



TNPSC GROUP I / II - PRELIMINARY

EMPOWERMENT OF WOMEN

Providing the women economic, social and educational rights, without any kind of discrimination based on gender class, religion and social status.

RIGHTS OF WOMEN

The rights available to woman can be classified into two categories, namely, constitutional rights and legal rights.

The constitutional rights are those which are provided in the various provisions of the constitution. The legal rights, on the other hand, are those which are provided in the various laws (acts) of the Parliament and the State Legislatures.

Constitutional Rights

The rights and safeguards enshrined in the constitution for women are as follows:

1. The state shall not discriminate against any citizen on the ground of sex [Article 15(1)]
2. The state to secure for men and women equally the right to an adequate means of livelihood [Article 39(a)]
3. The state to secure equal pay for equal work for both men and women [Article 39(d)]
4. **73rd and 74th amendment, 1992**
 - One-third of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women [Article 243-D(3)].
 - One-third of the total number of offices of chairpersons in the Panchayats at each level shall be reserved for women [Article 243-D(4)].

Legal Rights

The following various legislations contain several rights and safeguards for women:

1. Protection of Women from Domestic Violence Act (2005)
2. Immoral Traffic (Prevention) Act (1956)
3. Indecent Representation of Women (Prohibition) Act (1986)
4. Commission of Sati (Prevention) Act (1987)
5. Dowry Prohibition Act (1961)
6. Maternity Benefit Act (1961)
7. Medical Termination of Pregnancy Act (1971)
8. Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act (1994).
9. Equal Remuneration Act (1976)
10. Dissolution of Muslim Marriages Act (1939)
11. Muslim Women (Protection of Rights on Divorce) Act (1986)
12. Family Courts Act (1984)
13. Indian Penal Code (1860)
14. Code of Criminal Procedure (1973)
15. Indian Christian Marriage Act (1872)
16. Legal Services Authorities Act (1987)
17. Hindu Marriage Act (1955)
18. Hindu Succession Act (1956)
19. Minimum Wages Act (1948)
20. Mines Act (1952) and Factories Act (1948)
21. National Commission for Women Act (1990)
22. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (2013)

23. Muslim Women (Protection of Rights on Marriage) Act, 2019 in which practice of Triple Talaq is declared illegal.

The following other legislations also contain certain rights and safeguards for women:

- (i) Employees State Insurance Act (1948)
- (ii) Plantation Labour Act (1951)
- (iii) Legal Practitioners (Women) Act (1923)
- (iv) Parsi Marriage and Divorce Act (1936)
- (v) Indian Evidence Act (1872)

Feminism

Feminism refers to the movements and ideologies that strive to promote empowerment of women so that they achieve equality with men.

It emerged from the last decades of 19th century propelled by scientific realisation about the innate capability and equality of women with men.

Woman's Education

Savitribai Phule is the first female teacher at the first girls' school opened along with her husband Jyotirao Phule in 1848.

Political Participation

The first Women's Reservation Bill to reserve 33% of seats in the Lok Sabha and State Legislative Assemblies for women was introduced as the 81st Amendment Bill in September 1996 by the Deve Gowda - led government.

Women Reservation Bill Granting 33% Seats to Women in Parliament

- ❖ The Lok Sabha has passed the women's reservation Bill – the Constitution (One Hundred and Twenty-Eighth Amendment) Bill, 2023 – with near unanimity: 454 votes in favour and two against it.
- ❖ The Union Cabinet took a historic step by approving the Women Reservation Bill, The Bill mandates that one-third of the seats in the Lok Sabha and state assemblies will be reserved for women candidates.

- ❖ This provision aims to promote gender equality and increase women's representation in India's legislative bodies.
- ❖ To ensure fairness and equitable distribution, the reserved seats will be rotated after each general election. This mechanism prevents the monopolization of reserved seats by specific political parties or individuals.
- ❖ The Bill also proposes sub-reservation within the 33 percent quota for Scheduled Castes (SCs), Scheduled Tribes (STs), and Anglo-Indians.

