

NARI ADALAT STANDARD OPERATING PROCEDURE

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1. Introduction

Nari Adalat is a component of “Sambal” which is a sub-scheme of Mission Shakti of the Ministry of Women and Child Development. This new intervention will help provide women with an alternate grievance redressal mechanism for resolving cases of harassment, violence and curtailment of rights or entitlements at the Gram Panchayat level. Nari Adalat which translates to women collective is a group which will comprise of women who are committed and have active participation in social advocacy. This intervention will utilise these women’s potential to be an advisor/leader for their peers in the community and will function as a pressure group. This platform will be used to provide the public with awareness of social schemes under MWCD and in turn collect feedback for improvement in the said schemes. This process will make better and increase efficiency of the public delivery of services. These activities will be provided with logistic support through Gram Panchayats in convergence with the Ministry of Panchayati Raj, Ministry of Rural Development, and Common Service Centers (CSCs) run by the Ministry of Electronics and Information Technology.

2. Target Beneficiaries and Functions under the Scheme

Target group and beneficiaries will be all women and girls who are aggrieved or in need of assistance from the local community. The major function of the Nari Adalat is to raise awareness about legal rights and entitlements of women. Additionally, the Nari Adalat will take on the responsibility of resolving cases which involve women who fall under their jurisdiction.

3. Services under the Scheme

- Alternate dispute resolution and grievance redressal
- Counseling, pressure group tactics and evidence-based decision making
- Negotiation, mediation, and reconciliation with mutual consent for speedy, accessible, and affordable justice
- Social facilitation and handholding for women-centric organizations
- Engaging with citizens and raising awareness on women’s rights, legal options, and different schemes as well as receiving feedback from public

4. Outcomes

- Increased awareness about rights, govt. schemes
- Reduction in domestic violence cases
- Women as pressure groups, for example, forcing police to take up cases promptly and diligently
- Counter to patriarchal system
- Increased reporting of gender-based violence (GBV)
- Qualitative results such as increase in self-confidence and self-esteem of women
- Reduced burden on the police and formal judiciary system
- Increased access to resources for women, for example, maintenance and share in property

5. Implementation Framework

Nari Adalat will be implemented at the Gram Panchayat level. The implementation of the Nari Adalat would be done on pilot basis in 2023-24 in selected few States/UTs, the participation of the states/UTs will be decided in consultation with them. The members or Nyaya Sakhis will be nominated / selected by the Gram Panchayat. The Nyaya Sakhis will amongst themselves select the head of the Nari Adalat, referred to as the 'Mukhya Nyaya Sakhi' (MNS). The MNS will be responsible for all the activities and functioning of Nari Adalat in their respective jurisdiction. The tenure of Mukhya Nyaya Sakhi will generally be of six months after which a new MNS would be selected by Nyaya Sakhi. Lastly, there would be no legal status given to the forum as the goal of Nari Adalat is reconciliation and grievance redressal through mutual consent and creating awareness of rights and entitlements.

6. Financial Allocation

- Under this component, no remuneration to the selected members shall be provided. However, out-of-pocket expenses @ Rs.3000 per meeting (for whole group) and cost of uniform @ Rs.800 per member bi-annually will be provided by the Ministry of Women and Child Development.
- The above-mentioned provisions of Rs. 3000/- per meeting will include all the expenses related to the activities concerning the meeting i.e., (i) stationary, travel (if any), snacks during the meeting, (ii) a lump-sum honorarium @ Rs. 500/- to the head (Mukhya Nyaya Sakhi) for the purpose of travel, maintenance of record / documentation and reporting, and an incentive of Rs. 200/- each for other Nyaya Sakhis. The amount so paid to the MNS and NSs would include the expenses of their travel, remuneration and cost for reporting of cases etc.
- Fund-flow mechanism – The Mukhya Nyaya Sakhi will be the chairperson of the committee. Her responsibility will include recording the minutes and she will also keep the accounts. The state may decide how the fund will reach the Mukhya Nyaya Sakhi. However, the fund transferred to the State Government will require a state nodal account (SNA). Hence, the state will need to open a SNA for the Scheme.
- As per guidelines of Mission Shakti, the financial assistance would be released directly by the Central Government to the concerned State/UTs, who will further utilise the fund for implementation of the component.

