of the APSCW Komoli Mossang, and the first Vice Chairperson Ms. Mepung Tadar of the APSCW for the second body assumed office along with the following members.

Sl.No.	Name	Designation
1.	Ms. Komoli Mosang	Chairperson
2.	Ms. Mepung Tadar	Vice Chairperson
3.	Ms. Kenyir Ringu	Member w.e.f 23/6/2008 - 25/8/2009
4.	Ms. Tadar Yadir	Member
5.	Ms. Yater Nasi	Member
6.	Ms. Secha Rajkumar	Member
7.	Ms. Mamata Riba	Member Secretary (w.e.f June 2006 -April 4th 2011)
8	Ms.P.E.Angu	Member Secretary w.e.f June 1st 2011 onwards



Komoli Mosang
Chairperson

Mepung Tadar
Vice-Chairperson

Tadar Yadir
Member

Yater Nasi
Member

Secha Rajkumar
Member

The second body of the Arunachal Pradesh State Commission for Women presently consist of a Chairperson, Vice Chairperson and three non official members

Member Ms. Kenyir Ringu resigned voluntarily from office in 2009 and presently APSCW is functioning with constituent members including the Member Secretary, who is APCS-I (Selection Grade Officer), appointed by the Government as per section 5 and 12 of the Act.

Staff Strength of the Commission

Sl. No.	Designation	Number
1	Legal Counsel -appointed	1
2	Officer on official duty (Contractual)	1
3	Upper Divisional Clerk(Regular)	1
4	Contingency Typist	3
5	Peon (Regular)	1
6	Contingency Peon	3
7	Unskilled worker/ Sweeper	2
8	Chowkidar	1
9	Driver (Regular)	1
10	Driver (Contingency)	4

The Office of the APSCW functions round the year without a sever, discharging duties as statutory body participating in policy making decisions, conducting Research Studies on Women & Children and also further empowered to function as a family court, as per powers vested under section 15(p) of the APSCW Act 2002.

Powers of the Commission

As per the section (14) of the APSCW Act 2002.

The Commission shall, for the purposes of any enquiry under this Act, have the same powers as are vested in a Civil Court, while trying a suit under the Code of Civil Procedure, 1908, (Central Act 5 of 1908), in respect of the following matters namely:-

- (a) Summoning and enforcing the attendance of any witness and the examining him / her on oath.
- (b) Requiring the discovery and production of any document.
- (c) Receiving evidence on affidavits.
- (d) Requisitioning any public records or copy thereof from any public office.
- (e) Issuing Commission's summons for the examinations of witness.
- (f) Any proceedings before the Commission shall be deemed to be a judicial proceedings within the meaning of section 193 and 228 of the Indian Penal Code (IPC), (Central Act 45 of 1960) and the Commission shall be deemed to be a court for the purposes of section 195, of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

Functions of the Commission

According to the section (15) of the APSCW Act 2005

- I. The Commission shall perform all or any of the following functions, namely-
 - (a) Inquire into any unfair practice, take decision thereon, and to recommended to the government and action to be taken in that matter;
 - (b) Cause investigations to be made by the Member Secretary on issues of importance concerning women or issues concerning unfair practice and to report thereon to the Government in the corrective measures to be taken.
 - (c) Summit Annual Report to the Government.
 - (i) On the defect, inadequacies, or shortcomings in the law enforce which effect the constitutional right to equality and fair treatment of women and also on the remedial legislative measures to be taken to meet the situations.
 - (ii) On the monitoring of the working laws, enforce, concerning women with a view to identifying the areas where the enforcement of law is not adequately effective or has not been streamlined and recommending executive or legislative measures to be taken in the effective / better standard thereof.
 - (iii) Of the monitoring of the recruitment made to the State Public Service and State Public Undertakings and promotions within the said services and, scrutinizing the rules and regulations governing such recruitment and promotions, with a view to reporting to the Government for action, if any, required to guarantee equal opportunity to women in the matter of such recruitment and promotions;
 - (d)
 - (i) Inspect or cause to be inspected, by the Member Secretary or any officer of the Commission duly authorized by the Commission, on its behalf, prisons, police stations, lockups, sub-jails, rescue homes or other place of custody where women are kept as prisoners or otherwise, or shelter for women or, other similar places run by the government, or any of its agencies including agencies receiving aid form the government for the purpose of offering rescue or shelter for women, or hostels intended for women or girls run by any person and all such other places wherein unfair practices against women is complained of and, cause further inquiries to be made about the treatment that women and girls are subjected to at such places and, to report to the government for taking remedial actions;
 - (ii) In case where the Commission is of the view that any public servant has been grossly negligent or grossly indifferent in regard to the discharge of his / her duties in relation to the protection of the interest of women, it may be recommended to the concerned disciplinary authority to initiate disciplinary action;
 - (e) Recommended to government, the welfare measures to be adopted and implemented by the government with a view to ameliorating the condition of women;
 - (f) Formulate a comprehensive and affirmative / good scheme for securing equal opportunities top women and devise a programme for implementing sub scheme

which shall be forwarded to the government for approval and, on obtaining approval thereof with or without modification, implement the same or cause the same to be implemented;

- (g) Empower the Member Secretary, to recommended to the appropriate authority to take prosecution proceedings in respects of offences committed against women under any statute providing for penalty for violation of the provisions of such statute;
- (h) Maintain a comprehensive Date Bank relating to the social, economic and political conditions of the women including comparative study, updating the same from time to time, making available such data for use in actions for vindication of the rights of women;
- (i) Recommend to government to initiate legislation for removal of discrimination in the case of inheritance, guardianship, adoption and divorce or for matters relating to the safeguarding of the dignity of women and the honor of motherhood;
- (j) Call for special studies or investigations into specific problems or situations arising out of the discrimination and atrocities against women and identify the constraints so as to recommended strategies for their removal;
- (k) Participate and advise on the planning process of social, political and economic development of women;
- (l) Fund litigation involving issues affecting a large body of women;
- (m) Make periodical reports to the Governments on any matter pertaining to women and in particular, various difficulties under which women toil / suffer;
- (n) Undertake promotional and educational research so as to suggest ways to ensuring due representation of women in small spheres, including monitoring of the academic curricula in the state so as to check gender- bias, sex stereotyping, envisaged in the core curricular area of National Policy of Education, 1986 (Revised 1992).
- (o) Identify factors responsible for impeding the advancement of women, such as lack of access to housing and basic services, particularly for single women and female headed households, and inadequate support services and technologies for reducing drudgery and occupational health hazards, for increasing their productivity;
- (p) Hold Family Court to dispose off the cases related to unfair practices against women;
- (q) Any other matter which may be referred to it by the Government.
- (2) The Government shall lay the recommendations of the Commission under sub- section of section 15, before the Legislative Assembly during its next session and cause action to be taken thereon by the authority concerned within 60 days from the date of laying such recommendations.

Enquiry into unfair practices

As per the section (16) of the APSCW Act 2002:

1. The Commission shall inquire into any unfair practice:-

- (a) On receiving a written complaint from any woman alleging that she has been subjected to any unfair practices or on a similar complaint from any registered / reputed women's organization of individuals;
 - (b) On its own knowledge or information;
 - (c) Request from the Government;
- (2) Where the complaint had been made under the clause (a) of the sub- section (1) of section 16, the Commission may, before the issue of any process to the persons complained against, such a preliminary investigation to be made by the Member Secretary, in such manner as it may deem fit, for the purposes of satisfying itself that the case registered to be enquired into.
- (3) Where the persons against whom the complaint had been made, appears and show cause or fails to appear on the day appointed for that purposes, the Commission may proceed to inquire into the matter in the complaint and, take a decision thereon and, if the Commission find that there is a unfair practices, it shall recommend to the Government the action to be taken thereon or initiate prosecution.
- (4) The Government shall, within two months (60) days, from the date of receipt of the recommendation of the Commission under the sub- section (3) of section 16, take a decision thereon and, intimate the same to the Commission.

