

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 APSCW 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 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.
- 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 by 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 Matters in Social Work, Sociology, Human Resource Management, Rural Development, 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 Corporation 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 of 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 Stay 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 enhancement of honorarium be raised up to Rs. 50,000/- for Chairperson, Rs. 45,000/- for Vice-Chairperson and Rs. 40,000/- for Members of the APSCW.
- 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 of their families during investigation and trial process. Strong action should be taken on govt. officers committing rape and sexual assault and terminated from their office. And any accused committing such rape and murder should be disqualified from getting govt. jobs and holding important post in any govt., semi-govt., public departments/ Commission or Public Representative.
- 10) Setting up of well equipped Forensic Laboratory** with hi-tech facilities and adequate manpower.
- 11) Setting up of Fast-Track Courts** to deal exclusively with offences against women. And expeditious trial of such cases as per directions of the Chief Justice of India, Shri Altamas Kabir. Trial of rape cases should be completed within 1 (One) month time.
- 12) Qualifications of Chairperson, Vice-Chairperson and Members of the 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.

13) Age limitation of the Chairperson, Vice Chairperson and Members of APSCW: It is recommended that a clause be included in the APSCW Act 2002 Chapter II, section 6 providing for an age limit as minimum 35 years and maximum 65 years.

14) 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 mandate 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.

15) 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 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 help in enhancing the status of the office of the Commission to a large extent, as it ought to be.

16) 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 carry 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 Service 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.

- 17) **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 would 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 Committee as provided in Rule 9 of the Act is highly recommended by this Commission.
- 18) **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.
- 19) **Awards/ Citation to Government Officers/ NGOs:** Letters of appreciation should be awarded to Government Officers, Magistrate and NGO representative who have helped the cause of securing justice and development of women.
- 20) **Awareness generation on provision of Free Legal Aid under Legal Services Authorities Act 1987 for SC/ST.**
- 21) **Sexual Harassment Complaint Cell in all institutions and offices.**
- 22) **A Chapter of Gender Issues in school curriculum at secondary level.**
- 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.**
- 34) **Establishment of state run Nursing Home with ultra modern facilities for catering to the needs of pregnant women and new-born babies.**
- 35) **Compulsory registration of Marriages.**
- 36) **Setting up of Working Women's Hostel in twin Capital Complex Itanagar &**

Naharlagun and in all District Headquarters.

- 37) Tribal Customary Inheritance Laws and Practices:** It has been observed that in most of the tribal socio-cultural setup, 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.
- 38) Need for spreading awareness for compulsory Registration of Marriages.**
- 39) Initiating action against police officials causing undue delay in investigation.**
- 40) Ban on transfer of an investigation officer till completion of the charge sheet in a case.**
- 41) For victims of violence against women more rehabilitation schemes & economic packages needs to be initiated and funds at the discretion of Women Commission for disbursal after proper assessment.**
- 42) More Vocational Training Institutes for economic empowerment of women, for skill development and gainful employment. Arunachal State needs Vocational Training Institute for women.**