

Published on 28-12-2017

Fourteenth Kerala Legislative Assembly

Bill No. 85

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**THE KERALA WOMEN'S COMMISSION  
(AMENDMENT) BILL, 2017**

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2018

KERALA NIYAMASABHA PRINTING PRESS.

**Fourteenth Kerala Legislative Assembly**  
**Bill No. 85**

**THE KERALA WOMEN'S COMMISSION**  
**(AMENDMENT) BILL, 2017**

THE KERALA WOMEN'S COMMISSION (AMENDMENT)

BILL, 2017

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*further to amend the Kerala Women's Commission Act, 1990.*

*Preamble.*—WHEREAS, it is expedient further to amend the Kerala Women's Commission Act, 1990 for the purposes hereinafter appearing;

BE it enacted in the Sixty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Women's Commission (Amendment) Act, 2017.

(2) It shall come into force at once.

2. *Amendment of section 15.*—In section 15 of the Kerala Women's Commission Act, 1990 (17 of 1995), in clause (a) of sub-section (1), for the word "witness", the word "person" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

As per section 15 of the Kerala Women's Commission Act, 1990 (17 of 1995), for the purpose of inquiry under the Act, the Commission shall have the same powers as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908 (Central Act 5 of 1908) in respect of the matters specified in clauses (a) to (e) of the section. As per clause (a) of the said section, the Commission has the power to summon and examine only the witnesses. Hence, when the Commission seeks the attendance of any other person concerned, other than a witness, for the purpose of inquiry, it cannot compel their attendance. In order to dispose a complaint before the Commission, it is often necessary to hear the persons concerned also. Now, the Commission is experiencing difficulty in summoning the persons other than witnesses and to ensure their attendance. In order to overcome the difficulty, the Government have decided to amend clause (a) of sub-section (1) of section 15 of the said Act by substituting the word "person" for the word "witness".

2. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

K. K. SHAILAJA TEACHER

EXTRACT FROM THE RELEVANT PORTIONS OF THE  
KERALA WOMEN'S COMMISSION ACT, 1990  
(ACT 17 OF 1995)

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15. *Powers of the Commission.*—(1) The Commission shall, for the purpose of any inquiry under this Act, have the same powers as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908 (Central Act 5 of 1908), in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any witness and examining him;

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