Initiation of Prosecution and Implementation

As per the section (17) of the APSCW Act 2002:

If, after investigation into any complaint under section 16, the Commission is satisfied that a person has committed any criminal offence and that the person should be prosecuted in a court of law for such offence, then it may pass an order to that effect and initiate prosecution of the person concerned, if there is no necessary for prior sanction, and if, prior sanction of any authority is required for such prosecution, then notwithstanding anything contained in any law, such sanction shall be granted by that authority within forty- five (45) days of the request by the Commission and, if such sanction is not granted within the said period, such sanction shall be deemed to have been granted by that authority. Thereafter, implementation of the prosecution will be carried out by the concerned authorities on the recommendation of the Commission.

Laying of the Annual Report before the Legislative Assembly

As per the section (18) of the APSCW Act 2002:

The Annual Report submitted to the Government, by the Commission in accordance with sub- clause (a), (b) and (c) of sub- section (1) of the section (15), shall be laid before the Legislative Assembly, as soon as may be after the report is received by the Government.

Donations, Contributions etc. to the Commission

As per the section (21) of the APSCW Act 2002:

The Commission may, with the previous sanction of the Government and subject to such terms and conditions as may be specified on their behalf by the Government, receive money from any organization, or person by way of donation, contribution or whatever name called for the purpose of this Act.

Courts not to Grant Injunctions

As per the section (25) of the APSCW Act 2002:

Notwithstanding anything contained in the Code of Civil Procedure, 1908 (Central Act 5 of 1908), or any other law for the time being in force, no Court shall grant any injunction restraining any proceeding which is being or about to be taken under the provision of this Act.

Highlights of Activities under taken under Arunachal Pradesh State Commission for Women

Massive Legal Awareness programme was Launched on the eve of Women International Day 8th March 2010. The Programme aimed at giving a weeklong campaign on the Rights of Women and various laws safe guarding and protecting the privileges of Women in the remotest district of Arunachal Pradesh District. The Programme was implemented through various Non governmental Organization (NGO) of the different districts

Week Long Legal Awareness Programme to mark the Womens International Day 8th March 2010

Sl.No.	Name of the event & Date	Name of the collaborating NGOs
1.	Legal Awareness Campaign on Domestic Violence Act- 2005 organized on 20th March '2010 at Naharlagun, Papum Pare.	Oju Welfare Association, Naharlagun.
2.	Celebration of International Women's Day & Legal Awareness Campaign on Domestic Violence Act- 2005 organized on 8th March '2010. at Seppa, East Kameng	Chayang Mission, Seppa, East Kameng District.
3.	Celebration of International Women's Day & Legal Awareness Campaign on Domestic Violence Act- 2005 organized on 8th March '2010 at Dumporijo, Upper Subansiri.	Subansiri Mahila Jagiriti Mahch Welfare Society, Dumporijo, Upper Subansiri District.
4.	Legal Awareness Campaign on Domestic Violence Act- 2005 organized on 13th March '2010 at .Namsai, Lohit District.	R.K Mossang, Memorial Society, Jairampur, Changlang District.
5.	Legal Awareness Campaign on Domestic Violence Act- 2005 organized on 11th March '2010. Jairampur, Changlang District	R.K Mossang, Memorial Society, Jairampur, Changlang District.
6.	Legal Awareness Campaign on Domestic Violence Act- 2005 organized on 13th March '2010. at Khonsa, Tirap District	Integrated Development of Eastern Area, Borduria, Tirap District.
7.	Celebration of International Women's Day & Legal Awareness Campaign on Domestic Violence Act- 2005 organized on 8th March '2010 at Yazali	APWWS, Yachuli Branch, Lower Subansiri District.

During the third term of the second body the APSCW with the ongoing mission to reach out to the remotest districts, creating and generating awareness on the various laws of women and the provisions of various laws safe guarding and protecting the rights for the overall development of women of our state traveled to Kurung Kumey and Upper Siang Districts. The Workshops and meetings were conducted in Koloriang, Sangram, Palin, Mariyang and Yingkiang. There



On the Eve of Women's International Day 8th March 2011

was active participation especially from Women, Head of the Departments, Panchayat leaders, Women Self Help Groups, (SHGs), NGOs, Head Gaon Buras (HGB) GBs and Gaon Buris.

Capacity Building & Workshops

The APSCW with its objective to protect the interest of women and guarantee their progress and development felt the utmost need in creating immense awareness on the various laws relating to women, Under such provisions of different laws the **Protection of Domestic Violence Act 2005 & Child Marriage Prohibition Act 2006** were the Acts which needed the campaign in the form of Workshops, Training and Seminars. On 7th December 2010 at SIRD Conference Hall Itanagar, a One Day workshop on Protection of Domestic Violence Act 2005 & Child Marriage Prohibition Act 2006 was organized. The Workshop intended to train the Stake holders of their Roles and Responsibilities while implementing the Protection of Domestic Violence Act 2005 and Prohibition of Child Marriage Act 2006. The participants were Judicial first Class Magistrates (JMFC), Deputy Director ICDS, Child Development Project Officers (CDPOs) notified as Protection Officer and Child Marriage Prohibition Officer of various districts of Arunachal Pradesh.

In addition to the on going district advocacy programme in other parts of Arunachal Pradesh the APSCW in collaboration with Gandhi Samitri Darshan Samiti under the theme **“Girl Child Friendly State”**, organized One Day Workshop on Advocacy of Girl Child at Uhdog Bhawan Itanagar on 21st May 2010. The participants comprised of NGOs representatives, Women Activist, Girls freed from the bondage of child marriages, Media Partners etc.

National Level & State Level Workshop attended by Women Commission Team.

- Chairperson APSCW Ms Komoli Mosang attended the **“National Consultation Meeting on Women in Tomorrow's World”** organized by National Commission for Women (NCW) 5th July 2010 at Vigyan Bhawan New Delhi,

- The APSCW Chairperson Ms Komoli Mosang along with Member Yater Nasi, Member Secretary Mrs P.E. Angu and Legal Counsel Ms Kani Nada attended the “Regional Seminar on Trafficking of Women” at Dispur, Guwahati Organized by the Assam State Commission for Women.



Chairperson Komoli Mosang with Chairperson Girja Vyas National Commission for Women (NCW)

- On the occasion of Centenary Celebration of International Women's Day “National Conference on Women in the World of Tomorrow” organized by National Commission for Women (NCW) on 7th April 2011 at New Delhi was attended by the Chairperson Komoli Mosang.

- International women's Day celebration 2011 was organized by APWWS in collaboration with APSCW and APSSWB on 8th March 2011 at Oju Mission Campus, Chairperson APSCW Ms Komoli Mosang attended the Programme as the Chief Guest.

- APSCW Chairperson Komoli Mosang attended the Regional Seminar on “**The Marriageable Age for the Girls**” at Shillong organized by the Social Welfare Department, Government of Meghalaya supported by National Commission for Women (NCW) on 4th April 2011.



Chairperson Komoli Mossang with the team in the Regional Level Conference on Trafficking of Woman at Guwahati

- Chairperson Komoli Mosang traveled to the district of Changlang and attended the Valedictory function at the “**Seminar on Financial Inclusion of Progressive Farmer's Entrepreneurs and Panchayat Leaders**”, on 28th April 2010. She also attended the International Women's Day on 11th and 13th March at Lohit and Changlang District.

