

**PROCEDURE FOR CLOSURE OF COMPLAINTS
(APPROVED BY THE COMMISSION ON 20.04.2010)**

1. OBJECTIVE:

The huge pendency of complaints with the Complaint & Investigation Cell has been a major concern in the past years. This fact has repetitively been noticed with great concern by our parents Ministry i.e., the Ministry of Women & Child Development and the Parliament of India as well, as the various reports / feedbacks / inputs furnished by NCW tend to hint towards voluminous pendency of complaint. There are complaints which are pending since past many years despite of the receipt of Action Taken Reports from the concerned authorities. The sole objective of this part is to facilitate the closure of complaints after the receipt of Action Taken Reports (Here-in-after referred to as “ATRs”) through a simple and unambiguous procedure. This procedure shall be called as “**Procedure for Closure of Complaints, (Complaints & Investigation Cell)**” and the same has been issued in exercise of powers vested with the Commission U/s 9 of the National Commission for Women Act, 1990.

2. APPLICABILITY:

This procedure shall be applicable to all the complaints (Which also includes matters in which the Commission has taken suo moto cognizance in exercise of its power U/s 10 (1) of the National Commission for Women Act, 1990, Press Monitor Cases, etc.) wherein the Commission is in receipt of ATRs from the concerned authorities.

3. PROCEDURE FOR CLOSURE OF COMPLAINTS:

The following shall be the procedure for the closure of complaints after the receipt of ATRs :

- (i) That, all the Action Taken Reports (ATRs) thus received at the Commission from the various authorities in complaints wherein ATRs had been sought, shall be entered into at the Registration Desk of the Complaint and Investigation Cell, in the manner & format here-in-below prescribed :

Sr. No.	Case No.	Name of the Official from whom ATR is Received	ATR Dated

The Registration Desk of the Complaint & Investigation Cell shall maintain a year-wise database of complaints in which ATRs have been received that shall be readily available for reference of the Commission as and when required. After the ATRs are entered into

the same shall be forwarded to the concerned Counsellor without any further delay whatsoever;

- (ii) That, after the concerned Counsellor receives the ATRs, it shall be linked to the corresponding files / complaints so that the same may be processed further. It shall be the responsibility of the Counsellor to link ATRs to their respective parent files within two days of the receipt of ATRs;
- (iii) That, after the ATRs are linked to their corresponding files, the Counsellor shall prepare the ATR Transmission Form (Here-in-after referred to as “ATR Form”) clearly mentioning the particulars therein along with a brief gist of the ATRs as regards the action taken / outcome in the matter. The format of the ATR Transmission Form shall be in the prescribed format appended herein as **Annexure: A 1**. The Counsellor shall also categorically state the further course of action to be taken in the matter along with the reasons to be recorded in writing by her / him;
- (iv) That, the Counsellor shall process the filled in ATR Form along with relevant files to the Co-ordinator, complaint & Investigation Cell, who shall after recording her / his comments in writing, shall forward the files to the Joint Secretary / Deputy Secretary, NCW;
- (v) That, the Joint Secretary / Deputy Secretary, NCW; (Here-in-after referred to as “JS / DS”) shall examine the ATR Form, the report submitted thereof and the complaint / grievances of the complainant where after she / he shall decide upon the further course of action to be taken in a particular case along with the reasons thereof to be recorded in writing by her / him. The JS/DS through Members shall be the final and the competent authority to decide upon the further course of action. The Members are free to seek further Legal opinion or to over-rule the recommendations of JS/DS;
- (vi) That, the JS while deciding upon the complaints forwarded to her / his office in the manner here-in-above prescribed, shall take into consideration the following guidelines for the closure of complaints :
 - a. The complaints wherein the ATRs depicts that the matter has already been charge-sheeted / presented before the concerned Court, the same shall be ordinarily closed as being subjudice before a Court (Reason to be recorded in writing). The closure of such complaints shall not be communicated of the complaints;
 - b. In complaints related to the alleged commission of heinous crimes on women like that of rape, gang rape, dowry death, acid attacks, etc., the ATRs received should be examined in detail and if necessary, further status reports from the concerned authorities (Unless otherwise the matter is subjudice). Such matters shall necessarily be monitored till they are presented before the concerned court. Regardless of any fact whatsoever, the decision in such cases shall also be necessarily communicated to the complainants for her/ his view within 90 days of the receipt of ATRs. If no communication is received back from them in within the prescribed period, the complaint will be closed;

- c. The complaints where in the ATRs depicts that the allegations levelled in the complaints could not be not substantiated on investigation, or that the complaint was of frivols or like nature, vague, etc., such complainants shall be closed under intimation to the complainants ;
- (vii) That, all such complaints which are closed in the manner here-in-above prescribed, shall be sent back to the co-ordinator, complaint & Investigation cell, who shall in turn get such complaints entered into the database of the complaints & investigation cell and also into excel sheets which she/ he shall necessarily maintain in this regard for keeping a record of the complaints closed. The co-ordinator complaint & investigation cell, shall also ensure that all such closed complaints are properly sent to the record room and shall also supervise their proper upkeep. All such complaints closed in the manner here-in-above prescribed shall be weeded-out after 5 years of the closure of the complaint atomically and recorded in database as such;
- (viii) That , a monthly report containing a list of all such complaints closed in a particular month in the manner here-in-above prescribed, shall be necessarily place before the commission in its meeting for information. The monthly report shall be in the following format :

MONTHLY REPORT
FOR CLOSURE OF COMPLAINTS
(To be Placed Before The Commission)

Sr. No.	Registration No. of complaints Closed	Reasons For Closing	Remark If any
1.			
2.			
3.			
4.			
Total Nos. Of Complaints Closed =			