National Commission for Women (NCW)

The National Commission for women was set up in 1992 as a statutory body by National Commission for women Act, 1990. It comes under the aegis of Ministry of women and Child Development.

Composition

It is comprised of one chairperson and five members and a member secretary All the members of the commission will be nominated by the Central government for a term of three years.

Ms. Vijaya Kishore Rahatkar is the present chairman of the National Commission for Women assumed the charge of Chairperson.

Other members are, 1) Delina Khongdup, 2) Mamta Kumari and 3) Dr. Archana Majumdar

Parivarik Mahila Lok Adalat

The National Commission has evolved an innovative concept of Parivarik Mahila Lok Adalat (PMLA), which in turn supplements the efforts of the District Legal Service Authority (DLSA) for redressal and speedy disposal of the matters related to marriage and family affairs pending in various courts.

The Parivarik Mahila Lok Adalat functions on the model of the Lok Adalat. The Commission provides financial assistance to NGOs or State Women Commissions or State Legal Service Authority to organise the Parivarik Mahila Lok Adalat.

Tamil Nadu State New Policy for Women 2021 - This policy will be implemented for more than five years.

Facts

1. First country to grant "Right to vote" to women - New Zealand

2. Sexual harassment of women's at workplace (Prevention, Prohibition and Redressal) act 2013.
3. Parliamentary Committee on Empowerment of Women
 - It was constituted in 1997 and consists of 30 members (20 from Lok Sabha and 10 from Rajya Sabha). It considers the reports of the National Commission for Women and examines the measures taken by the Union government to secure status, dignity and equality for women in all fields.
4. UNO had declared 1975 March 8, as International year of women.
5. The United Nations Development Fund for women (UNIFEM) works since 1995 to implement Beijing Platform for Action.
6. The first chairperson of NCW was Ms. Jayanti Patnaik (1992)

First in the World - Woman

Prime Minister	Srimavo Bandaranaike	Sri Lanka
In space	Valentina Tereshkova	USSR
To scale Mt Everest	Junko Tabei	Japan
To win the Olympic gold	Charlotte Cooper	England

First in India - Women

- First Women's University - SNDT University by Maharshi Karve in Pune with five students in 1916.
- First Women to hold a Union Cabinet post - Vijaya Lakshmi Pandit
- First Women to hold a Union Foreign Minister's post - Sushma Swaraj (2014)
- First Women governor of Independent India - Sarojini Naidu, in charge of United Provinces
- First Women president of UN General Assembly - Vijaya Lakshmi Pandit (1953)
- First Woman Finance minister of India - Nirmala Sitharaman

CONSUMER PROTECTION FORUMS

Consumer

1. Definition

According to Indian Consumer Protection Act, (1986), a person who buys any goods or services for a consideration which has been paid or promised or partly paid and partly promised or under any system of deferred payment is a consumer.

Consumer Protection

Consumer protection is a group of laws enacted to protect the rights of consumers, fair trade, competition and accurate information in the market place.

The earlier approach of 'caveat emptor' which means "Let the buyer beware", has now been changed to 'caveat venditor' meaning "Let the seller beware".

2. Basic Consumer Rights

Consumer Right is interpreted as "the right to have information about the quality, purity, price and standard of goods or services".

3. United Nations Guidelines

UN General Assembly passed a resolution on April 9, 1985 adopting a set of guidelines for consumer protection to persuade the member countries to adopt laws and policies for better protection of the interests of the consumers.

4. Consumer Protection Council

It was established in 1972 with the main objective of protecting consumer rights. It has a total of 20 members and all are appointed by the President of India on the advice of the Prime Minister. The term of all members is 5 years. It should meet at least once a year.