- “**National Level Workshop on Monitoring and Evaluation on Domestic**

Violence Act 2005” was held on 19th Dec 2010 at the Indian Habitat Center New Delhi. The programme was organized by Lawyer's Collective and UNIFEM, supported by National Commission for Women. The Vice Chairperson Mrs. Mepung Tadar, Member, Mrs. Tadar Yadir attended the Programme.



Hon'ble MLA Mrs. Karya Bagang , VCP, Mepung Tadar & ADC M. Kamki Attending the Legal awareness programme at Seppa on March- 2010

Vice Chairperson Mepung Tadar attended and Chaired the **“One Day Regional Conference at Shillong on 18th February 2010 on Women's Rights with special focus on North Eastern States”**.

Vice chairperson Mepung Tadar attended the **“Regional Consultation of Members of Child Welfare Committee”** on 26th August 2010.

APSCW VCP Mepung Tadar attended the International Women's Day Celebration on 8th March at Seppa East Kameng and on 13th March at Khonsa Tirap District. One Day Legal Awareness Programme was organized by the Chayang Mission and Integrated Development of Eastern Area, Borduria, Tirap District respectively.

APSCW Member Yater Nasi attended the International Women's Day Celebration on 8th March 2010 at Dumporijo 2010. The programme was organized by Mahila Jagiriti Manch Welfare Society, Dumporijo, Upper Subansiri District.

Member Tadar Yadir and Legal Advisor Ms. Kani Nada attended a programme as Resource person on the various laws of women in special context to Arunachal Pradesh, organized by the ABU TADAR Charitable Society at Payeng Circle Upper Subansiri District Arunachal Pradesh on 27th December 2010.

PUBLICATION AND FILM PRODUCTION MADE BY THE APSCW during 2010- 2011

- 1) Published the second Combined Annual Administrative Report of APSCW for the year 2007-2008 & 2008-2009;
- 2) Published the **“Situational Analysis on Social Context of School Drop Outs among School Children with special reference to Girl Child in Kurung Kumey District”** supported by Sarva Shiksha Abhiyan, Rajya Sabha Mission.
- 3) A Short Documentary Film produced on the theme " Women Empowerment and Child Marriage System in Arunachal Pradesh" (Docudrama highlighting the prevalence of child marriage system in districts of Arunachal Pradesh) by M/S Gonyabin Cine Production Gonyabin House.
- 4) Consultative functions of the APSCW,

The Arunachal Pradesh State Commission for Women while carrying out its duties with regard to consultative status in the government has endeavored to submit recommendations, whenever called upon to do so, based on field experience. To highlight, some of the recommendations to the government have been made with regard to framing of ;

- I) Compulsory Marriage Recording Bill
- II) Rules for selection and appointment of Child Marriage Protection Officer under the Child Marriage Prohibition Act 2006
- III) Recommendation of the marriageable age of girls within the Republic of India.
- IV) Recommendation and Review of the definition of child /minor in various legislations and initiated common policy for a homogeneous definition of age group of the child/ minor, so that the contradiction arising out of the definition of legal age of child/minor, so as to one legislation does not contradict other governing laws.



State Level Workshop on PDA2005& CMPA2006 at SIRD Itanagar

Responses and Feedback

There has been overwhelming response from the women at the grassroots. Their expectations, very high and strongly felt the need for a space and opportunity to express their concerns and needs. Some of the issues are enumerated below for record to draw the attention of all concerned about the conditions of the women in general and the tribal women of Arunachal in particular;

- (i) Immediate ban on Child Marriage and the effective implementation of Child Marriage Prohibition Act 2006 and Forced Marriages.
- (ii) Political Will and commitment to the complete ban on the Child Marriage as per the Child Marriage Prohibition Act 2006.
- (iii) Immediate setting up of Short Stay Homes in the Twin Capital Cities and in areas where atrocity against women is endemic.
- (iv) More women participation in decision making bodies like *Nyel & Kebang* etc.
- (v) More women to be appointed as Goan Buris and Political Interpreters.
- (vi) Vocation - oriented and better quality of education in schools.
- (vii) Facilities for better economic opportunities in rural areas.
- (viii) Women police and separate police stations for Women inmates.
- (ix) Women cells in district headquarters.
- (x) Accentuate Health Facilities under NRHM with special focus on Mother and Child.

- (xi) Property rights of women, particularly land rights.
- (xii) Need for a crusade against alcohol, opium and drugs abuse.
- (xiii) Need for an effective implementation of Compulsory Registration of Marriage and intensive spread of awareness for Compulsory Registration of Marriage.
- (xiv) Better livelihood opportunities for women .
- (xv) Establishment of Adult Literacy Centers.
- (xvi) Women's participation in Development Planning decisions.
- (xvii) Establishment of Crisis Intervention Centers in every District.
- (xviii) Need for Working Women's Hostel in all urban areas.

SYNOPSIS OF SOME CASES

Case Study I

A complaint received from Yali (not the real name) of husband having committed polygamy and subjecting her to mental physical and financial torture for last six years. Yali Married at an early age did not finish her high school was completely dependent on her husband who was a government servant. Initially their life was a fairy tale with complete social security as she had borne sons for him and the family, But soon the fairy tale ended with no happy ending. In the name of traditions Yali's husband married another women when she resisted of the marriage she was subjected to grave physical injury, mental torture and economic deprivation. Many Kebab and village level meeting were held, but all stood clear to strong social sanction towards polygamy.

Having no choice left she approached the APSCW. After several hearings and counseling, as she was dependent on her husband, financially, she compromised with the second marriage but sought APSCW intervention for security of her children who were all minors and monthly maintenance for herself. Today her life is no longer a fairy tale. A tale where women are still fighting for their social status and fight against discrimination. She at least availed the rights for her children and a monthly maintenance for herself.

Case study II

Chema (not the real name) was born to the fourth wife of Tami .Chema aged 3 years was given as bride to Tale (not the real name) who was 6 years old, Chema grew up at her betrothed family's doing the daily chores of the household by carrying fire wood, going to the fields and preparing food and feeding the younger ones . Till the age of 9 years she did not clearly know the fact that she was living in her in-laws house and was married to Tale. For Chema her in laws were her parents because she did not know anyone else other then Tale's family. It was only when she turned 14 years old her father in law tried to rape her and keep her as his third wife, a man older to his father. She somehow managed to reach the APSCW. Today Chema is freed from the bondage of child marriage under the Child Marriage Prohibition Act 2006 and is staying with her step elder brother whose

immense support has helped the case to settle early.

Many such cases have been registered in the APSCW till date which conflicts the legal system and the customary practices and it is indeed a big challenge to Arunachal Pradesh State Commission for Women to work towards the justice for our girl child and our women. Many minor girls and young women are raped in the name of tradition and the strong social sanction towards child marriage.

Methodologies adopted and lessons learnt by the APSCW In the endeavor for speedy and inexpensive Justice

- ❖ Social investigation i.e. by using the social network for acquiring correct and verified information on the cases.
- ❖ Public Hearing i.e by holding open public hearing on such cases which have wider issue / social issue embroiled in it. Besides open hearing on the case itself such public hearings are also used as forum for sensitization on women empowerment.
- ❖ Fact Finding Mission i.e in such cases where major criminal offence has been committed for example, rape and murder, the Commission had embarked on an independent fact finding mission, especially in cases where procedural technicalities are reported to be delaying the process of delivery of judgement as in one case which had rocked the entire state a case of severe Human Rights Violation, Indescent Representation of Women, & Information Technology Act, the **INFAMOUS DAPORIJO MMS CASE**.

