

National Commission for Women
4, Deen Dayal Upadhyaya Marg
New Delhi-110 002.

Minutes of the 23rd Meeting of the National Commission
for Women held on 23rd May, 1996 in
Chairperson's Chamber.

.....

The twenty-third meeting of the National Commission for Women was held on Thursday the 23rd May, 1996, under the Chairpersonship of Smt. Mohini Giri, Chairperson, National Commission for Women. The following were present :

1. Ms. Mohini Giri, Chairperson
2. Ms. Kokila Vyas, Member
3. Ms. Kailashpati, Member
4. Ms. Padma Seth, Member
5. Sh. T.N. Srivastava, Member-Secretary

Dr. P.S.K. Menon, Consultant was in attendance to render assistance.

Chairperson welcomed the Members and Member-Secretary to the meeting. The confirmation of the minutes of the earlier meetings, as per agenda was taken up :-

ITEM NO. 1: Confirmation of the minutes of 20th Meeting of the Commission held on 2nd April, 1996 :

The minutes were confirmed subject to the following :

In regard to item No. 6 relating to the complaint from Smt. Santosh Kaushik, it was decided that the words "Member" may be inserted after the word, "Chairperson" occurring in the 8th line of page No. 5.

The following observations were made and decisions taken on various other issues contained in the ratified minutes.

In regard to item No. 4 of the minutes relating to holding of Mahila Adalats and according of ex-post-facto approval, it was clarified that consequent to the setting up of a scrutinising committee, there would not be any occasion hereafter to seek ex-post-facto approval for holding individual Mahila Adalats.

It was decided that the next issue of the journal Gender Justice Reporter (reference item NO. 8) should be brought out by NCW in collaboration with the National Law School of India University, Bangalore. It was also decided that in order to provide wider circulation in general and to extend its reach, an appropriate network for distribution should be made. It will also have to be examined whether the journal may be priced, nominally. Ms. Padma Seth, Member may discuss the modalities for attaining the objective of wider circulation, and the related issues with Prof. Madhava Menon of NLSIU, Bangalore. It was also decided that the possibilities of bringing out Hindi version of Gender Justice Reporter should be explored.

While reviewing the progress of appointing staff, (reference page 6 of the minutes) the Chairperson stated that Members may select persons having subject specialisation for their personal section to assist them in their work, in the light of the letter written by Mrs. Sarla Gopalan, Secretary, Department of Women & Child Development, dated 21st May, 1996 stating that you may make temporary arrangement for carrying on the work of the Commission according to procedures to be laid down by the NCW in the interregum' Member Secretary stated that it does not authorise the Commission to create posts under section 5 of the NCW Act. It was decided to seek clarifications from the Deptt. of Women

In regard to follow up action related studies/projects, it was explained by the Member-Secretary that the work falls under three categories namely : (i) study completed but follow-up action & recommendations contained in the study reports would have to be initiated; (ii) studies incomplete where the matter has to be pursued with the research institutions and (iii) proposals received from research organisations but pending with us for decision. It was pointed out by the Member-Secretary that in so far as research studies to be sponsored by the Commission action has been taken, on priority, to identify the research organisation such as NCAER, Delhi School of Social Work, Council for Social Development, for different studies and for settling terms, objectives, methodology, etc. In the absence of adequate staff work is not progressing to the extent one would have desired. Also, the screening committee have not met for a long time.

In order to expedite matters, it was decided by the Commission that :-

1. A complete list of the proposals received from various organisations and pending for decision with us circulated to members.
2. The work relating to research studies may be given to persons to be identified and appointed on assignment basis, or otherwise as is feasible.

In this context, the Chairperson referred to the letter received from Sh. A.K. Sinha, Joint Secretary, Department of Women & Child Development in regard to the power of the Commission to regulate its own working and stated that the clarifications now offered should smoothen Commission's work. The Member-Secretary stated

The Commission noted that there has been considerable delay in appointing Shri S. Ramiah as Advisor, NCW. It was suggested that the matter should be expedited and Ms. Padma Seth, Member may discuss with Shri Ramiah whether he would be available for appointment in the Commission as an Advisor on regular basis. The alternative would be to get advice on each subject on assignment basis.

