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**PARLIAMENT OF INDIA
LOK SABHA**

**COMMITTEE ON EMPOWERMENT OF WOMEN
(2010-2011)
(FIFTEENTH LOK SABHA)**

NINTH REPORT

‘WOMEN IN PARAMILITARY FORCES’

[Action Taken by the Government on the recommendations contained in the Sixth Report (Fifteenth Lok Sabha) of the Committee on Empowerment of Women (2010-2011) on ‘Women in Paramilitary Forces’]



LOK SABHA SECRETARIAT

NEW DELHI

AUGUST, 2011/SRAVANA, 1933 (Saka)

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[Action Taken by the Government on the recommendations contained in the Sixth Report (Fifteenth Lok Sabha) of the Committee on Empowerment of Women (2010-11) on ‘Women in Paramilitary Forces’]

Presented to Lok Sabha on 17th August, 2011

Laid in Rajya Sabha on 17th August, 2011



LOK SABHA SECRETARIAT
NEW DELHI
AUGUST, 2011/SRAVANA, 1933 (Saka)

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**COMPOSITION OF THE COMMITTEE ON EMPOWERMENT OF WOMEN
(2010-2011)**

Shrimati Chandresh Kumari

- **Hon'ble Chairperson**

MEMBERS
LOK SABHA

2. Shrimati Shruti Choudhary
3. Shrimati Ashwamedh Devi
4. Shrimati Rama Devi
5. Shrimati Jyoti Dhurve
6. Shrimati Priya Dutt
7. Shri T.K.S. Elangovan
8. Shrimati Sumitra Mahajan
9. Dr. Jyoti Mirdha
10. Shri Sidhant Mohapatra
11. Kumari Meenakshi Natarajan
12. Shrimati Mausam Noor
13. Shrimati Jayshreeben Patel
14. Shrimati Sushila Saroj
15. Shrimati Yashodhara Raje Scindia
16. Shrimati Rajesh Nandini Singh
17. Shri Uma Shankar Singh
18. Shrimati Supriya Sadanand Sule
19. Shrimati Annu Tandon
20. Shrimati Seema Upadhyay

RAJYA SABHA

21. Shrimati Shobhana Bhartia
22. Shrimati Naznin Faruque
23. Shri Jabir Husain
24. Shrimati Kanimozhi
25. Shrimati Brinda Karat
26. Shri Ambeth Rajan
27. Shrimati Maya Singh
28. Shrimati Vasanthi Stanley
29. Dr. C.P. Thakur
30. Dr. Prabha Thakur

SECRETARIAT

- | | |
|-----------------------|-------------------|
| 1. Ms. Vijaya Moorthy | Joint Secretary |
| 2. Shri C.S. Joon | Director |
| 3. Smt. Mamta Kemwal | Deputy Secretary |
| 4. Shri Girdhari Lal | Committee Officer |

INTRODUCTION

I, the Chairperson, Committee on Empowerment of Women having been authorized by the Committee to submit the Report on their behalf, present this Ninth Report (Fifteenth Lok Sabha) on the action taken by the Government on the recommendations contained in their Sixth Report (Fifteenth Lok Sabha) on 'Women in Paramilitary Forces'.

2. The Sixth Report (Fifteenth Lok Sabha) of the Committee on Empowerment of Women was presented to Lok Sabha on 3rd December, 2010 and laid in Rajya Sabha on 3rd December, 2010. The Ministry of Home Affairs has furnished the action taken replies to all the Observations/Recommendations contained in the Report.

3. The Committee on Empowerment of Women (2010-2011) considered and adopted the Draft Report at their sitting held on 11th August, 2011. Minutes of the sitting are given at Appendix I.

4. An Analysis of the action taken by the Government on the recommendations contained in the Sixth Report (Fifteenth Lok Sabha) of the Committee is given in Appendix II.

5. For facility of reference and convenience, the Observations/Recommendations of the Committee have been printed in bold letters in the body of the Report.

NEW DELHI
11 August, 2011
20 Sravana 1933 (Saka)

SMT. CHANDRESH KUMARI
CHAIRPERSON
COMMITTEE ON EMPOWERMENT OF WOMEN

CHAPTER I

REPORT

This Report of the Committee deals with the action taken by the Government on the recommendations contained in the Sixth Report (Fifteenth Lok Sabha) of the Committee on Empowerment of Women on the subject 'Women in Paramilitary Forces'. The Sixth Report of the Committee was presented to Lok Sabha on 3rd December, 2010. The report was simultaneously laid in Rajya Sabha.