The APSCW under the powers conferred under the APSCW Act 2002 constituted the Adhoc Fact finding Committee. After detailed interaction and interrogation with the victim, accused and the concerned people involved in the case, the APSCW reported the enquiry Fact Finding Report with recommendations to the government in June 2011.

- ❖ Third party participation of persons of eminence and relevance to the cases on the panel of enquiry or as witnesses are also encouraged in the APSCW functioning. This helps the Commission in engaging representatives from the public with the various problems and issues of concern to the women in Arunachal Pradesh and also sensitizing important citizens.
- ❖ Investigation through registered bodies of women empowerment i.e those cases which require intensive monitoring, relevant NGOs and its affiliate bodies and units have requested for intensive work in the interest of the aggrieved women / girl child by means of assistance in investigation, enquiries, negotiations, counseling, and rehabilitation.
- ❖ Recommendations of concerned Administrative authorities / Judicial Heads i.e, in such cases the involved parties belong to far flung areas / remote villages and where personal attendance entails considerable difficulty to the parties owing to poor road connectivity cases are referred to the DCs / ADCs for settlement as per recommendation of the Commission, for speedy justice.
- ❖ Investigation through Police i.e cases where criminal offence is a *prima facie* factor cases are referred to the local police authorities for registration of cases and investigation as per laws of the land, to ensure redressal to the victims.
- ❖ Counseling of involved parties has been a major activity especially where it is seen that

cases can be settled before issue of processes. Many cases have been solved through intensive counseling, especially reconciliation in cases of marital disputes.

- ❖ Ensuring remedial and rehabilitative measures for all aggrieved victims wherever necessary by contributing to the cause with the individual resources i.e, the mental and physical well being of each victim coming before the Commission is studied and thereby as well as rehabilitation is recommended accordingly.
- ❖ As much as possible, the APSCW has been involving the police, district administration and nodal departments in the pursuance of ensuring justice, redressal and amelioration of the problems of the victims. Thus, the achievement of its mandate is through inclusion of other concerned agencies of the state machinery and the traditional social institutions.

Signs of Hope

- (1) **Awareness through network -**
The Commission has evolved a working relationship with the various women's organizations, both registered and unregistered in its efforts to raise awareness about the Commission, its mandates, the laws and policies for protection of women's rights and their development etc. Women even in the rural areas have come for more outreach programs from the government.
- (2) **Awareness through participation in events-**
Members of the Commission have participated in the National Regional, and State Level events and enhanced their perspectives and understanding of emerging issues concerning women in the macro level. Thereby, during the tours and visits to the districts, they have much demand have been able to deliver more information to the public at large.
- (3) **Sensitive treatment by officers in fields of Administration, Police, Health etc. in asserting of rights of the Girl Child-**
Although more often it does not happen, in the first two and half years of the APSCW, few difficult cases were very sensitively dealt with by officers and that has helped in starting a positive trend in the delivery of justice to the victims and securing their human rights. During this period, the Commission had invariably got good support from the district administration, the police force and the Health services. Further efforts on generating such level of sensitivity would go a long way in the state.
- (4) **Role of Traditional Council Members-**
Gaon Buras of the village councils particularly in Kurung Kumey have asked for better information on the legal provisions on the rights of women so that they can also improve upon their traditional attitude to ensure the human rights of the women and girls Thus is a very positive indication. Not just the village council members, but leaders of all levels need to be benefited from some concrete interventions from the state.

Dark Clouds

- (1) **Prevalence of Child Marriage Cases-** Despite the Child Marriage Prohibition Act 2006 coming into force Child marriage remains as a bitter reality. Even today the girl

child are treated as tradable commodities, at times, of they are fixed on some cows and goats. Many a times it is negotiable for a price determined by parents / guardians of the girl and the male to whom she is bound for matrimony. File record indicate that although with the spread of awareness of child marriage. Older men marrying young girls are declining but the under age girls with younger boys are still continuing. Reports tabled before the honorable Legislative Assembly, since two tenure indicates that many men who have sold or bought child brides for wives or daughter-in-law are men in power and often the village council elders GBs and HGBs or priests. By the time the child bride comes to her senses, she would have been deprived of basic education, of her childhood, often raped and tortured, kept in captivity. Invariably, these victims are young, poor or helpless orphans and the men are from influential and better off family backgrounds. Unfortunately all such victims can not access the Commission's office for intervention.

(2) Crime against Women: Domestic Violence:

Battery, insults, physical, mental harassment, torture and deprivation owing to multiple marriages, rape, gender discrimination, being few apparent forms that have been reported to the office of the APSCW since its establishment. There is a palpable lack of knowledge and concern about the human rights of the females. The Constitutional guarantees and laws of the land that protects the rights of citizens, particularly the women.

(3) Low Legal Literacy:

Although the department of Law & Judicial Affairs have taken up many initiatives for providing free legal aid to needy persons with programmes like the Arunachal Pradesh Legal Literacy Camp Programme 2005, and the APSCW has substantiated the efforts by spreading awareness of free legal aid under the SLISA, It is observed that women in the state are still unaware of the facility and those who are informed are apprehensive of availing the facility.

(4) Rise in heinous crime against women

According to available statistics rape, murder of children within the age group of 4-10 years, rape and murder of young girls, gang rape as well as rape of elderly women are being reported at alarming rates.

(5) High number of women in unorganized sector:

79.7% of total workers in Arunachal Pradesh during 2004-2005 were found to be self employed out of which the share of self employed women in rural area was found to be 93% while only 40.5% of their urban counterparts, were found to be self employed. There is need to consolidate this workforce in a systematic manner.

(6) Low Literacy among Girl Child:

Gender gap which defined as male literacy minus female literacy in education as per Arunachal Pradesh Development Report is 20-30%. While certain increase in female literacy is noted, with drop out rates in class I-V coming down from 73.9 % in 1981-82 to 46.85% in 2004-2005. School drop-outs rates among girls in senior secondary level remains higher than that of boys. Increase in the number of unorganized sex workers

among indigenous population has been observed in the last two decades and more though there is no study or data available on the same. It is a matter of serious concern for a young and tribal state still grappling with the first shifting modern development paradigms.

- (7) **Women in Decision Making Process:** It is evident in the preference for male persons for appointing of village level authorities like Gaon Buras, Political Interpreters, despite of 50%(approximate) women Population, during 2009, State Assembly Election managed just two women representative in the assembly. The Arunachal Human Development Report 2005 has observed "The changing values, disintegration of old family systems, differences in the world view of young and the old, in varying forms and degrees are now changing the balance of power and authority within the household and clans". It also observes "It is difficult to categories the status and power of women in Arunachal Pradesh", so far as women in decision making is concerned. According to the grassroot experiences, APSCW still finds that deserving women ought to have the rightful place in the decision making bodies at various levels in the state.
- (8) **Tribal Customary Inheritance Laws and Practices:** It has been observed that in most of the tribal socio-cultural set-up women are barred from inheriting paternal property and many a times from inheriting even matrimonial property. Widow with no male offspring is barred from inheriting any property of deceased husband which renders them not only homeless and socially insignificant but also in pitiable situations. In few cases young widows have been disposed of her marital property, jointly acquired and owned by her with her deceased husband. Although succor is available in the modern legal system, the people in the state still rely on the customary practices on property rights and are unaware of the facilities that can be availed.
- (9) **Low level of HDI:** The Human Development Index, viz- low literacy rate, high school dropout rate, high IMR, low level of purchasing power, low level of representation in Government job, public sectors etc, highlighted in the Arunachal Pradesh Human Development Report 2005, has underlined the issues needed to be addressed on priority to enhance the status of women in the state along with what needs to be done for the overall human development in the state.
- (10) **Total Fertility Rate:** The situational analysis of Women and Girls in Arunachal conducted by the NCW indicates that the Crude Birth Rate in the state is 34.62 and the Total Fertility Rate is 4.56 compared to 25.40 and 3.20 respectively of the national average. So, inference is that owing to the low literacy among women in Arunachal, the total fertility rate and the crude birth rate are higher here compared to the national average.
- (11) **Low Nutritional Status:** 51% of women of Arunachal in the age group of 15-49 years were found to be anemic according to the NFHS 3. A separate study shows that the percentage of Women having a Body Mass -Index (BMI) below 18.5kg/sqm is the lowest in the state among all the north eastern states and relatively higher among illiterate women. These concerns are directly proportional to low literacy rates and low economic independence among women.
- (12) **High Infant Mortality Rate:** The condition of the health of Arunachal Pradesh is best understood through the National health index published on the studies conducted in the state. According to the Health index of Arunachal Pradesh the Infact Mortality Rate is

37% with the national average at 58%.

