

2554

MINUTES OF THE NINTH MEETING OF THE
NATIONAL COMMISSION FOR WOMEN HELD
ON THE 5TH OCTOBER, 1993

The ninth meeting of the National Commission for Women was held at New Delhi on the 5th of October, 1993, under the Chairmanship of Ms. Jayanti Patnaik. The following were present :-

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

Dr. K.K. Kirty, Deputy Secretary and Consultants Shri B.K. Samaddar, Shri K.M. Kamboj and Shri P.S. Ravindra were also present for rendering assistance.

After Chairperson's introductory remarks, the agenda items were taken up for discussions :-

Item No. (1) : Confirmation of the minutes of the Eighth Meeting of the National Commission for Women held on the 3rd August, 1993.

The minutes of the eighth meeting of the Commission were confirmed.

Item No. (2) : Action taken on the minutes of the Eighth Meeting of the Commission

1 (ii) Questionnaire for visits to States

The Commission noted the present position in the matter and after further discussion the dates of the Members' visit to various States were tentatively fixed as follows :-

253-e

(a) Tamil Nadu & Pondicherry

November, 1993

(25th - 30th NOV 93)

(b) Andaman & Nicobar Islands

December, 1993

(c) Andhra Pradesh

December, 1993

The Members of the Commission will be participating in the Workshop on Women in Agriculture to be held in Hyderabad in Dec 93 and the programme of visit to Andhra Pradesh will be coordinated with workshop schedule.

It was also decided that calender of activities/tour of Members should be prepared and circulated well in advance.

[Action : D.S.]

1 (iii) Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992

The Commission noted the explanation given by the Deptt. of W.C.D. for not consulting the Commission while initiating the above mentioned legislation.

1 (v) Monthly review of Complaints

The Commission noted that the procedure for handling of complaints, etc. and the views of Chairperson, Members and different Units had been received and were under further consideration.

[Action : C (G)]

1 (ix) Meeting of the Women's Studies Centres

The Commission noted that the meeting with the Women's Studies Centres was fixed for

251-

1 (xii)

High powered Committee to suggest reforms in the Insurance Sector

At the outset the Commission appreciated the well articulated and forceful speech delivered by Chairperson before the High powered Committee. It was also noted that a detailed paper and a memorandum for reforms in the Insurance Sector for the benefit of women was presented by the Commission at a meeting with the High Powered Committee on the 17th September, 1993; Subsequently, the representatives of LIC also called on the Commission (on 21.09.93) for further follow-up discussions.

[Action : C(DKD)]

1 (VX)

Workshop to be held on the 30th September, 1993 and 1st October, 1993 to decide about the issues to be placed before the Fourth World Conference on Women, Beijing

It was noted that Member-Secretary is a Member of the Committee set up by Govt. to consider various matters connected with the conference and MS had already attended a few meetings in this regard. The details of the workshop could be finalised ~~letter~~, if felt necessary.

[Action : C(Ms.Nag)]

Item No.(3) : Leave Rules applicable to the Members and Chairperson Decisions in individual cases

It was suggested that in the first instance it should be ascertained as to how the leave rules were made applicable to the Chairperson and the Members whose home-towns are other than Delhi, of other Commissions set up in the past and recently. It was urgent that the

249c

Members should not be treated like regular employees of the Commission in so far as the leave rules made applicable to them. It was also suggested that, within the parameters of the rules if for any reason a Member is not able to do work at Office, she may stay at home and work & send a report to the Commission on the cases disposed of at home. It was decided that the matter may be further examined in the office and a detailed proposal may be circulated amongst Members seeking their views. In any case, the matter may have to be referred to Deptt. of W.C.D. for a final decision in view of the Rules of the Procedure of the Commission finalised by Govt (as on 3.1.93) and adopted by the Commission at its first meeting.

[Action : C(G)]

Item No. 4(i) Complaint from one Smt. Mohini, a divorcee, alleging that her former husband, Shri Kiran Mandal has not returned her "Stridhan" articles.

After reading the note submitted in the meeting, it was decided that although nothing more can be done in this case, a report on the inquiry conducted in this case together with the relevant documents should be obtained from the Women (Crime) Cell, Nanakpura.

[Action : C(Ravindra)]

Item No.4(ii) The undermentioned cases on which decision of the Commission is required as to what further action is called for on the part of the Commission

(A) Smt. Poonam Baluja's case

Apart from what had been stated in the note circulated in the meeting, It was brought to the notice of the Commission that on the 29th Sept., 1993, Smt. Poonam Baluja was kidnapped in

247-e

naked and photographed. It was alleged that the miscreants were set up by Smt. Baluja's estranged husband and in-laws to settle their old scores against her. On the 30th September, 1993, Lajpat Nagar Police Station registered an FIR in respect of this incident. Following this, Chairperson wrote to both the Commissioner of Police, Delhi and Shri Rajesh Pilot, Minister of State for Home Affairs on the 5th October requesting them to arrange to have a speedy investigation into the case so that the culprits were arrested and brought to trial forthwith. In the meeting it was suggested that Chairperson should write to Shri P.M. Sayeed, Minister of State for Home Affairs also, requesting him to provide police security guard to Ms. Baluja as she might be anyday murdered. (As decided in the meeting Chairperson subsequently met Shri P.M. Sayeed and personally delivered the letter on the 8th October to him requesting him to do the needful].