2. The Ministry of Home Affairs were, thereafter, requested to furnish action taken replies on the recommendations contained in the Report. Replies of the Government in respect of all the 7 recommendations/observations have since been received and are categorized as under:-

- i) Observations/Recommendations which have been accepted by the Government.
Recommendation Para No:- 88 (Total- 1)
- ii) Observations/Recommendations which the Committee do not desire to pursue in view of the replies of the Government.
Recommendation Para Nos:- 85 and 90 (Total- 2).
- iii) Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration.
Recommendation Para Nos:- 84, 86, 87 and 89 (Total- 4)
- iv) Observations/Recommendations in respect of which the Government have furnished interim replies.
Nil.

3. The Committee trust that utmost importance would be given by the Government to the implementation of their recommendations. In case where it is not possible for the Government to implement the recommendations in letter and spirit for any reason, the matter should be reported to the Committee with reasons for non-implementation. The Committee further desire that the Action Taken Notes on the recommendations/observations contained in Chapter- I of this Report should be furnished by the Government expeditiously.

4. The Committee will now deal with those actions taken replies of the Government which need reiteration or merit comments.

Urgent need to provide due representation to Women in Paramilitary Forces.

(Recommendation Para No. 84)

5. The Committee in their original report, *inter-alia*, emphasized the urgent need to provide due representation to Women in Paramilitary Forces and recommended as under:

“The Special Secretary, Ministry of Home Affairs informed the Committee during evidence that the representation of women in paramilitary forces has engaged the attention of the Ministry over the past many years and gradually the representation of women is increasing. He also informed that the government is simultaneously trying to create adequate infrastructure so that women can contribute meaningfully to their own satisfaction in the paramilitary forces. As per government policy, 10% vacancies are to be filled up by women in various paramilitary forces. However, their representation in the forces is negligible, as it is 0.55% in BSF, 1.38% in ITBP, 2.04% in SSB, while it is 0.80% in Assam Rifles. It is very surprising that on the one hand the government is claiming to be the protagonist of women, while on the other hand the ground reality in so far as the recruitment/representation of women in CPF is concerned reveals another story. The Committee recommend that the Ministry of Home Affairs should issue directives to all the Paramilitary Forces so that at least 10% of the total posts is filled up by women. It is recommended that such a directive should be strictly followed by all the paramilitary forces by giving top priority and by way of resorting to special recruitment programmes.”

6. In their Action Taken Replies, the Ministry of Home Affairs have submitted as under:

"The Government of India has been making concerted efforts to increase the representation of women in the Central Government jobs.

- i) Instructions have been issued to CAPFs to bring the percentage of women to 5% within the next three years.
- ii) CAPFs have already submitted revised draft RRs, in respect of following Cadres, after incorporating the provision for induction of female candidates. No limit has been assigned to the numbers of female candidates in the revised RRs proposed:-

S No	Cadres	Cadre-wise details of draft RRs in which provisions of induction of women candidates have been incorporated	
		BSF	SSB
(a)	Communication	Yes	Yes
(b)	Constable (Tradesman)	Yes	-
(c)	Hindi Translator	Yes	Yes
(d)	Printing Press	Yes	-
(e)	Proof Reader	Yes	-
(f)	IT (under preparation)	Yes	Yes
(g)	Draftsman (under preparation)	Yes	Yes
(h)	Medical / Para Medical	-	Yes
(i)	Engineering	-	Yes
(j)	Ministerial	-	-

CRPF have made provisions for induction of woman candidates in the RRs for Medical, Para Medical and Ministerial Cadre.

- iii) The existing sanctioned strength of Mahila Battalions is as follows:-

CRPF	4 Bns.
ITBP	4 Company
BSF	1446 women personnel
NSG	39 women personnel
SSB	7 Company

AR has been allowed to fill up 10% of their vacancies from women personnel subject to that the total number of women personnel should not exceed the strength of 2 Battalions.

The steps so far taken by the CAPFs for induction of women in Support and Logistics' Cadres will substantially improve representation of women in the coming years.

In the Executive/GD Cadre, provision is provided to induct women at CT, SI & AC level. DG of the Force decides on the number of females to be recruited on yearly basis as per the operational requirement.

- vi) Induction of female candidates has been proposed / provided for in the Support and Logistic Cadres in the respective Recruitment Rules in the CAPFs. There is no limit to the number of female candidates in these cadres. The details are given below:-

S No	Cadres	Percentage of present representation of women in the CAPFs				
		BSF	CRPF	CISF	ITBP	SSB
1	Medical	19	24.63	21.4	18.85	9.94
2	P/ Medical	33	22.70	2.8	23.63	-
3	Engineering	0.29	-	-	-	-
4	Ministerial	11	7.53	7.04	8.43	-
5	Air Wing	1	-	-	-	-
6	Gen Duty	0.42	1.59	4.5	2.04	1.63
7	Non-Combatised	32	-	8.4	28.57	9.79
	Law	9	-	-	-	-

The induction of women candidates in the CAPFs would be affected by the following challenges:-

- (i) As per GOI orders women employees are entitled for following type of leaves in addition to the normal leave entitlement as that of their male counterparts :-
- Maternity Leave.
 - Child Care Leave.