- (13) **Neglect of the Consultative Status of the Commission:** "As per section 22 of the APSCW Act 2002, the government shall consult the Commission on all policy matters affecting the women in the State from time to time as and when sought by the Commission". The Commission has not received any single policy paper from any of the departments, agencies of the state government since its inception. It had also written to the government in this regard. This needs immediate attention if gender concerns in the development of the state is to be taken seriously.

(Acknowledgement - The Arunachal Pradesh Human Development Report 2005 and the Situational Analysis of Girls in Arunachal Pradesh by the National Commission for Women. The NHFS 3 and the APDR conducted by the Planning Commission of India)

Action Taken by the Government of Arunachal Pradesh on few Recommendations of the APSCW submitted by the APSCW through the Annual Administrative Report for the year 2005-2006, 2007-2008-2009-2010 & 2010-2011

The Arunachal Pradesh State Commission for Women gratefully acknowledges the immediate steps taken by the government of Arunachal Pradesh under the leadership of Hon'ble Chief Minister Late Shri Dorjee Khandu with regard to few major issues identified. 31 recommendations have been tabled by the APSCW before the Honorable Legislative Assembly during July 2007 and August 2010 some of them are;

- 1) Appointment of Protection Officer under the Protection of Women Against Domestic Violence Act 2005.
- 2) Framing of Rules for appointment of Child Marriage Prohibition Officer under the Child Marriage Prohibition Act 2006 and subsequent appointment of Child Marriage Prohibition Officer in 2010.
- 3) Setting up of Women Study Center under the aegis of the UGC and the Rajiv Gandhi University at Rono Hills.
- 4) Notification of Child Welfare Committee and Juvenile Justice Board in the districts of Arunachal Pradesh.
- 5) MOU with the Central Government on the Integrated Child Protection Scheme (ICPS) in 2011.
- 6) First Gender Budget 2011-2012 tabled in State Assembly on March 2011.

RECOMMENDATIONS

Recommendations are being made hereby as per provisions of the Rule 22 of the APSCW Act 2002:

- 1) **Substantive posts of Member Secretary, Finance & Accounts Office Etc:** Provision of Substantive post of Member Secretary, Finance & Accounts Officer, Standing Legal Counsel and Office Superintendent along with supporting staff and adequate salary

- provisions to sustain the zeal of the APCSW effectively and efficiently in working towards the progress and development of Women of our State. Till now all the member secretaries of the APSCW have been discharging their duties towards the Commission in addition to other responsibilities of substantive posts.
- 2) **Immediate Conduct of the CCS (Conduct) Rules:** The CCS (Conduct) Rules is something every employee of the government signs at the time of joining the service of the state. These rules are also supposed to govern the conduct of each and every person holding a government job. But today, many government officials are not only committing conducts contrary to their own undertaking signed on joining the services of the government, but also taking the law of the land for granted by violating Rule 21 of the said Rules besides misleading the court of the law in many cases. Many complaints have been received from violated spouses for deprivation of their privileges as family in terms of financial and social security, sometimes causing the destitute of their own loved ones. Yet, there is no known case where government initiated action against anyone under the CCS (Conduct) Rules. The cases keep rising in total negation of such position.

Positive legal provisions.

- 3) Fund requirement and appointment of Service Provider under the Protection of Domestic Violence Act 2005. The effective Implementation of the prevention of Domestic Violence Act 2005 calls upon for putting in place all the machineries that are notified in the PDV Act 2005. While Protection Officer have been appointed by the government in 15 districts, performing NGOs are yet to be notified as service providers. It is recommended that while provision is kept for appointment of service providers, the state plan budget must also allocate fund for the smooth and effective implementation of the PDV Act 2005.
- 4) **Women Representative on the A.P State Planning Board/ Inclusion of Women Representative-** with ability, integrity, intelligence and standing, actively involved and working for the cause of women in the State. Planning Board of Arunachal Pradesh is a very urgently felt and overdue need to ensure gender parity and equity in the development inputs and the process itself.
- 5) **Gender Experts in every Department and Agency:** Engendering of the development planning and policy formulation is not only a priority area but also a sure step to equitable development. The government is requested to consider professionals with requisite educational background of Masters in Social Work, Sociology, Human Resource Management, Rural Developments, Human Rights, etc. to work on Gender issues in each department so that all developmental programmes are screened under gender lens and also to expedite the mandatory 30% fund to each department may be allocated for gender based identified sectors within the budget plan. The government may consider appointment of a Gender Advisor at the state level at par with Cabinet Minister like the Media Advisor, Political Advisor, and Financial Advisor etc.
- 6) **Municipal Corporations and Implementation of the 74th Amendment in the Urban Areas.**
- 7) **Immediate setting up of Short Stay Homes in the twin Capital Complex:** It has been observed that there has been alarming rise in number cases registered in the Commission

of women faced with extreme forms of violence due to forced marriage, child marriage, polygamy and other forms of atrocities. The APSCW request the government to immediately allocate fund to set up Short Stay Homes in twin Capital cities of Itanagar and Naharlagun as there is just a single short Home run by the OJU MISSION which remains over crowded and impossible to cater the women and young girls in need.

- 8) **Provision of adequate salaries to the constituent Members of the APSCW commensurate with their status:** The "salary" in the APSCW, Chairperson and Members (Condition of service and Tenure Rules 2004- amounting to Rs 15000/- pertaining to the Chairperson, and Rs 14500/- pertaining to the Vice Chairperson and Rs 14000/- to the Members do not justify the status held and responsibilities handled by these offices. Therefore, the emoluments of these offices of the Chairperson, Vice Chairperson and the Members be made commensurate to the status and responsibilities they hold and handle.
- 9) **Prioritizing Investigation of rape and murder cases and provision of support to victims during investigation and trial process:** The APSCW deeply alarmed by rising instances of crime against women, appeal the government to issue strong directives to concerned authorities for prompt and gender sensitive investigation of cases of rape and murder of women and children and for collateral support to the victims or their families during investigation and trial process.
- 10) **Qualifications of Chairperson, Vice- Chairperson and Members of APSCW:** It is recommended that a clause be included in the APSCW Act 2002. Chapter II, Section 5, as sub-section (6), providing for basic minimum education to qualify for nomination on the Commission and be able to deliver the goods to the needy women. Members of the first team of APSCW, on the basis of their personal field experience, recommended to be eligible to be entrusted with the responsibility of Chairperson, Vice- Chairperson or a Members of the APSCW, one must be at least a graduate from a recognized institution, with sound knowledge of the constitutional provisions and other human rights instruments ratified by the country and basic knowledge of the law of the land, to be able to hold the respective offices in the Commission and also be able to function and deliver their responsibilities as offices bearers of a quasi- judicial statutory body.
- 11) **Age Limitation of the Chairperson, Vice Chairperson and Member of the APSCW.**
It is recommended that a clause be included in the APSCW Act 2002 Chapter II, section 6 providing for a age limit as minimum 35 years and maximum 58 years.
- 12) **Independent Functioning and Status of APSCW:** The APSCW recommends that an independent set up at par with other Commissions viz- APPSC, APSIC, etc. in terms of functioning is a must for the effective delivery by this Commission. At present, even appointments of the staff of the Commission are made by the State Government as and when posts are created. The Commission is just a recommending authority even in the appointment of its own staff. In the process, even after 6 years the office of the APSCW is still without adequate posts and still running short of supporting staff. Further, despite the ceremonial status at par with that of Minister of State for the Chairperson of the APSCW and that of Secretary to the state government for the Members, there is no