In regard to Family Counselling Centres (page 7 of the minutes) the Chairperson stated that Smt. Vidya Ben Shah, Chairperson, Central, Social Welfare Board has offered to NCW to run of a Family Counselling Centre in the premises of the Commission. After discussion, it was decided that we may, while appreciating the gesture, regret our inability to accept the offer. It was decided that as per the minutes of the 2nd April, 1996, Member-Secretary may request CSWB to furnish details of all Counselling Centres under their jurisdiction with reference to the objective of rendering pre-litigation services at such centres. The Chairperson and Member Ms. Padma Seth explained in detail the salient features of pre-litigation centres vis-a-vis Family Counselling Centres, as they are constituted and are functioning now. It was made clear that the objective behind introducing pre-litigation services was to ensure taking cognisance and giving recognition by concerned authorities of the settlement between parties through the good offices of Family Counselling Centres when the cases come up in a regular manner in the courts of law.

It was also decided that in collaboration with the Central Social Welfare Board, NCW should organise conferences, regional in nature, of Family Counselling Centres. For the purpose, Member-Secretary could get in touch with CSWB.

operated for say, about six months, whereafter a could be undertaken. Necessary staff for the should be identified and appointed. It was not the Family Counselling Centres as also the Counselling Unit had rendered extremely useful service in the conduct of Parivarik Mahila Adalats.

With regard to the Expert Committee on Economic Affairs (page 7 of the minutes) it was decided that more experts should be included in the group. There is a case for expanding the terms of reference of the group to include other economic aspects relating to the development of women, not restricted to data related issues. It was decided that after the Chairperson had a discussion with Ms. Devaki Jain, Adviser for Women, the course of action could be decided.

The Chairperson intimated that she has addressed the Prime Minister about filling up of vacancies of Members in the Commission caused by the resignation of Ms. Manorama Singh and Ms. Ganga Potai. The Chairperson informed about a project sent to the Seed Corporation of India. She felt that it would be a useful step towards development of women and the proposal should be examined early.

The Chairperson also mentioned about a proposal received from Smt. Devaki Jain, Adviser for Women, suggesting their proposed publication on "framework for monitoring and evaluation of projects and of national plans" may be published under the authorship or institutional backing of NCW. It was indicated that before communicating a decision, we may have a look at the papers proposed to be included in the publication.

ITEM NO. 3: Confirmation of minutes of 22nd Meeting of the Commission held on 23rd April, 1996 :

The Commission approved the minutes.

ITEM NO. 4: Legal Awareness programme :

The Commission approved the proposal.

ITEM NO. 4: Permission to travel by Air to Ms. Anne Mathew appointed in the Commission as part-time Consultant :

The Commission approved the proposal.

ITEM NO. 6: Permission to travel by Air to Ms. Poonam Sahi appointed in the Commission as Hon. Consultant Health :

The Commission approved the proposal.

ITEM NO. 7: Payment to be made for electronic typewriters to M/s Network Ltd. :

The Commission approved the proposal.

ITEM NO. 8: Constituting a Committee under Section 8(1) of NCW Act, 1990 to exercise vigil over states which do not have State Commission for Women :

The Commission appreciated the proposal made by the Government of Meghalaya in regard to the constitution of a committee under Section 8(1) of the National Commission for Women Act, 1990. It was decided at the Committee, as envisaged under the provision

establish effective coordination or network arrangements with the local institutions/people and keeping this requirement in view and in the absence of State Commission for Women in U.P. she had formed Committees in Allahabad and Varanasi to liaise with on issues concerning women.

Ms. Padma Seth, explained the need to committees under section 8(1) of the National Commission for Women Act, 1990 in States where State Women Commission has not been established. It was decided that this aspect may be examined and put up.

ITEM NO. 9: Any other item with the permission of Chair :

(a) Indian Women Scientists Association seeking financial assistance organising a conference :

It was noted that the proposed conference in Sept. 1996 will have specifically two sub themes

(1) Women Entrepreneurs : Experiences and achievements of women in Business and Industries

(2) Women and Society : Changing role of Women in Modern Society, Empowerment of Women in which the Commission is also interested. It was noted that the Commission had earlier rendered financial

assistance to Scientists Association Conference where themes related to women were discussed. Although the Indian Women Scientists' Association has requested for a grant of Rs. 70,000/- for their proposed conference from 5-7 September 1996, the Commission decided to extend a financial assistance of Rs. 25,000/- to the Association for holding the conference.

(b) Proposal from ACCORD, New Delhi.

(i) One legal awareness programme-amount Rs. odd Lakhs.

Ms. Padma Seth. She also mentioned about the going programme of legal awareness undertaken NCW in collaboration with NLSIU, Bangalore. Chairperson emphasised the need to expand reach of the programme to every part of country because she felt that awareness was on the basic requirements for empowering women. In this regard, it was felt necessary to identify suitable Universities on a regional basis particularly because in some areas, the literacy and the campaign may have to be in regional languages. For the north-eastern region could be involved. The NCW adviser Prof. Bakshi could be associated in some regions. It was decided that Member, Ms. Padma Seth could work out modalities for further consideration.