5. The Consumer Protection Act 1986 (COPRA)

The COPRA 1986 seeks to protect and promote the interests of consumers. The act does not create rights or liabilities but it has emerged as new forum for settlement of disputes. The loss claimed by consumers must be a loss resulting from on some "deficiency of service" of "defect in the goods".

COPRA is regarded as the 'Magna Carta' in the field of consumer protection for checking unfair trade practices, defects in goods and 'deficiency in services' in India.

Grievance Redressal Mechanism

Consumer Protection Councils are established by the act at the District, State and central levels to promote and protect the rights of the consumers through awareness.

6. Consumer Courts in India

The act postulates establishment of a three tier, quasi-judicial consumer dispute redressal mechanism.

1. District Consumer Disputes Redressal Forum

State government can establish more than one District Forum if it deems fit to do so.

President - Qualification of a district judge

Jurisdiction - Less than ₹20 lakhs (now ₹1 crore)

2. State consumer Disputes Redressal Commission

The state commission is to be appointed by the State Government in consultation with the centre.

President - Present or retired judge of a High Court

Jurisdiction - Above Rs.20 lakh and below one crore (now between one crore and 10 crores)

Appeal - National Commission within 30 days of the order

3. National Consumer Disputes Redressal Commission

It is a quasi-judicial commission set up in 1988 under COPRA 1986. Its head office is in New Delhi.

Composition

It is headed by a sitting (or) retired judge of Supreme Court. It has five members with one must be from judiciary and one must be a woman.

Jurisdiction	- Above one crore (now 10 crores)
Appeals	- Made in Supreme Court within a period of 30 days.

At present, there are more than 678 District Forums and about 35 state commissions in India.

7. Consumer Protection Act of 2019

Indian Parliament in August 2019 passed this act to replace the three decades old COPRA 1986. It came into effect from 20th July 2020. The act aims to provide timely and effective administration and settlement of consumer disputes in this Digital Age.

Highlights of the Act

1. E-Commerce Transactions: Including any person who buys goods or services through online electronic means.
2. Enhancement of Pecuniary Jurisdiction: Revised pecuniary limits
3. E-Filing of complaints: Electronically and to file complaints video-conferencing
4. Central Consumer Protection Authority (CCPA): Headed by a Director General to inquire consumer law violations.
5. Unfair Trade Practices: Introduces a broad definition
6. Penalties for misleading advertisements: CCPA may impose penalty upto 10 lakh rupees (or) imprisonment for upto two years. In case of subsequent offence, penalty upto lakh rupees and imprisonment upto five years.

8. Other Consumer Protection Legislations

1. The Essential commodities Act 1955
2. Prevention of Food Adulteration Act, 1954
3. Weights and Measures Act, 1958
4. Indian Standard Institution (Certification marks) Act, 1952
5. Bureau of Indian Standards Act, 1986 to replace ISI by BIS

6. Indian Contract Act, 1982
7. Sale of Goods Act, 1982
8. Prevention of Black Marketing and Maintenance of Supplied of Essential Commodities Act, 1980
9. The Legal Metrology Act, 2009

9. Voluntary Organisations for Consumer Awareness

1. Consumer Welfare Fund (CWF)

It is operated by the Department of Consumer Affairs to strengthen the consumer advocacy movement in India.

2. Voluntary Consumer Organisation (VCO)

It is supported through CWF grants for comparative testing of products and services and dissemination of the findings.

3. International Organisation of Consumers Union (IOCU)

It was first established in 1960 to create cross-border campaigns and share knowledge. It has over 250 member organisations in 120 countries. Its head office is based in London, England.

HUMAN RIGHTS

Human Rights are those rights to which all humans are entitled merely by virtue of being humans. They are the inalienable and inviolable rights of all human beings. They derive from the inherent dignity of human beings. They are essential for human survival and human development.