commensurate privilege, which is required to be provided at par. Infact the protocol mandated for the Vice chairperson of the APSCW is not yet connoted. Although residential accommodations to the constituent members of the APSCW require to be provided as per the entailments as on date the Chairperson, Vice - Chairperson and Members are having to put in private /rented residences therefore necessary office space and residential accommodations need to be earmarked for the Chairperson, Vice Chairperson and 7 Members.

- 13) **Independent Plan Head for APSCW:** Requirement of an independent Plan Head is required by the APSCW. Presently the Commission is dependent on Grant - in -Aid from the state government being received through the nodal department. This arrangement entails this Commission to submit utilization certificates for even for recurring expenditure of the office like staff salary etc. The resource allocation for APSCW ought to be made under a separate plan head to facilitate the growth and effective functioning of this office. Since, this Commission is not only a Statutory Body but also a Quasi-Judicial one with need for functional autonomy, financial autonomy with its own plan head would be most desirable. This would also help in enhancing the status of the office of the Commission to a large extent, as it ought to be.
- 14) **One time grant:** One time resource allocation of Rs 6 cores in order to stream line the activities.
- 15) **Setting up of infrastructure for Family Courts:** It is also recommended that the state set up infrastructure and other facilities and allocate resources for effective functioning of the same. Towards this, it may be pertinent to marry the legal provisions, humanitarian values and positive tribal customs to ensure a safe and secure society for the women in the state. Justice must be easily accessible, fast and affordable to the poorest of the poor. This may require the government to consult the State Legal Services Authority. The Bar Council, experts on tribal value system in the state, human rights and women's rights experts and activists along with the APSCW to draw up the framework for Family Courts in the tribal state to help our future generation to retain the positive values of our communities. The State Plan budget 2007- 2008 must have provision for this in the concerned department.
- 16) **Setting up of District Grievances Cells:** In order to facilitate easy access of legal aid to victimized women and girl child, the APSCW requests the government to notify for setting up of District Grievances Cells in every district head quarter at par with similar bodies in the neighboring states . The Deputy Commissioner be made the Ex-officio Chairman, a non- official Secretary who must be a woman working with the women's issues for a respectable period of time, the Superintendent of Police as an Ex- officio Member and at least four other Members, which should be an equal mix of men and women of good repute and outstanding social commitments with empathy for the cause of women and girl child. This office with the help of women's organization will prepare the panel for nomination and notification by the government. The Commission has been functioning without any additional support in terms of knowledge base or expertise of Ad hoc Committees to assist the office of APSCW in special situations. Additional resources allocation by the state for activating Ad hoc standing / Expert Committees as

provided in Rule 9 of the Act is highly recommended by this Commission.

- 17) **Crisis Management Centers for Women and the Girl Child:** Crisis Management Centers for all the districts was envisaged in view of requirement assessed so that traumatized victims can receive immediate succor and guidance, after undergoing atrocity. This Commission has requested the State Legal Services Authority and the State Police Administration to collaborate with the APSCW for supporting the project.
- 18) **Awards /Citation to Government Officers/NGOs:**
Letters of appreciation should be awarded to Government Officers, Magistrates and NGO representative who have helped the cause of securing justice and development of Women.
- 19) Awareness generation on provision of Free Legal Aid under Legal Services Authorities Act 1987
- 20) Sexual Harassment Complaint in all institutions and offices.
- 21) A Chapter of Gender Issues in school curriculum at secondary level.
- 22) Women's Study Cells in the Colleges and Women's Study Resource Centre at the University.
- 23) Crusade against Drugs, Opium and Alcohol.
- 24) Review of the A.P Bill for Protection of Customary Laws and the Social Practices, 1994 and the A.P Land Management and Records Act, 2000.
- 25) Additional Resource Allocations to the APSCW.
- 26) Effective Implementation and Activation of Child Welfare Committees & Juvenile Justice Board.
- 27) Recruitment System for Domestic Workers / Maid Servants.
- 28) Provisions of facility for women in need of Mental Health Care.
- 29) State Policy for Empowerment of Women (SPEW).
- 30) Women Development Corporation (WDC).
- 31) Inclusion of Women in State Public Service Commission, State Planning Board & State Information Commission.
- 32) Inclusion of Women in State Public Undertaking.
- 33) Immediate setting up of State Human Rights Commission (SHRC) and inclusion of Women Member in the Commission.

Miles Stone

APSCW calls for creation of centres for upkeep of marginalized women

ITANAGAR, June 10: APSCW has called upon government and civil society, NGOs for creation of shelter homes, Crisis intervention Homes, Short Stay Home, Drop Centers with well equipped infrastructure to provide psychological, economical and medical support to women & children. The Commission said that there is only one Shelter Home in Arunachal Pradesh which is already

over crowded with destitute girls, child marriage and forced marriage victims.

The Vice Chairperson of the Commission, Mepung Tadar Bage said this while sharing the problems confronting the commission due to lack of homes.

Reacting to a news item published regarding Lokam Yanang, the Vice Chairperson said that despite all efforts, no one is willing to come forward to take back

the woman home. She further informed that the APSCW on receiving the verbal intimation from secretary, RKM on May 7, the next day Commission swung into action and sent the woman for medical checkup and arranged for her stay at Mother Teresa charity Home at Naharlagun.

She further said that despite no written complaint, APSCW have been taking suo moto action.

Create shelter homes for destitute women: APSCW

ITANAGAR, June 10

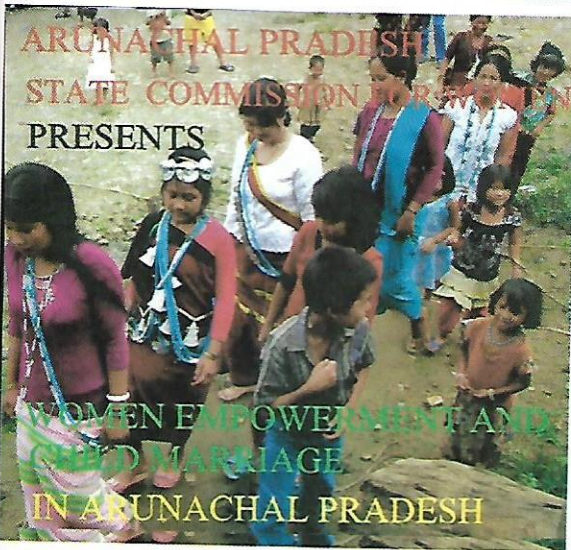
The Arunachal Pradesh State Commission for Women (APSCW) has urged the government and NGOs for creation of shelter homes, crisis intervention homes, short stay homes and drop centres with well equipped infrastructure for rendering support to women and children.

Referring to a recent case of a woman who was found loitering around R K Mission hospital campus, who was taken to Mother Teresa char-

ity home and Oju shelter home at Naharlagun, the APSCW claimed that the woman had fled away to return back at RKMHL.

