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MINUTES OF THE FIFTH MEETING OF THE NATIONAL
COMMISSION FOR WOMEN HELD ON DECEMBER 1, 1992.

The Fifth Meeting of the National Commission for Women was held at New Delhi on December 1, 1992 under the Chairmanship of Ms. Jayanti Patnaik. The following were present :-

1.	Ms. Jayanti Patnaik	Chairperson
2.	Ms. Padma Seth	Member
3.	Ms. Subhashini Ali	Member
4.	Ms. Ganga Potai	Member
5.	Ms. B. Senapati	Member
6.	Ms. Annie Prasad	Member-Secretary

Consultants Shri B.K. Samaddar, Shri R.P. Madan and Shri M.K.M. Kutty were present for assistance.

After Chairpersons's welcome, the agenda items were taken up for discussion.

ITEM NO. 1 :: Confirmation of the Minutes of the Fourth Meeting of the National Commission for Women held on 28.9.1992.

The Minutes of the Fourth Meeting were confirmed.

ITEM NO. 2 : Action taken on the decisions taken at the Fourth Meeting held on 28.9.1992.

(i) GUARDIANSHIP LAWS AND CUSTODY AND MAINTENANCE

The Commission took note of the information that Smt. Rama Devi's view/shad since been received, and desired that further necessary action be taken in the matter.

(ii) STUDY ON THE IMPACT OF ECONOMIC REFORMS ON WOMEN

(a) M(SA) stated that the findings of the Research Assistants had brought out a dismal picture. Nevertheless, the material collected would need to be thoroughly analysed and a report prepared. She further added that the papers being prepared for the ILO Workshop to be held during January, 1993 would also be utilised for the purpose. It was agreed that M(SA) would submit her report and recommendations to the Commission by

December end or in the beginning of January

(b) M(SA) also mentioned that the right to which was now available only in Tamil Nadu districts of West Bengal, should be adopted in States also. It was felt that right to a should be made a legally enforceable right. Chairperson desired that the matter be studied so that the Commission could take a concrete decision on this important issue.

(iii) PUBLICITY TO NCW'S ACTIVITIES

While noting the position about adequate publicity at the Seminar on Child Rape and the Press Conference, the Commission felt that more consistent effort was required to be made to elicit the support of

(iv) APPOINTMENT OF HONY. ADVISERS/CONSULTANTS

Member Secretary informed that there had been no appointment of any Hony. Adviser/Consultant at the last meeting and as such the question of informing Members about such appointment had not arisen. Instructions had already been issued to the Commission's decision should be complied with when new appointments are made.

(v) MS VEENA VERMA'S "THE MARRIED WOMEN'S (PROTECTION OF RIGHTS) BILL".

The Chairperson desired that the meeting with Ms. Verma, and Hony. Advisers, Shri Bakshi and Shri Devi be convened early.

(vi) STATUS PAPERS ON SELECTED TOPICS

The Commission took note of the Status Paper on Education prepared by Mrs. Widge. The Commission desired that the Status Paper should be examined in detail and salient points brought out.

Member Secretary stated that since papers on various subjects should be available with the Department of Women & Child Development and other concerned departments, Mrs. Widge could render assistance for preparing questionnaire for visits to States, which are of immediate interest to the Commission. This s

Ms Widge

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was accepted by the Commission.

(vii) PETITION TO THE SPEAKER OF THE LOK SABHA ABOUT THE SALE OF MINOR GIRLS.

The Commission noted that the Amina's case had taken a new turn by Amina declaring that her marriage to the foreigner was by her own consent.

M(SA) pointed out that the State should prosecute the foreigner who had violated the Child Marriage Restraint Act, 1929. The focus should indeed have been on prosecuting the foreigner for having violated the law of the land, rather than burdening the child to prove her consent or refusal to marry, knowing that her statement could lead to prosecution of her parents. It was decided to have this point included in the Commission's letter to Government, after proper examination. Further, section 373 of the I.P.C. should be examined in this context to see whether any amendment could be suggested. M(SA) suggested that experts (like Ms. Kirti Singh) could be consulted in the matter. L.M.

(viii) CONSULTATION WITH STATE GOVERNMENTS AND VISIT TO STATES

(a) The Commission felt concerned that the schedule of visits to the States had to be changed and desired that the draft questionnaire should be prepared immediately and discussed at a meeting, at 11.00A.M. on 8th December, 1992. It was suggested that the questionnaire should contain questions on the honorarium paid to the Anganwaid Workers, the wages paid under the Drought Relief Schemes, schemes for rehabilitation of women victims of atrocities and women prisoners, etc.