CRPF is having Mahila Bns since last more than 2 decades. It has been experienced in CRPF that due to various inherent reasons, women employees in the Executive/GD Cadre are available at only 42 to 49 percent of the total strength. This severely affects the operational preparedness and efficiency of a particular Unit.

- (ii) Frequent movement for uncertain duration cause havoc to family life. "

Comments of the Committee

7. Expressing concern over inadequate representation of Women in Paramilitary Forces, the Committee, in their original report, had recommended that the Ministry of Home Affairs should issue directives to all the Paramilitary Forces so that at least 10% of the total posts is filled up by women and that such a directive should be strictly followed by all the paramilitary forces by giving top priority and by way of resorting to special recruitment programmes.

In their Action Taken Replies, the Ministry of Home Affairs have submitted that the Government of India has been making concerted efforts to increase the representation of women in the Central Government jobs. Instructions have been issued to Central Armed Police Forces (CAPFs) to bring the percentage of women to 5% within the next three years. Further, CAPFs have already submitted revised draft RRs.

The Committee appreciate that the Ministry of Home Affairs have issued directions to DGs of CAPFs to bring the percentage of women to 5% within the next three years. However, the Committee reiterate their earlier recommendation that atleast 10% of the total posts is filled up by women.

Special Cell to prevent Sexual Harassment

(Recommendation No. 86)

8. In their Sixth Report, the Committee highlighted the need to establish Special Cell to prevent sexual harassment of Women at workplace and recommended as under:

"The Committee observe that the guidelines of Supreme Court as prescribed in Vishaka Dutt case are not being scrupulously followed in Paramilitary Forces. These guidelines were issued by the Supreme Court about 13 years back. The Committee have been informed by the Ministry of Home Affairs that in pursuance of the Supreme Court judgment on sexual harassment at work place it has been made mandatory for all Paramilitary Forces to set up Complaint Cells headed by lady officers to investigate the cases of sexual harassment. However, the Committee are surprised to note that in some of these forces, specially in BSF, wives of the officers listen to the grievances of the women employees which can never be an unbiased/impartial corrective measure as there have been cases where the women employees were harassed by their seniors and the wives of the senior officers sat on the judgment in the cases pertaining to the grievances/sexual harassment. The representatives of the Paramilitary Forces informed the Committee during evidence that all of them are having special cells to look into the cases of sexual harassment of women employees. In CRPF all the 15 sectors were having sectoral level sexual harassment committees wherein a lady officer is invariably included. The Committee strongly recommend that the Ministry of Home Affairs should ensure that the Supreme Court Guidelines on sexual harassment are once again reiterated afresh so that all Central Paramilitary Forces follow these guidelines for strict compliance by them."

9. Replying to the above recommendation, the Ministry of Home Affairs has submitted as follows:-

"All CAPFs are strictly following the guidelines of the Hon'ble Supreme Court in this regard and have setup the Complaints Committees. These Committees are headed by a Lady Officer of sufficiently senior rank. In the event of non-availability of a lady officer, Senior to the alleged perpetrator, respective CAPFs approach MHA for detailment of Chairperson from other Organisations."

Comment of the Committee

10. Taking a serious note of the fact that the guidelines of Supreme Court as prescribed in Vishaka Dutt case to set up Complaint Cells headed by lady officers to investigate the cases of sexual harassment of women employees at workplace are not being scrupulously followed in Paramilitary Forces, the Committee recommended that the Ministry of Home Affairs should ensure that the Supreme Court guidelines on sexual harassment are once again reiterated so that all Central Paramilitary Forces follow these guidelines for strict compliance by them.

In this regard, Ministry in their action taken reply have stated that all CAPFs are strictly following the guidelines of the Hon'ble Supreme Court and have set up the Complaints Committees. These Committees are headed by a Lady Officer of sufficiently senior rank and in the event of non-availability of a lady officer, senior to the alleged perpetrator, respective CAPFs approach MHA for detailment of Chairperson from other organisations.

The Committee are satisfied by the reply of the Ministry of Home Affairs. However, the Committee desire that whenever a request for detailment of chairperson from any organisation is made to the Ministry, the Ministry should take urgent steps to depute a senior officer for the purpose.

Need to include female NGO in Committee on Sexual Harassment

(Recommendation No. 87)

11. Emphasizing the need for inclusion of female NGO member in the Committee on Sexual Harassment, the Committee recommended as under:-

"The Committee find that in some of the Paramilitary Forces women NGO members are not included in the Sexual Harassment Committees. The Committee are of the firm opinion that one woman NGO must be invariably included in these committees to avoid

intimidation of women victims by the male officers. Besides, the practice of hearing such cases by the wives of male senior officers should be dispensed with immediately as it can never be an impartial hearing. The Committee, therefore, recommend that the Ministry of Home Affairs should devise a strict monitoring mechanism to look into the cases of sexual harassment in the Paramilitary Forces. The Committee further recommend that the punishment should be expedited in such cases and as far as possible the enquiry should be finished within a maximum period of six months, preferably within three months from the date of the incident and this period should include conclusion of the entire enquiry plus taking disciplinary action against the erring officers."