Task One

Initially, it will be launched in identified States/UTs, preferably where Elected Women Representatives (EWRs) are heading the Gram Panchayats (GPs) in Aspirational Districts. In the first year, an awareness drive regarding legal, constitutional rights and entitlements under various women related schemes / programs will be undertaken. For raising awareness, the Nari Adalat will coordinate with other institutions such as Anganwadis, Schools, One Stop Centres, Hub(s) for Empowerment of Women, Creches, Sakhi Niwas, Shakti Sadan(s), and many more. For resolving cases, the Nari Adalat may make all efforts with the help of all available resources/functionaries at their level keeping in view of the constitutional rights and dignity of women complainant.

Themes to be covered regarding Awareness

- Mental and Physical Harassment
- Sexual Harassment and Assault
- Domestic Violence
- Dowry Related
- Extra Martial Affairs
- Child Custody
- Drug or Alcohol Abuse
- Polygamy
- Desertion
- NRI Marriages
- Property Related Cases
- Deprivation of Women's Right
- Fraud or Cheating
- Labor Rights Related- Equal Wage etc.

Task Two

Women, who are committed and with ample social capital within the community will be identified and extensively trained in all women-related laws and schemes. A formal setup of women collectives having ideally 7 to 9 members (preferably odd number) will be formed. The members will be called Nyaya Sakhis and will address the socio-economic and cultural issues faced by the women in the respective area. The main responsibility of the collective will be to provide alternative resolution to disputes by mediation and by connecting them to the concerned duty bearers. The Nari Adalat will function from the respective place / residence / office of the Elected Women Representatives (EWR), other government buildings such as Panchayat/ Common Service Centres / Anganwadis/ Schools etc.

7. Selection / Identification / Appointment of Members:

- (i) The concerned District Magistrate (DM) will be responsible for overall management and functioning of the Nari Adalat including identification / selection / nomination of members.
- (ii) The identification / selection / nomination of the members of the Nari Adalat (among the committed and socially respected women) would be done by Gram Panchayat in a meeting chaired by Panchayat President / Sarpanch, in the presence of the BDO/SDM or his / her representative or any other official which the State / UT Government may think suitable. The nominated / selected members would be called as Nyaya Sakhis.
- (iii) Representations of all sections of the society should be ensured in formation of the Nari Adalat.
- (iv) Role of Gram Sabha in Selection – Gram Sabha will confirm the selection / nomination of the members of Nari Adalat.
- (v) The members of Nari Adalat would be identified from the Elected Women Representatives at Gram Panchayat Level, members of SHGs functioning in the Gram Panchayat, and other committed and socially respected women of the Gram Panchayat like teacher, doctor, lawyer, social worker etc.
- (vi) The representation of Elected Women Representatives in the Nari Adalat will not be more than 50% of the total members of the Nari Adalat.
- (vii) One head (Mukhya Nyaya Sakhi) of the Committee (Nari Adalat) would be chosen / elected amongst the Nyaya Sakhis, by themselves, and as far as possible, unanimously.
- (viii) All members of the committee should have the domicile of the respective Gram Panchayat only.

8. Tenure of the members

- (i) The tenure of the members of the Nari Adalat would be for two years in general.
- (ii) The members would be eligible for re-nomination after completion of their tenure. However, re-nomination of a member may not be done for more than two consecutive terms, except EWRs who may be nominated / selected for up to three terms.
- (iii) Matters related to removal, replacement, termination of members and filling up of vacancies arisen due to any reason shall be regulated as per directions of the concerned State Governments / UTs / District Administration.

9. Training of Functionaries

The concerned DM/DC will arrange for training to the members of NA through DHEW/DLSA and other institutions functioning in the district. Training on women related laws, policies, and statutory interventions available to women, issues related to gender equality, gender-based violence, etc. may be imparted.

10. Reporting and Monitoring

- (i) The monitoring of the implementation and functioning of Nari Adalat(s) would be undertaken as per provisions of the guidelines of Mission Shakti. At State and District Level, the respective Hub(s) for Empowerment of Women (HEW) will monitor the functioning of Nari Adalat within the State/District.
- (ii) The Panchayat Secretary / any other official at Gram Panchayat level, as nominated by the concerned DM, or as may be provided in the directions issued by State Govt/UTs will assist the Nari Adalat in their functioning.