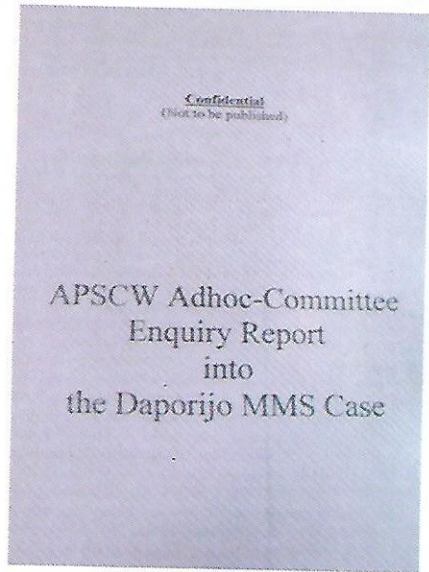
Since the woman hailed from Damin circle, the APSCW learnt about the whereabouts of the woman through local leaders of Damin circle that her husband was murdered.

Although her family identity could be established, but nobody wanted to take her back to home, the APSCW lamented.



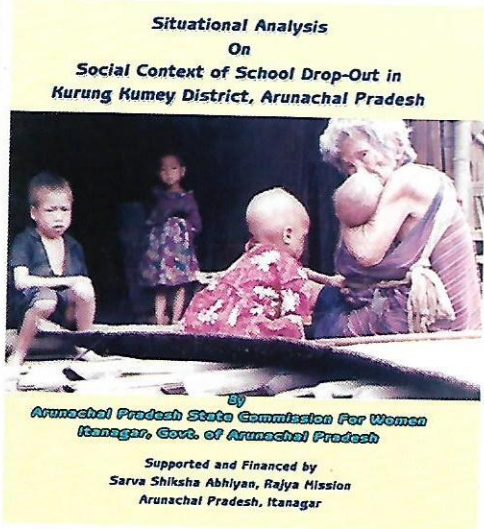
ARUNACHAL PRADESH
STATE COMMISSION FOR WOMEN
PRESENTS
WOMEN EMPOWERMENT AND
CHILD MARRIAGE
IN ARUNACHAL PRADESH

Documentary film on Women Empowerment and Child Marriage Systems in A.P.



Confidential
(Not to be published)

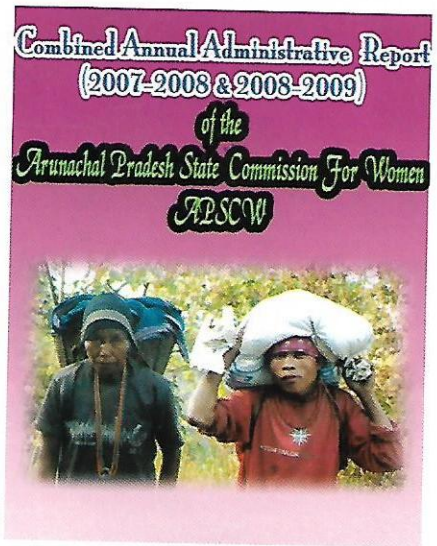
APSCW Adhoc-Committee
Enquiry Report
into
the Daporijo MMS Case



Situational Analysis
On
Social Context of School Drop-Out in
Kurung Kumey District, Arunachal Pradesh

By
Arunachal Pradesh State Commission For Women
Itanagar, Govt. of Arunachal Pradesh

Supported and Financed by
Sarva Shiksha Abhiyan, Rajya Mission
Arunachal Pradesh, Itanagar



Combined Annual Administrative Report
(2007-2008 & 2008-2009)
of the
Arunachal Pradesh State Commission For Women
APSCW

Statics of Cases of District

Case list of Upper Subansiri District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Child Marriage	3
2.	Maintenance	4
3.	Domestic violence	3
4.	Rape	2
5.	Atrocity	2
6.	Forced marriage	1
7.	Divorce	1
8.	Miscellaneous	3

Case list of Lower Subansiri District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Child marriage	3
2.	Adultery/polygamy	3
3.	Maintenance	1
4.	Domestic violence	2
5.	Atrocity	3
6.	Miscellaneous	1
7.	Harassment	1
8.	Divorce	2
9.	Murder	3
10.	Child labour	1

Case list of Tirap District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Miscellaneous	1
2.	Maintenance	1
3.	Rape	1
4.	Atrocity	1

Case list of Lohit District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Rape	1
2.	Atrocity	4
3.	Miscellaneous	2

Case list of Lower Dibang Valley District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Maintenance	1
2.	Domestic violence	1
3.	Rape	2

Case list of Changlang District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Domestic Violence	4
2.	Atrocity	3
3.	Maintenance	2

Case list of Papum Pare District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Child marriage	12
2.	Adultery/polygamy	21
3.	Maintenance	10
4.	Domestic violence	20
5.	Rape	6
6.	Atrocity	13
7.	Miscellaneous	25
8.	Harassment	6
9.	Divorce	4
10.	Murder	2
11.	Forced Marriage	3
12.	Kidnapping & Abduction	2
13.	Trafficking	1

Case list of Kurung Kumey District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Child marriage	33
2.	Adultery/polygamy	3
3.	Domestic violence	7
4.	Rape	3
5.	Atrocity	8
6.	Miscellaneous	3
7.	Divorce	1
8.	Forced Marriage	1
9.	Child Labour	1
10.	Maintenance	1

Case list of West Siang District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Adultery/polygamy	5
2.	Domestic violence	3
3.	Atrocity	5
4.	Miscellaneous	4
5.	Maintenance	1
6.	Rape	1
7.	Harassment	1
8.	Marital Dispute	1
9.	Child Marriage	1

Case list of East Siang District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Domestic violence	1
2.	Miscellaneous	1
3.	Maintenance	1
4.	Rape	2
5.	Atrocity	2
6.	Molestation	1

Case list of Upper Siang District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Domestic Violence	1
2.	Maintenance	1

Case list of East Kameng District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Child Marriage	4
2.	Domestic violence	1
3.	Rape	1
4.	Divorce	1

Case list of West Kameng District from the year 2009 to 2011

Sl. No.	Name of cases	Number of cases
1.	Maintenance	1
2.	Atrocity	2
3.	Rape/Murder	1

Financial Statement 2009-2010

Received Grant in Aid from the State government vide D/D No. 674420 dated 31/3/2010 of Rs 34,07,000.00 and DD No 674421 dated 31/3/2010 of Rs 5,09,000.00 for the Year 2009-2010.

The accounts of the APSCW since its inception in 2005 was audited during the tenure of the second body of the APSCW in March 2011.

- ❖ The Accounts of the APSCW is operated jointly by the Chairperson, the Member Secretary and Accountant.



Press conference by the APSCW on the Adhoc Enquiry Committee Report on the infamous Daporijo MMS case on 8th June 2011

Birds' eye view

A. Nature of powers delegated to the APSCW

- i) Vested with some powers as are vested in a Civil Court under the code of Civil Procedure 1908 (Central Act 5 of 1908) for the purpose of any inquiry
- ii) Vested with powers of a court for purpose of section 195 of the Code of Criminal Procedure 1973 (central Act of 1974).
- iii) Vested with powers of Family Court.



Visit to the Kasturba Gandhi Balika Vidyalaya, Mechuka, West Siang District

B. Head wise Budget allocated to Commission to meet the Expenditure

Functions on annual grants in aids received from the government of Arunachal Pradesh. The Salary of the Chairperson, Vice Chairperson, Members have been increased to Amount with w.e.f April 2010.