12. In this regard, the Ministry of Home Affairs has, *inter-alia*, replied as under:-

"All CAPFs have already included the NGOs in the Complaint Committees to enquire into complaints of sexual harassment. They are associated with the enquiry into any complaints of Sexual harassment.

The disciplinary cases involving sexual harassment in Paramilitary forces are being monitored through periodic returns and meetings taken by senior officers of the Ministry with senior officers of the CAPFs along with other disciplinary matters to ensure their earliest conclusion."

Comments of the Committee

13. The Committee, observing that in some of the Paramilitary Forces, women NGO members are not included in the Sexual Harassment Committees, recommended that the Ministry of Home Affairs should devise a strict monitoring mechanism to look into the cases of sexual harassment in the Paramilitary Forces and also to ensure that the enquiry should be finished within a maximum period of six months, preferably within three months from the date of the incident.

The Ministry of Home Affairs, in their action taken reply, have submitted that all CAPFs have already included the NGOs in the Complaint Committees to enquire into complaints of sexual harassment and they are associated with the enquiry into any complaints of Sexual harassment.

Undoubtedly, initiative to include NGOs in the Complaint Committees to enquire into complaints of sexual harassment by all CAPFs is a welcome move. The Committee appreciate the efforts of all CAPFs and impress upon them the need for continuing with their efforts to ensure fair and impartial hearing thereby providing justice to the victims.

As regards the recommendation of the Committee for devising the strict monitoring mechanism to look into the cases of sexual harassment in the Paramilitary Forces and prompt award of the punishment to the erring officers within a maximum period of six months, preferably within three months on conclusion of the enquiry from the date of the incident, the Committee however, note from the action taken replies of the Ministry that the disciplinary cases involving sexual harassment in Paramilitary forces are being monitored through periodic returns and meetings taken by senior officers of the Ministry with senior officers of the CAPFs along with other disciplinary matters to ensure their earliest conclusion. Strangely the reply of the Ministry is conspicuously silent about the action taken by the Ministry in pursuance of the recommendation of the Committee for concluding the enquiry within a maximum period of six months, preferably within three months from the date of the incident. The Committee are of the considered view that mere setting up of the Complaint Committees to enquire into complaints of sexual harassment would not serve the purpose unless and until the justice is done to the victims promptly. The Committee, therefore, while reiterating their earlier recommendation emphasise that a stipulated timeframe should also be prescribed within which whole enquiry be decisively concluded.

Mobile Toilets

(Recommendation No. 89)

14. With respect to the non-availability of mobile toilets for the women personnel working in Central Armed Police Force (CAPFs), the Committee observed as under:-

"The Committee have been informed that toilet facilities are available to the women personnel working in CISF in the premises of the public undertakings where they are posted. In BSF, as the Constable/GD Mahila are deployed on the gates during day time, toilets facilities are made available to them by pitching of small tents with commode for the use of women employees. Besides, proper guard rooms have been constructed at few locations with toilet facilities.

The Committee pointed out during evidence that women personnel in CPFs like CRPF are posted in many areas dealing with demonstrations and in different localities for maintaining law and order. As a matter of fact there are no proper arrangements made for women personnel by way of deploying mobile toilets and they have to face a lot of difficulties on many occasions. Many a times there have been complaints from them about non availability of mobile toilets and many women personnel develop medical problems etc., in the absence of such toilets. Therefore, the Committee feel that providing mobile toilets should be made mandatory in all CPFs, as it is very difficult for the women personnel to move out for toilet facility with a gun, badge and uniform etc."

15. Replying to the above recommendation, the Ministry of Home Affairs have submitted as under:-

- "i) Separate toilets for women employees have already been established by all the Forces at static locations/premises on need basis.
- ii) Toilets facilities are made available for the use of women employees by pitching of proper tents with commode in areas where appropriate locations are not available.
- iii) Instructions have been issued to DGs to modify sufficient number of vehicles on requirement basis to provide mobile toilets to meet the requirement of women personnel during movement from one place to another and during picketing duties."

Comments of the Committee

16. Expressing concern over the pathetic conditions of women personnel in CPFs like CRPF posted in many areas due to the absence of proper arrangements of mobile toilets for them, the Committee observed that providing mobile toilets should be made mandatory in all CPFs, as it is very difficult for the women personnel to move out for toilet facility with a gun, badge and uniform, etc.