Written Precursors of Human Rights Documents

1. The Cyrus Cylinder (539 B.C.)
2. The Magna Carta of 1215 (England)
3. The English Bill of Rights of 1689
4. French declaration of Rights (Declaration of the Rights of Man and Citizen) in 1789
5. The US Constitution and Bill of Rights (1791)

Universal Declaration of Human Rights (UDHR)

The Universal Declaration of Human Rights was adopted by the UN General Assembly on 10 December 1948 in Paris. This declaration represents the first international expression of human rights to which all human beings are entitled. It is described as the “International Magna Carta”.

It was achieved by the UN’s Commission on Human Rights guided by Eleanor Roosevelt. December 10 was celebrated as Human Rights Day or International Human Rights Day.

The declaration consists of 30 articles which can be divided into four parts. These are explained below.

The first two articles contain the basic principles underlying all human rights. Thus, they state as follows:

Basic Principles

Article 1 : All human beings are born free and equal in dignity and rights.

Article 2 : Everyone is entitled to all the human rights and freedoms, without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Articles 3 to 21 consist of civil and political rights. They are as under:

Article 3 : Right to life, liberty and security

Article 4 : Freedom from slavery and servitude

Article 5 : Freedom from torture and inhuman punishment

Article 6 : Right to recognition as a person before the law

Article 7 : Right to equality before the law

Article 8 : Right to judicial remedy

Article 9 : Freedom from arbitrary arrest or exile

Article 10 : Right to a fair trial and public hearing

Article 11 : Right to be presumed innocent until proved guilty

Article 12 : Right to privacy and reputation

Article 13 : Right to freedom of movement

Article 14 : Right to seek asylum

Article 15 : Right to a nationality

Article 16 : Right to marriage and family protection

Article 17 : Right to own property

Article 18 : Freedom of thought, conscience and religion

Article 19 : Freedom of opinion, expression and information

Article 20 : Freedom of peaceful assembly and association

Article 21 : Right to participate in government and equal access to public service

Articles 22 to 27 contain economic, social and cultural rights. They are mentioned below:

Article 22 : Right to social security

Article 23 : Right to work and equal pay for equal work

Article 24 : Right to rest and leisure

Article 25 : Right to adequate standard of living for health and well-being including food, clothing, housing, medical care, social services and security.

Article 26 : Right to education

Article 27 : Right to participate in cultural life of community

The last three articles specify the context within which all the human rights are to be enjoyed. Thus, they state as under:

Article 28 : Everyone is entitled to a social and international order in which the above rights and freedoms can be fully realised.

Article 29 : The exercise of the above rights and freedoms shall be limited for the purpose of securing recognition and respect for the rights and freedoms of others and for meeting the requirements of morality, public order and general welfare.

Article 30 : No state, group or person has any right to engage in any activity aimed at the destruction of the above rights and freedoms.

Facts

1. UDHR's principles are incorporated into the Constitutions of most (above 185) nations.
2. UDHR has been translated into more than 500 languages.

International Bill of Human Rights

Later on, the Universal Declaration of Human Rights was bifurcated into two separate covenants, namely, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Both the covenants were adopted by the UN General Assembly in 1966 and came into force in 1976.

In addition to the above two detailed covenants, two Optional Protocols to the International Covenant on Civil and Political Rights were also adopted by the UN General Assembly.

- a. The First Optional Protocol was adopted in 1966
- b. The Second Optional Protocol was adopted in 1989.

The First Optional Protocol provides for the submission of complaints by individuals whose human rights have been violated by a State party.

The Second Optional Protocol, on the other hand, advocates the abolition of the death penalty.

The Indian Government acceded to these two International Covenants on April 10, 1979.