11. Schedule of Meetings and Reviews

- Nari Adalat meetings will be held fortnightly. Every State / UT should fix a date, preferably on 1st and 3rd Monday of the month, for the meeting. In the event of holiday on scheduled date, the meeting may be held on next working day. Further, if the head of the NA feels necessary, it may meet at any time. No case will be left unheard for over 15 days.

- The meetings are to be held at preferably at the Gram Panchayat Office/ Government Primary School, Common Service Centres, Anganwadi Centres or any other place designated by the State Govt/UTs.
- Quarterly report of cases registered/resolved to be submitted to District Magistrate / Sub-Divisional Magistrate (SDM) as well as DHEW.
- DM / SDM may visit some of the hearings/ meetings of Nari Adalat as may be prescribed by State Govt/UTs
- Review meeting with DHEW reporting to SHEW at regular intervals.
- The DHEW will maintain records of the cases received and resolved by the NA within their jurisdiction. For the purpose, NA will submit monthly report to DHEW.
- The maintenance of records and documentation of the activities would be done by the head (Mukhya Nyaya Sakhi) of the Committee (Nari Adalat).
- A monthly report of the activities in a prescribed format would be submitted to concerned District Hubs for Empowerment of Women by the head (Mukhya Nyaya Sakhi) of the Committee (Nari Adalat). The report would contain the dates of the meetings, number of matters placed before the committee, number of cases resolved by the committee, brief on the disputes, details (name, UID no., address etc) of the complaints as well as respondent, number of unresolved cases referred to any other institutions like OSC, Police, Women Help Desks, NALSA etc.
- Whenever the committee will not have the cases for its meeting, it will engage itself in awareness campaigns on legal rights and entitlements of the women and girls as well institutions / schemes / programmes available for welfare of women and girls.
- MWCD is developing dashboard for monitoring of all its social welfare schemes. Hence, Nari Adalat will have a separate login. A form for data collection will be designed and decision on what information is to be captured by the district functionaries will be clearer once the pilot commences.
- Monitoring Implementation – an annual inspection from the district authorities or the state govt officials will be in place. In addition to this, MWCD will also undertake inspections as per the requirements.

- Mandatory compilation of case studies – State Government needs to have a repository of case studies and success stories (MIS may design a form for capturing success stories to be shared with dashboard development team).
- Award mechanism – Best Nari Adalat and Best Nyaya Sakhi Awards may be instituted by the State Government / UT Administration to give incentives to top 3 Nari Adalats of the State / UT to encourage the good work.

12. Process of Dispute Resolution

Any case may be taken under the purview of Nari Adalat (NA). Nari Adalat will act as a platform to guide and support aggrieved women throughout the process of case filing, court procedure, medical and psychological assistance etc. in convergence with other institutions like HEWs, OSCs, etc.

- NA may issue notice to the concerned parties to attend hearing and explain their parts.
- The NA may itself visit the places of parties to take an account of the incident / matter and collect / examine evidence.
- The NA should follow all the principles of natural justice before deciding the matter by giving equal opportunity to be heard, including the aggrieved as well as the accused.
- Thereafter, the NA will arrive at a solution by using tools of counselling, negotiation and mediation tactics, or evidence-based approach to reach a mutually acceptable conclusion.
- The decision of majority of the members of NA should be communicated to both the parties.
- The NA should follow up with the aggrieved for at-least one month to report on any recurrence of the matter.

13. Convergence with Government Departments

State Government must ensure linkages with the local Primary Health Centre (PHC)/Govt. Hospitals/Police Stations or Sub-centre in the area. Community support from local bodies is also envisaged in the scheme to ensure their participation. Convergence of Nari Adalat component with existing initiatives such as Women Help Line, OSC, Police, SHGs (under Ministry of Rural Development). Additionally, active participation from the Ministry of Social Justice, Ministry of Panchayati Raj, Ministry of Law and Justice - Department of Justice (NALSA), NCW and DHEW at district and block level.

14. Guidelines are Suggestive

This Standard Operating Procedures / Guidelines are suggestive in nature and if required, States / UTs may make suitable modifications in the SoP for the purpose of better and effective implementation, keeping the objective and outcome of the scheme unchanged.