In this regard, the Ministry, in their action taken reply, stated that separate toilets for women employees have already been established by all the Forces at static locations/premises on need basis. They have also stated that instructions have been issued to DGs to modify sufficient number of vehicles on requirement basis to provide mobile toilets to meet the requirement of women personnel during movement from one place to another and during picketing duties.

While expressing satisfaction over the steps taken by the Ministry, the Committee, however, desire that a detailed note on follow-up action taken in compliance with the instructions issued to DGs to modify sufficient number of vehicles on requirement basis to provide mobile toilets to meet the requirement of women personnel during movement from one place to another and during picketing duties be furnished to the Committee within three months since presentation of this Report.

CHAPTER II

OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

(Recommendation Para No. 88)

Gender Sensitization Programmes

The Committee note that in order to ensure the security and privacy of the women at work place and elsewhere steps have been initiated to conduct various programmes and workshops on gender sensitivity. Courses are also being conducted for both female and male personnel at Battalion, Sector, and Force level by the Training Institutions on Human Rights and Sensitivity at regular intervals throughout the year. The Department is stated to be alive to this important issue. Accordingly, under the aegis of the CWWA (CRPF Wife Welfare Association), they have initiated various steps such as conducting workshops, lectures etc. The Committee wish to point out that the question of gender sensitization to adopt a proper approach, outlook and understanding towards women in the general population by male members of the Paramilitary Forces is of paramount importance. The Committee, therefore, suggest that the Ministry of Home Affairs needs to step in and see as to how best they can improve the process of gender sensitization in the Paramilitary Forces. When the Committee enquired as to what specific suggestions/recommendations, the Ministry was planning to include gender sensitization in the basic training of the new recruits in Paramilitary Forces, the Secretary, Home Affairs replied that it will be a mandatory part of the basic training syllabus itself. Keeping in view the importance of the matter of gender sensitization in Paramilitary Forces the Committee are of the strong opinion that this should be made a mandatory part of the basic training syllabus itself.

Reply of the Government

The programme on Gender Sensitization and its implications in Govt services has already been conducted by all the CAPFs to educate its personnel and it has been made part of the Training programme of Basic Training of various ranks and all In-Service Courses. In order to have a trained pool of Instructors for imparting Training on Gender Sensitivity, Training of Trainers is also conducted.

(Ministry of Home Affairs O.M. No.45017/14/2010-Pers.I dated : 01.06.2011)

CHAPTER III

OBSERVATIONS/RECOMMENDATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF THE REPLIES OF THE GOVERNMENT

(Recommendation No. 85)

Appointment of women on Compassionate Grounds

The Committee are perturbed to note that women are not given employment on compassionate grounds in Paramilitary Forces on one or the other pretext. Out of 340 vacancies meant for employment on compassionate ground only 4 number of women in 2007, 3 women in 2008, 5 women in 2009 were given employment by CRPF. Similarly, in CISF, 119 vacancies are lying vacant for appointment on compassionate grounds. The position is not at all satisfactory in other paramilitary forces. Keeping such a large number of unfilled vacancies under this head indicates that the government does not have any serious concern for those who have lost their kith and kin in the service of the nation. A representative of the Paramilitary Forces informed the Committee during evidence that they are going to launch a special drive to fill-up the vacancies meant for compassionate appointment in September/October, 2010. The Committee, therefore, strongly recommend that the Ministry of Home Affairs should take up the matter of providing employment to women on compassionate ground with the Ministry of Personnel by suggesting that the limit of filling up of only 5% posts by compassionate appointment both for men and women should be scrapped in respect of the Paramilitary Forces and that women should be given special treatment in filling up these posts within a fixed time frame by relaxing the eligibility criteria like physical fitness, qualification etc.

Reply of the Government

- (i) Appointment of women on Compassionate ground is being considered in the CAPFs strictly in accordance with Govt instructions on the subject.
- (ii) There is no gender discrimination while making the appointment on compassionate grounds.
- (iii) A special drive has been conducted by all CAPFs since August 2010 to fill up the vacancies against the Compassionate Appointment quota.

(iv) Due to the hazardous and harsh service conditions in CAPFs, women are not applying for particular jobs/posts and generally prefer only soft posts, especially in offices, and not very keen to serve in outdoor duties and also outside their home State.

(v) Due to the social constraints, female candidates generally seek employment in their own States or close to their native places, where, CAPFs may not necessarily have any presence. Widows, who are having prescribed education qualifications for recruitment against Compassionate Appointment, are generally not able to qualify proficiency tests in the Recruitment process in CAPFs. Due to non-qualifying of the prescribed tests by the candidates, some vacancies earmarked against compassionate quota remain unfilled.

(vi) MHA has been granting condonations in the eligibility conditions in deserving cases.