Other International Conventions

1. Convention on the Elimination of All Forms of Racial Discrimination (1966)
2. Convention on the Elimination of All Forms of Discrimination Against Women (1979)
3. Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
4. Declaration on the Right to Development (1986)
5. Convention on the Rights of the Child (1989)
6. Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990)
7. Convention on the Rights of Persons with Disabilities (2006)
8. UN Declaration on the Rights of Indigenous People (2007)

Human Rights in India

According to Section 2 of the Protection of Human Rights Act (1993), “human rights” refer to the rights of the individual to life, liberty, equality, and dignity that are guaranteed by the Constitution or embodied in International Covenants and enforceable by Indian courts.

The Preamble, the Fundamental Rights and the Directive Principles of State Policy reflect the principles and provisions of the Universal Declaration of Human Rights (1948).

The Supreme Court has also expanded the scope of human rights contained in the Fundamental Rights. The examples of such un-enumerated fundamental rights are right to health, right to speedy trial, right against torture, right to privacy, right to travel abroad, right to free legal aid, and so on.

The Constitution of India and the laws of Parliament provide for the establishment of national and state commissions for the protection and promotion of those rights.

National Commissions Related to Human Rights

S.No.	Name of the Commission	Established Under
1	National Commission for SCs	Constitution (Article 338)
2	National Commission for STs	Constitution (Article 338-A)
3	Special Officer for Linguistic Minorities	Constitution (Article 350-B)
4	National Human Rights Commission	The Protection of Human Rights Act, 1993

5	National Commission for Protection of Child Rights	The Commissions for Protection of Child Rights Act, 2005
6	National Commission for Women	The National Commission for Women Act, 1990
7	National Commission for Minorities	The National Commission for Minorities Act, 1992
8	National Commission for Backward Classes	The National Commission for Backward Classes Act, 1993
9	Central Commissioner for Disabled Persons	The Persons with Disabilities Act, 1995

State Commissions Related to Human Rights

S.No.	Name of the Commission	Established Under
1	State Human Rights Commission	The Protection of Human Rights Act, 1993
2	State Commission for Protection of Child Rights	The Commissions for Protection of Child Rights Act, 2005
3	State Commissioner for Disabled Persons	The Persons with Disabilities Act, 1995
4	State Commission for SCs and STs	Act of the State Legislature or Executive Resolution of the State Government
5	State Commission for Women	Act of the State Legislature or Executive Resolution of the State Government
6	State Commission for Minorities	Act of the State Legislature or Executive Resolution of the State Government
7	State Commission for Backward Classes	Act of the State Legislature or Executive Resolution of the State Government

NATIONAL HUMAN RIGHTS COMMISSION

The National Human Rights Commission is a statutory (and not a constitutional) body. It was established in 1993 under a legislation enacted by the Parliament, namely, the Protection of Human Rights Act, 1993. This Act was amended in 2006 and 2019.

The commission is the watchdog of human rights in the country, that is, the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the international covenants and enforceable by courts in India.

Composition of the Commission

- The commission is a multi-member body consisting of a chairman and five members.
- The chairman should be a retired judge of the Supreme Court
- The members should be serving or retired judges of the Supreme Court, a serving or retired chief justice of a high court and two persons having knowledge or practical experience with respect to human rights.
- In addition to these fulltime members, the commission also has seven ex-officio members—the chairpersons of the National Commission for Minorities, the National Commission for SCs, the National Commission for STs the National Commission for Women, National Commission for BCs, the National Commission for Protection of Child Rights and Chief Commissioner for persons with disabilities.

Current Chairman of the National Human Rights Commission (NHRC)

The current Chairman of the National Human Rights Commission (NHRC) is Justice V. Ramasubramanian. He is the Ninth chairman of the National Human Rights Commission of India.