Ms. Padma Seth put up the following projects/proposals for taking further action as part of documentation process.

1. Law on harassment of women at work place
2. Compilation of all legislative proposals sent by the NCW to Central/State Government.
3. Printing/Publication of Mangalam Project
4. Compilation and preparation and Printing of cases on :-
Reconciliation
Harassment
Divorce
Maintenance
5. Printing of NCW's conference/workshop reports.
6. Compilation of Report on Commission on Prostitution.
7. Compilation of summoned cases.
8. Compilation of investigation reports.

Documentation

(b) Panchayat training

Detailed discussion took place in regard to training of women in the context of 73rd Amendment to the Constitution and election of Women representatives to Panchayats at various levels. Various proposals have been received from different organisations on the subject. Smt. Padma Seth, Member explained the salient aspects of the training module receive from ACCORD which has been pending with us for some time. Ms. Kokila Vyas explained the need to organise large training programmes and proposal received from NILPA, Ahmedabad. It was stressed that continuous monitoring is essential in regard to Panchayat Raj Institutions vis-a-vis women's participation.

The Chairperson mentioned about the proposal received from the former Vice-Chancellor, Kanpur University on the subject. Member Secretary stated that the training of Panchas and Panchayati Raj workers is the responsibility of Department of Rural Development. This work has been entrusted by them to National Institute of Rural Development and the State Governments. The State Institute of Rural Development are also engaged in this task. The NIRD has prepared modules for training programmes. These could be examined with a view to see that the requirement, of training of women Panchas are adequately met. Member Secretary also stated that he has already discussed this issue with Secretary, Rural Development. It was decided that the Member Secretary may obtain details of different modules for training on the subject.

(c) Reservation of seats for Women in Parliament and Local

seats for women in Parliament and Legislative Assemblies particularly in the context of the results of the recent election explained by Chairperson and Member Ms. P. Seth. It was decided to take further action on the matter.

(d) Uniform Civil Code

It was decided that the work relating to Uniform Civil Code be deferred for the present.

(e) Sensitisation programme for Family Court Judges Counsellors and others

Member Ms. Padma Seth clarified the concept of sensitisation programme vis-a-vis relationship with Mahila Courts and Family Courts. The Commission recognised the need for a sensitisation programme for judicial functionaries connected with Mahila Courts and Family Courts. The consent of the Chief Justice of the High Courts will have to be obtained before finalising the programme.

(f) Study of gender component in Law Commission Reports

It was decided, in principle, to take up this work. Ms. Padma Seth may explore the possibility of getting it done through Prof. P.M. Bakshi.

(g) Sexual Harassment of Women at Work Place.

some preliminary work on amendment of the National Commission for Women Act, 1990 was done during the tenure of the previous Commission. The urgency as well as the need for bringing up amendments to the Act was explained. Action may be initiated in the matter.

(i) Law relating to Custodial Rape

It was felt that the present definition of custodial rape does not deal with all sorts of situations. Commission decided that the matter needs to be examined afresh. A review of existing legislative provisions may be undertaken by Commission a study on this subject.

(j) Indecent Representation of Women

The need for any action in this matter may be examined afresh.

(k) Restructuring Special Courts/Mahila Courts

The Commission decided to take up a study of the working of Family Courts/Mahila Courts.

(l) Code on Offences Against Women (Umberalla Legislation)

The need for framing a legislation on offences against women was recognised. Action may be initiated in the matter.

Proposal from AWARE

The Chairperson stated that AWARE has proposed to hold anti-arract rallies etc. The organisation has also incurred some expenditure

Representation from Class IV Staff

The Chairperson informed that wage peons working in the Commi represented that they may be given regu It was decided that the representat examined in the light of the extent further action may be taken accordingly.

The Chairperson also mentioned denial by the administration of air-tic Asha Ramesh, a Member of Expert Commi National Commission' for Women for Belgaum. This has adversely affected the Commission on an important topic understanding the problems of Devadasi Secretary mentioned that he had a conversation with Smt. Asha Ramesh, an her to send detailed project proposa subject.

Member, Ms. Padma Seth mentione decisions taken in the meetings of the earlier in regard to fixation of remu Shri Sadiq Jalani, Consultant and Couns not so far been implemented. Member informed that the Commission had no create a post or fix remuneration. The to be referred to the Department of Work Development.

The meeting ended with a vote of the Chair.

.....