(vii) The issue regarding scrapping of 5% limit on compassionate appointments was taken up with DOPT. They have observed that "Appointment on compassionate ground is a welfare measure given by the Government in relaxation of the normal mode of recruitment as provided for the Recruitment Rules. The Supreme Court has held in the Mandal Commission's case that the over all reservation under Article 16(4) of the Constitution should not exceed 50% of the vacancies arising in a year. The Apex Court had further ruled that while clause (4) of Article 16 may not be held exhaustive of reservations, the Court had cautioned against the propensity to create further classes deserving special treatment, as too much of reservations will further reduce the vacancies available for free competition which will not be reasonable thing to do. Even though compassionate appointment is not reservation, but as this is non-merit appointment, the Supreme Court's observations in the Mandal Commission have been kept in view while fixing the 5% quota for compassionate appointment. It is not feasible to relax the ceiling of 5% for appointment on compassionate grounds in view of the legal constraints, involved".

(Ministry of Home Affairs O.M. No.45017/14/2010-Pers.I dated : 01.06.2011)

(Recommendation No. 90)

Creche Facilities

The Committee note that crèche facilities are available to women employees almost in each Paramilitary Force. When enquired as to why there was no crèche facility in 135 mahila battalion the Committee have been informed that 135 (M) Bn is presently located at Group Centre, CRPF, Gandhinagar campus itself, where a crèche/nutrition and day health care centre is already available. Therefore, a separate crèche for 135 (M) Bn was

not considered. However, separate land/building for 135(M) Bn is being located where separate crèche for this Bn will be made functional.”

The Committee are astonished to find that crèche facilities are not available in some of the Central Paramilitary Forces and they find the family members of the women personnel deployed in CPFs are expected to look after their children. As per the prevalent Labour Laws in the country, each Paramilitary Force is supposed to provide such facilities to their women employees. The Committee, therefore, strongly recommend that crèche facility should be invariably provided in each Paramilitary Force by making special budgetary provisions for this purpose.

Reply of the Government

‘Creches’ and ‘Day Care Centres’ have been provided for by the CAPFs to women employees on need basis out of the respective Welfare Funds.

It may not be feasible to extend the Creches / Day Care facility beyond Bn HQR due to security considerations of the families of the Forces as in the border areas the families would be open to high risk to life and the children can not be and should not be exposed to such risks.

Though the Forces like CRPF is already maintaining the facility through a separate budgetary provision, the Ministry proposes to consider separate budgetary allocations on a regular basis to cater to the establishment of crèche facilities.

(Ministry of Home Affairs O.M. No.45017/14/2010-Pers.I dated : 01.06.2011)

CHAPTER IV

OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH REPLIES OF THE GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE

(Recommendation Para No. 84)

Urgent need to provide due representation to Women in Paramilitary Forces

The Special Secretary, Ministry of Home Affairs informed the Committee during evidence that the representation of women in paramilitary forces has engaged the attention of the Ministry over the past many years and gradually the representation of women is increasing. He also informed that the government is simultaneously trying to create adequate infrastructure so that women can contribute meaningfully to their own satisfaction in the paramilitary forces. As per government policy, 10% vacancies are to be filled up by women in various paramilitary forces. However, their representation in the forces is negligible, as it is 0.55% in BSF, 1.38% in ITBP, 2.04% in SSB, while it is 0.80% in Assam Rifles. It is very surprising that on the one hand the government is claiming to be the protagonist of women, while on the other hand the ground reality in so far as the recruitment/representation of women in CPF is concerned reveals another story. The Committee recommend that the Ministry of Home Affairs should issue directives to all the Paramilitary Forces so that at least 10% of the total posts is filled up by women. It is recommended that such a directive should be strictly followed by all the paramilitary forces by giving top priority and by way of resorting to special recruitment programmes.

Reply of the Government

The Government of India has been making concerted efforts to increase the representation of women in the Central Government jobs.

Instructions have been issued to CAPFs to bring the percentage of women to 5% within the next three years.

ii) CAPFs have already submitted revised draft RRs, in respect of following Cadres, after incorporating the provision for induction of female candidates. No limit has been assigned to the numbers of female candidates in the revised RRs proposed:-

S No	Cadres	Cadre-wise details of draft RRs in which provisions of induction of women candidates have been incorporated	
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(b)	Constable (Tradesman)	Yes	-
(c)	Hindi Translator	Yes	Yes
(d)	Printing Press	Yes	-
(e)	Proof Reader	Yes	-
(f)	IT (under preparation	Yes	Yes
(g)	Draftsman (under preparation)	Yes	Yes
(h)	Medical / Para Medical	-	Yes
(j)	Engineering	-	Yes
(j)	Ministerial	-	-

CRPF have made provisions for induction of woman candidates in the RRs for Medical, Para Medical and Ministerial Cadre.