Name	Chairman
1. Shri Justice V. Ramasubramanian	Chairperson
2. Dr. dnyaneshwar Manohar Mulay	Member
3. Shri Rajiv Jain	Member
4. Mr. Iqbal Singh Lalpura, Chairperson, National Commission for Minorities	Ex-Officio Member
5. Shri shri Vijay Sampla, National Commission for Schedule Castes	Ex-officio Member
6. Shri Harsh Chouhan, Chairperson, National Commission for Schedule Tribes	Ex-Officio Member
7. Ms. Rekha Sharma, Chairperson, National Commission for Women	Ex-Officio Member
8. Shri Priyank Kanoongo, Chairperson, National Commission for Protection of Child Rights	Special Invitee to Statutory Full Commission
9. Shri Hansraj Gangaram Ahir, Chairperson, National Commission for Backward Classes	Ex-Officio Member
10. Chief Commissioner for Persons with Disabilities	Ex-officio Member

The chairman and members are appointed by the president on the recommendations of a six-member committee consisting of the prime minister as its head, the Speaker of the Lok Sabha, the Deputy Chairman of the Rajya Sabha,

leaders of the Opposition in both the Houses of Parliament and the Central home minister.

The chairman and members hold office for a term of five years (now three years) or until they attain the age of 70 years, whichever is earlier.

Working of the Commission

The commission's headquarters is at New Delhi and it can also establish offices at other places in India. It is vested with the power to regulate its own procedure. It has all the powers of a civil court and its proceedings have a judicial character.

The commission is not empowered to inquire into any matter after the expiry of **one year** from the date on which the act constituting violation of human rights is alleged to have been committed.

Role of the Commission

- i. The functions of the commission are mainly recommendatory in nature.
- ii. It has no power to punish the violators of human rights, nor to award any relief including monetary relief to the victim.
- iii. Its recommendations are not binding on the concerned government or authority.

Human Rights (Amendment) Act, 2006

1. Empowering the NHRC to undertake visits to jails even without intimation to the state Governments
2. Empowering the Commissions to recommend award of compensation, etc. even during the course of enquiry

Note: The first Chairman of National Human Rights Commission was Ranganath Misra.

STATE HUMAN RIGHTS COMMISSION

- Twenty-five states have constituted the State Human Rights Commissions through Official Gazette Notifications.
- Tamil Nadu Human rights commission was established on 17th April 1997.

Composition of the commission

- It consists of a chairperson and two members.
- The chairperson should be retired a judge of High Court.

- The members should be a serving or retired judge of a High Court or a District Judge in the state with a minimum of seven years of experience as District Judge and a person having knowledge or practical experience with respect to human rights.
- The chairperson and members are appointed by the Governor but can be removed only by the President

Tamil Nadu State Human Rights Commission

S. No.	Designation	Name
1.	Chairperson	Justice S. Mani Kumar
2.	Member	Thiru Justice Raja Elango
3.	Member	Thiru V. Kannadasan
4.	Secretary	Dr. K. Vijaya Karthikeyan, IAS

Role of the commission

State Human Rights Commission can inquire into violation of human rights only in respect of subjects mentioned in the State List (List-II) and the Concurrent List (List-III) of the Seventh Schedule of the Constitution.

HUMAN RIGHTS COURTS

The Protection of Human Rights Act (1993) also provides for the establishment of Human Rights Court in every district for the speedy trial of violation of human rights. These courts can be set up by the state government only with the concurrence of the Chief Justice of the High Court of that state.

For every Human Rights Court, the state government specifies a public prosecutor or appoints an advocate (who has practiced for seven years) as a special public prosecutor.

Child Rights

The Convention on the Rights of the Child was proclaimed by UN on 20th November 1989. UN has declared 1979 as the international year of Children.

Protecting rights of the Children

- a. The Child Labour (Prohibition and Regulation) Act, 1986
- b. National Commission for Protection of Child Rights (2007)
- c. Tamil Nadu Commission for Protection of Child Rights (2007)

- d. Right to Education Act, (Article 21A) 2009
- e. The Protection of Children from Sexual Offences (POCSO) Act, 2012 - came into force from November 14, 2012 and was amended in 2019
- f. Juvenile Justice (Care and Protection of Children) Act, 2015 - came into force from January 15, 2016