- i) The Salary of Chairperson - Rs 15000/- only per month .
- ii) The salary of Vice Chairperson Rs 14000/- only per month.
- iii) The salary of Members Rs 13000/- only per month.
- iv) Since the post of the member Secretary has not yet been sanctioned the salaries of the member secretary is being drawn from substantive post of district administration in the own grade and pay. No deputation allowance or additional's honorarium has been paid to the member secretary.
- v) The honorarium of legal counsel Rs 6000/- only per month.

The APSCW in the subsequent two combined Administrative Report had made recommendation to the government for enhancing the emoluments to the constituent members at par with other statutory bodies of the state.

C. Infrastructure available with the Commission

- a) Office Space allotted to APSCW by the government
- b) Extension created and purchase by APSCW for purpose of :-
 - i) A court Room ii) Chairperson's chamber iii) staff wash room iv) Vehicles 7 Nos.

D. Areas of Need

- a) Absence of provisions for providing immediate medical help to victims
- b) Absence of provisions for separate Short Stay Homes under the APSCW to provide

- b) Absence of provisions for separate Short Stay Homes under the APSCW to provide rehabilitation to victims since most of the victims do not have family support.
- c) Most of the Girl child victims, especially those who have suffered child marriage and are waiting for disposal of cases are in age group where they need to continue education or where they need to earn through learning economically productive skills like weaving, tailoring etc. At the same time this category of victims are under constant threat of kidnap and APSCW had to intervene in not less then 15 cases to rescue them after they were taken away with force by the parties to whom they were betrothed. Unfortunately no provisions /infrastructure are available to provide interim education/capacity training to the girl child victims under secure premises.
- d) Absence of security for APSCW court premises
- c) Absence of housing facilities/accomodation provided to any of the APSCV Members.

In view of the nascent status of the APSCW which assumed office in 2005 January and the completion of 6 years submits that the state government has been supportive compared to similar placed bodies, however in terms of gravity and quantum of work, present infrastructure is not adequate.

E. Help services

APSCW, in the two subsequent Combined Annual Administrative Report have been applying and recommending the state government for opening of District Grievance Cells and Crisis Management Centers for Women and the girl child in each district since Tele connectivity in rural areas is a major hurdle. The present allocation received by the APSCW is inadequate for setting up of binary infrastructure for District Grievance Cells and Crisis Management Centers for Women and girl child in each District.

F. Status Report on Infrastructure available for Implementation of Protection of Domestic Violence Act 2005

15 Protection Officer have been appointed in the districts under the Protection of Domestic Violence Act 2005. Service providers are yet to be notified by the District Administration in all the respective districts. May like to place on record, only one single functional Shelter Home in the whole state at OJU Mission Naharlagun, which remains overcrowded through out the year. Therefore, an urgent need to allocate fund under the provisions of Protection of Domestic Violence Act 2005 for the effective implementation of the Act, thus realizing the RIGHTS OF THE WOMEN.

G. Status of the Supreme Court order on October 25, 2007 regarding- -Compulsory Registration of Marriage.

The Arunachal Pradesh Marriage Registration Rules 2007 was notified on 25th Sept 2007 and Compulsory Registration of Marriage has been mandatory. The APSCW was consulted while framing of the Arunachal Pradesh Recording of Marriage Bill 2008.

H. Status of the Implementation of the Prohibition of Child Marriage Act 2006.

Prior to Prohibition of Child Marriage Act 2006 maximum number of Child Marriages were disposed under the Child marriage Restrain Act 1929. Now they are being disposed under the Child Marriage Prohibition Act 2006.

I. Provisions of Awards

Letters of appreciation has been awarded to Government Officers and Magistrates who have helped the cause of securing justice and development to Women. However due to inadequate fund there is impediment towards announcing of any awards or citation worth the cause.

J. Research and Documentation Studies Conducted

- a) **Situational Analysis** on Social Context of “**School Drop Out with special reference to Girl Child conducted in Kurung Kumey District as Kurung Kumey**” stands as the lowest literacy district of our state. According to the available statistics Kurung Kumey is the rated as the one the child marriage endemic areas. The Research Study was sponsored by the SSA Rajya Mission which was launched on 14th May 2009 and was completed and submitted to department on December on 2010.
- b) **Documentary:** A Short Documentary Film produced on the theme "Women Empowerment and Child Marriage System in Arunachal Pradesh" (Docudrama highlighting the prevalence of the child marriage system in few districts of Arunachal Pradesh) by M/S Gonyabin Cine Production Gonyabin House.

K. No of events Organized

2010 & 2011

One Day State Level workshop on Protection of Domestic Violence Act 2005 & Child Marriage Prohibition Act 2006 was organized on 7th December 2010 at SIRD Conference Hall Itanagar. The Workshop was intended to train the Stake holders of their Roles and Responsibilities while implementing the Protection Domestic Violence Act 2005 and Prohibition of Child Marriage Act 2006. The participants were Judicial first Class Magistrate (JMFC), Deputy Director ICDS, Child Development Project Officer (CDPOs), notified as Protection Officer and Child Marriage Prohibition Officer of various districts of Arunachal Pradesh.

One Day workshop on advocacy of girl child was organized at Udyog Sadan Itanagar on 21st May 2010 in collaboration with Gandhi Smitri & Darshan Samiti. The participants comprised of NGOs representatives, Women Activist, Girls freed from child marriages, Media partners from Print and Audio Visual Media.

L. Legal Awareness Programme

- 20/03/2010 Naharlagun, Papum Pare District
- 08/03/2010 Seppa, East Kameng District
- 08/03/2010 Dumporijo, Upper Subansiri District
- 13/03/2010 Namsai, Lohit District
- 11/03/2010 Jairampur, Changlang District
- 08/03/2010 Yazali, Lower Subansiri District
- 13/03/2010 Khonsa, Tirap District
- 08/03/2011 Naharlagun, Papum Pare District
- 11/01/2011 Koloriang, kurung kumey District

- 12/01/2011 Sangram, kurung kumey District
- 13/01/2011 Palin, kurung kumey District
- 13/02/2011 Mariyang, Upper Subansiri District
- 14/02/2011 Yingkiong, Upper Subansiri District

M. Pariwarik Mahali Lok Adalat

On daily Basis carried out

N. Other Activities

Four Member Ahoc Committee on Fact Finding - Enquiry Committee constituted under the provision of section 9 of APSCW Act 2002 on the infamous Daporijo Case, Upper Subansiri. in April 2011. The Report with recommendations submitted by the Adoc Committee to APSCW which was further submitted by the APSCW to the Government on June 2011.

O. Status of setting up Complaints Committees in Government Organization for dealing with Sexual Harassment at Work Place.

A State complaint Committee has been instituted at the state Level and directions for Similar Complaint Committee has also been made which are functioning in few Districts.



Head of the departments, Political Interpreters and Goan Burahs attending the Legal Awareness Programme at Koloriang 2011.

PHOTO GALLERY



APSCW Visit to the District Jail at July



Mamta Riba Member Secretary Addressing the Public at Yingkiang



VCP Mepung Tadar, Dani Belo Under Secretary Department of Law, EAC Lowang & CDPO Mrs Taba at Kimin

PHOTO GALLERY



**VCP Mepung Tadar with Chaiperson APSSWB
Marina Nada Nido at Dulumukh**



**Member Tadar Yadir and Legal Advisor Kani Nada Maling in Legal
Awarness Programme at Payang circle, Upper Subansiri District**



**Yater Nasi, Member, P. E. Angu, Member Secy. & Kani Nada
Maling, Legal Advisor at the workshop on Human Traficking at
Guwahati organised by the Assam State Commission for
Woman in collaboration with National Commission for Woman**



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& Lukir Gamlin

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