iii) The existing sanctioned strength of Mahila Battalions is as follows:-

CRPF	4 Bns.
ITBP	4 Company
BSF	1446 women personnel
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In the Executive/GD Cadre, provision is provided to induct women at CT, SI & AC level. DG of the Force decides on the number of females to be recruited on yearly basis as per the operational requirement.

v) Induction of female candidates has been proposed / provided for in the Support and Logistic Cadres in the respective Recruitment Rules in the

CAPFs. There is no limit to the number of female candidates in these cadres.
The details are given below:-

Sl No	Cadres	Percentage of present representation of women in the CAPFs				
		BSF	CRPF	CISF	ITBP	SSB
1	Medical	19	24.63	21.4	18.85	9.94
2	P/ Medical	33	22.70	2.8	23.63	-
3	Engineering	0.29	-	-	-	-
4	Ministerial	11	7.53	7.04	8.43	-
5	Air Wing	1	-	-	-	-
6	Gen Duty	0.42	1.59	4.5	2.04	1.63
7	Non-Combatised	32	-	8.4	28.57	9.79
	Law	9	-	-	-	-

The induction of women candidates in the CAPFs would be affected by the following challenges:-

(i) As per GOI orders women employees are entitled for following type of leaves in addition to the normal leave entitlement as that of their male counterparts :-

- (a) Maternity Leave.
- (b) Child Care Leave.

CRPF is having Mahila Bns since last more than 2 decades.

It has been experienced in CRPF that due to various inherent reasons, women employees in the Executive/GD Cadre are available at only 42 to 49 percent of the total strength. This severely affects the operational preparedness and efficiency of a particular Unit.

(ii) Frequent movement for uncertain duration cause havoc to family life.

(Ministry of Home Affairs, O.M. No. O.M. No.45017/14/2010-Pers.I dated : 01.06.2011)

Comments of the Committee

(Please see para 7 of Chapter-1 of the Report)

(Recommendation No. 86)

Special Cell to prevent Sexual Harassment

The Committee observe that the guidelines of Supreme Court as prescribed in Vishaka Dutt case are not being scrupulously followed in Paramilitary Forces. These guidelines were issued by the Supreme Court about 13 years back. The Committee have been informed by the Ministry of Home Affairs that in pursuance of the Supreme Court judgment on sexual harassment at work place it has been made mandatory for all Paramilitary Forces to set up Complaint Cells headed by lady officers to investigate the cases of sexual harassment. However, the Committee are surprised to note that in some of these forces, specially in BSF, wives of the officers listen to the grievances of the women employees which can never be an unbiased/impartial corrective measure as there have been cases where the women employees were harassed by their seniors and the wives of the senior officers sat on the judgment in the cases pertaining to the grievances/sexual harassment. The representatives of the Paramilitary Forces informed the Committee during evidence that all of them are having special cells to look into the cases of sexual harassment of women employees. In CRPF all the 15 sectors were having sectoral level sexual harassment committees wherein a lady officer is invariably included. The Committee strongly recommend that the Ministry of Home Affairs should ensure that the Supreme Court Guidelines on sexual harassment are once again reiterated afresh so that all Central Paramilitary Forces follow these guidelines for strict compliance by them.

Reply of the Government

All CAPFs are strictly following the guidelines of the Hon'ble Supreme Court in this regard and have setup the Complaints Committees. These Committees are headed by a Lady Officer of sufficiently senior rank. In the event of non-availability of a lady officer, Senior to the alleged perpetrator, respective CAPFs approach MHA for detailment of Chairperson from other Organisation.

(Ministry of Home Affairs, O.M. No. O.M. No.45017/14/2010-Pers.I dated : 01.06.2011)

Comments of the Committee

(Please see para 10 of Chapter-1 of the Report)

(Recommendation No. 87)

Need to include female NGO in Committee on Sexual Harassment

The Committee find that in some of the Paramilitary Forces women NGO members are not included in the Sexual Harassment Committees. The Committee are of the firm opinion that one woman NGO must be invariably included in these committees to avoid intimidation of women victims by the male officers. Besides, the practice of hearing such cases by the wives of male senior officers should be dispensed with immediately as it can never be an impartial hearing. The Committee, therefore, recommend that the Ministry of Home Affairs should devise a strict monitoring mechanism to look into the cases of sexual harassment in the Paramilitary Forces. The Committee further recommend that the punishment should be expedited in such cases and as far as possible the enquiry should be finished within a maximum period of six months, preferably within three months from the date of the incident and this period should include conclusion of the entire enquiry plus taking disciplinary action against the erring officers.

Reply of the Government

All CAPFs have already included the NGOs in the Complaint Committees to enquire into complaints of sexual harassment. They are associated with the enquiry into any complaints of Sexual harassment.

The disciplinary cases involving sexual harassment in Paramilitary forces are being monitored through periodic returns and meetings taken by senior officers of the Ministry with senior officers of the CAPFs along with other disciplinary matters to ensure their earliest conclusion.