(B) Rape case of Smt. Bhanwari Devi, Bateri Village, Jaipur, Rajasthan

The Commission was informed that a charged-sheet was being filed against the accused persons and that the prosecution proceedings in the Session Court would follow very soon.

(C) The incident of atrocity committed against Smt. Usha Dhiman, resident of Nawagaon, Saharanpur, District, Uttar Pradesh

After some discussion, it was suggested that the Deputy Secretary should speak to the Resident Commissioner, Government of Uttar Pradesh, to find out the present position of the case.

(D) Rape of Tripura Tribal Women

The case was raised in the meeting and the action taken on the report of the four Members of the Commission who investigated the matter, was explained.

245-c

- (E) Complaints from young widows forwarded by "Indian Housewives" Federation.

This item was not discussed for want of time.

- Item No.5(i) TA/DA and Conveyance Allowance to the Social Workers and Consultants.

With regard to meeting the expenditure on the functioning of the Sub-Committee, it was suggested in the meeting that guide-lines should be framed for the release of funds for meeting the expenditure of the Sub-Committee.

[Action: PAO]

- Item No.5(ii) TA/DA and Conveyance Allowance to the Consultant assisting the Member (MD)

With regard to the proposal for grant of a fixed amount of Rs.1000/- as TA/DA-cum-Conveyance Allowance to the Consultant (P) assisting the Member (MD), it was decided after some discussion that the Consultant (P) should submit his claims to TA/DA-cum-Conveyance Allowance through duly prepared Bills in the prescribed forms (subject to a maximum of Rs.1000/-) and that no fixed amount should be paid to him.

- Item No.6 Amendment of the Parliament (Prevention of Disqualification) Act (1959 to 1993)

The Commission noted that the Parliament (Prevention of Disqualification) Act, 1959 was amended by Act No.54 of 1993 to the effect that the office of the Chairperson of NCW shall not disqualify the holder for being chosen as, or for being, a Member of Parliament. In order to give effect to the provisions of the

243e

Parliament (Prevention of Disqualification) Act, 1993, in so far as it relates to the Chairperson, it might be necessary to amend the National Commission for Women (Salaries and Allowances and the Conditions of Service of the Chairperson and Members) Rules, 1992. The Commission noted that the Department of W. & C.D., has accordingly been requested to take necessary action in the matter.

Item No. 7 : Reservation for Women belonging to the SC/ST/OBC, etc. in Government Services. -----

The Commission noted that in response to a reference received from the Deptt. of Personnel and Training advocating 30% reservation for women falling in the reserved category in Central Govt. jobs, the Commission has suggested that women may be treated as a sub-category and be provided for across the board reservations (i.e. under all categories) in all Govt. jobs.

The Commission thereafter concurred in the line of action taken in the matter.

Item No. 8 : Petition filed by Smt. Niti Jain, wife of Shri Rajesh Jain, resident of 50, Sukh Vihar, Delhi and presently residing with her parents at A-2/65, Safdarjung Enclave, New Delhi, for directing her husband to pay Maintenance Allowance @ 50% of his salary/income, possession of her house property on the plot No.861, Gurgaon, etc. etc.

It was decided that Smt. Niti Jain should be advised to file a petition in the Court for payment of Maintenance

245e

Allowance, share in the matrimonial property etc.etc. As for any dues payable to her late husband (first husband) by the NDMC, it was suggested that the Commission should take up the matter with the NDMC and Lt. Governor, Delhi. [Action : C(PSR)]

Item No. 9 : Any other item with the approval of the Chairperson

(i) Proposed merger of Lady Hardinge Medical College with Dr. Ram Manohar Lohia Hospital.

The representation from Lady Hardinge Medical College was considered and it was decided that the proposed merger should be opposed by the Commission. [Action : DS]

(ii) Training of Counsellors in Crime against Women's Cells located in Delhi and all over the country.

The Commission was informed that a Workshop to discuss the Training Programmes would be organised sometime in January, 1994 by the Commission wherein the representatives from all the States Level Women (Crime) Cells including Delhi would be invited to participate.

[Action : M(PS)]

(iii) Preparation of UNICEF slides, short film documentaries, etc. for showing them in the villages with a view to educating Women Panchayati Raj Members and also for creating social awareness among them.

It was decided in the meeting that details relating to the proposal such as preparation of the script, the agency to whom the job is to be given etc. etc. might be discussed in the Workshop on Women and Panchayati Raj to be held on the 18th and 19th October, 1993, at India International Centre, New Delhi.

(Action : C (Rajlakshmi)]

2390

(iv) Question whether the NCW could be sued or not in respect of its acts done for carrying out its functions as laid down in the Act.

The Commission was informed that the matter was being placed before the Committee of Legal Experts.

[Action : C (BKS)]

(v) Updating of the Report of the Committee on the Status of Women in India, 1975.

It was suggested that a preliminary meeting of the Commission should be convened for discussing the modus operandi of the job.

[Action : MS]

(vi) "NORPLANT" Contraceptive Devices

It was brought to the notice of the Commission that the "NORPLANT" contraceptive devices were again being resorted to under the garb of "Social Marketing of Family Planning Devices" being sponsored by the USAID. It was decided that the matter should be taken up with the Family Welfare Division of the Ministry of Health & Family Welfare.

[Action : C(PSR)]

It was decided that the next meeting of the Commission should be held on the 14th December, 1993 (Tuesday). The meeting ended with vote of thanks to the Chairperson.