(b) As regards visit to the States, M(BS) informed that meeting that she had meetings with C.Ms. of Manipur and Meghalaya and that they had welcomed the ideas of the Commission visiting the States. She also mentioned that the Commission could cover all the seven N.E. States in its visit to Guwhati and the Government of Assam was agreeable to coordinate the regional meeting. After discussions, it was agreed that the Commission may visit A.P. in the first instance and Assam

thereafter, as follows :-

A.P. - 21 - 23 January, 1993
Assam - 11 - 13 February, 1993.

M(SA)'s suggestion that U.P. should also March 1993 was accepted.

It was also agreed that programme for should also be chalked out.

(ix) STATE LEVEL COMMISSIONS

(a) M(PS) stated that she had already sug guidelines which could be further studied Chairperson desired that M(PS) and Mem should finalise the guidelines soon, for fur action.

(b) As regards Tamil Nadu Bill (or G.O.) desired that the matter should be pursued Government to know the exact position.

(c) M(SA) informed the meeting that the West Bengal had since decided to have Secretary to the State level Commission. She that she had been informed that the G Maharashtra had decided to set up the Commi an autonomous organisation, but under Department. It was decided to write t Government to know the correct position.

(d) M(BS) suggested that the Government of also requested to let the Commission know about the setting up the State level Commiss.

(x) NCW'S AUTONOMY IN RECRUITMENT OF PROFES CONSULTANTS.

✓ (a) In response to M(PS)'s view that the mat to be finalised soon, Member Secretary re position, as expressed on earlier occasions the Commission's hands were tight in view of provisions of the Act, as interpreted by the Law.

(b) M(PS) and M(SA) also mentioned about the daily wage employees, who were always under

being thrown out. Member Secretary stated that continuance of these persons would be against the prescribed procedures and any departure could be adversely viewed and drag NCW into litigations. She further suggested that if considered necessary Member could discuss the matter with the concerned Joint Secretary in the Law Ministry.

(xi) (a) COMMISSIONING WOMEN'S GROUPS TO UNDERTAKE LOCAL/STATE SURVEYS ON IMPORTANT PRIORITY ISSUES.

(b) ASSISTING WOMEN NGOS TO ORGANISE SEMINARS/SYMPOSIA ON WOMEN ISSUES.

(c) ORGANISING A SERIES OF SEMINAR/WORKSHOPS

The position was noted.

(xii) JUDGEMENT OF THE METROPOLITAN MAGISTRATE IN THE CASE OF MS. POONAM BALUJA

(a) The Commission took note of the position that writ petition could not be filed as the certified copy of the judgement had not been received. M(PS) suggested that it should be examined as to what further course of action could be taken for getting the certified copy.

(b) M(SA) expressed the view that the Commission should give equal importance to cases pertaining to various States and holding Press Conferences. She mentioned in particular the case of Padmini of Tamil Nadu which did not appear to have got adequate attention. After discussion it was suggested that M(PS) may consider visiting Tamil Nadu to look into the case.

(xiii) DIFFICULTIES EXPERIENCED IN HANDLING COMPLAINTS

The Commission took note of the position.

(xiv) INFORMATION CENTRE AT THE COMMISSION.

The Commission took note of the position.

(xv) SETTING UP OF WOMEN'S CELLS IN ALL CENTRAL MINISTRIES AND DEPARTMENTS.

The Commission took note of the position.

(xvi) AMENDMENT OF SECTION 198, Cr.P.C.

It was felt that while the amendment suggested by Ms. Roda Mistry appeared acceptable, the matter required to

be examined in detail, particularly in the Bakshi's advice to the contrary.

ITEM NO. 3 : ILO/NCW WORKSHOP ON WOMEN'S EQUALITY AND ECONOMIC REFORMS (JANUARY 27-29)

The information was noted.

ITEM NO. 4 : NOTE REGARDING ALTERATIONS ELECTRICAL INSTALLATIONS TO BE FIRST FLOOR.

The information was noted.

ITEM NO. 5 : WORKSHOP REPORT ON THE NATIONAL C WOMEN HELD AT JAIPUR ON MARCH 30,

The Commission took note of the report of the

ITEM NO. 6 : AMENDMENT OF THE NCW ACT, 1990 (SALARIES AND ALLOWANCES AND C SERVICE OF CHAIRPERSON AND MEM 1992.

Concurrence was given to the suggested amendments to the NCW Act and the relevant rules.

ADDITIONAL ITEMS

- (a) The Chairperson stated that the Commission did hard work, to discharge its duties. increasing work and the attention that the Commission was getting from the Press and other people, it was advisable if the Members could be at the Commission's office for maximum possible days.
- (b) The Chairperson suggested that the Members should meet informally more often, to have exchange of views and review the work being done.
- (c) Both M(PS) and M(SA) referred to advertisements about baby foods and samples to hospitals and maternity homes. They suggested that the matter should be taken up with the concerned authorities.

The meeting ended with a vote of thanks to