(Ministry of Home Affairs, O.M. No. O.M. No.45017/14/2010-Pers.I dated : 01.06.2011)

Comments of the Committee

(Please see para 13 of Chapter-1 of the Report)

(Recommendation No. 89)

Mobile Toilets

The Committee have been informed that toilet facilities are available to the women personnel working in CISF in the premises of the public undertakings where they are posted. In BSF, as the Constable/GD Mahila are deployed on the gates during day time, toilets facilities are made available to them by pitching of small tents with commode for the use of women employees. Besides, proper guard rooms have been constructed at few locations with toilet facilities.

The Committee pointed out during evidence that women personnel in CPFs like CRPF are posted in many areas dealing with demonstrations and in different localities for maintaining law and order. As a matter of fact there are no proper arrangements made for women personnel by way of deploying mobile toilets and they have to face a lot of difficulties on many occasions. Many a times there have been complaints from them about non availability of mobile toilets and many women personnel develop medical problems etc., in the absence of such toilets. Therefore, the Committee feel that providing mobile toilets should be made mandatory in all CPFs, as it is very difficult for the women personnel to move out for toilet facility with a gun, badge and uniform etc.

Reply of the Government

- i) Separate toilets for women employees have already been established by all the Forces at static locations/premises on need basis.
- ii) Toilets facilities are made available for the use of women employees by pitching of proper tents with commode in areas where appropriate locations are not available.
- iii) Instructions have been issued to DGs to modify sufficient number of vehicles on requirement basis to provide mobile toilets to meet the requirement of women personnel during movement from one place to another and during picketing duties.

(Ministry of Home Affairs, O.M. No. O.M. No.45017/14/2010-Pers.I dated : 01.06.2011)

Comments of the Committee

(Please see para 16 of Chapter-1 of the Report)

CHAPTER V
OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH THE
GOVERNMENT HAVE FURNISHED INTERIM REPLIES

NIL

NEW DELHI
11th August, 2011
20 Sravana, 1933 (Saka)

SMT. CHANDRESH KUMARI
CHAIRPERSON
COMMITTEE ON EMPOWERMENT OF WOMEN

**MINUTES
COMMITTEE ON EMPOWERMENT OF WOMEN (2010-2011)
Twelfth Sitting
(11.08.2011)**

The Committee sat on Thursday, the 11th August, 2011 from 1530 hrs. to 1630 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi.

PRESENT**Smt. Chandresh Kumari****- Hon'ble Chairperson****MEMBERS****LOK SABHA**

2. Smt. Shruti Choudhry
3. Smt. Ashwamedh Devi
4. Smt. Jyothi Dhurve
5. Shri Sidhant Mohapatra
6. Smt. Jayshreeben Patel
7. Smt. Yashodhara Raje Scindia
8. Smt. Rajesh Nandini Singh
9. Shri Uma Shankar Singh
10. Smt. Annu Tandon

RAJYA SABHA

11. Smt. Naznin Faruque
12. Shri Jabir Husain
13. Smt. Brinda Karat
14. Shri Ambeth Rajan
15. Dr. Prabha Thakur

SECRETARIAT

- | | | |
|----|---------------------------|------------------|
| 1. | Ms. Vijaya Moorthy | Joint Secretary |
| 2. | Shri C.S. Joon | Director |
| 3. | Smt. Mamta Kemwal | Deputy Secretary |
| 4. | Smt. Reena Gopalakrishnan | Under Secretary |

2. At the outset, Chairperson welcomed the Members to the sitting of the Committee.

3. The Committee then took up the following draft Reports for consideration:
- i) Draft Action Taken Report on the subject 'Women in Paramilitary Forces'; and

X X X X X X

4. After some deliberations, the Committee adopted the draft Reports with some changes and authorised the Chairperson to finalise the Reports and present the same to the Parliament.

5. The Committee then adjourned.

APPENDIX II

(Vide Para 4 of the Introduction)

ANALYSIS OF ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE SIXTH REPORT (FIFTEENTH LOK SABHA) OF THE COMMITTEE ON EMPOWERMENT OF WOMEN (2010-2011) ON 'WOMEN IN PARAMILITARY FORCES'

(i)	Total No. of Recommendations	07
(ii)	Observations/Recommendations which have been accepted by the Government: Recommendation Para No. 88.	01
	Percentage to Total	14.28 %
(iii)	Observations/Recommendations which the Committee do not desire to pursue in view of the replies of the Government Recommendation Para Nos. 85 and 90	02
	Percentage to Total	28.60%
(iv)	Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee Recommendation Para Nos. 84, 86, 87 and 89.	04
	Percentage to Total	57.12%
(v)	Observations/Recommendations in respect of which the Government have furnished interim replies: Nil	Nil
	Percentage to Total	