

MINUTES OF THE SEVENTEENTH MEETING OF THE NATIONAL COMMISSION FOR WOMEN HELD ON THE 8TH NOVEMBER, 1995

The Seventeenth Meeting of the National Commission for Women was held on the 8th November, 1995, under the chairmanship of Ms. Mohini Giri, Chairperson. The following were present:-

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| 1. Ms. Mohini Giri | Chairperson |
| 2. Ms. Ganga Potai | Member |
| 3. Ms. Manorama Singh | Member |

Ms. Padma Seth, Advisor, Shri K.K. Kirty, Officiating Member Secretary and Deputy Secretary, Smt. Asha Malik, Pay & Accounts Officer, Shri H.S. Rattan, Section Officer, Shri B. C. Chaudhuri, Anne Mathew, Shri K.N. Sawhney, Shri C.R. Sinha, Shri R.N. Banerjee, Shri B.K. Kohli, Shri V.K. Jain, Smt. S. Khanna and Shri P.S. Ravindra, Consultants, were present in the meeting to render assistance as and when called for from them.

2. The Agenda of the Meeting was taken up for consideration as follows:-

ITEM NO. 1: Confirmation of the minutes of the 16th meeting of the Commission held on the 8th November, 1995.

The minutes of the 16th Meeting of the Commission were perused in the meeting and after a short discussion the same was confirmed.

ITEM NO. 2: Action taken on the Minutes of the 16th meeting of the Commission.

The Action Taken Statement was perused and it was decided that this agenda item should be taken up for discussion when all the Members of the Commission are present in the meeting.

ITEM NO. 3: Consideration and adoption of the National Commission for Women (Rules of Procedure) Regulations, 1995.

It was noted in the meeting that modifications/ suggestions made by the Chairperson and the Members of the Commission in the meeting held on the 22nd and 23rd August, 1995 had been duly incorporated in the National

Commission for Women (Rules of Procedure) Regulations, However, with regard to Rule No. 4(d) relating to calling for special studies or investigations referred to in Section 10 (1) (g) of the National Commission for Women Act, the same was discussed and it was finally decided that each Member of the Commission should take her own decision and report to the Commission about the matter. Even the Expert Committees can be set up by the Members themselves but these matters will be reported in the meeting of the Commission for ratification. With this amendment NCW (Rules of Procedure) Regulation, 1995 was adopted in the meeting.

ITEM NO. 4: Project for delivery of gender justice to rural women - A proposal by Mangalam, Pondicherry for a matching grant of Rs.9.00 lakhs

The salient features of the project were mentioned and discussed in the meeting. It was noted that the project was a laudable one and would soon be replicated in more villages and in other States. However, it was found that there was no commitment on the part of the Commission to meet any financial obligation with regard to the Phase-II of the project as now proposed in the agenda. It was also noted that funds to the tune of Rs.1.5 lakhs were given by the Commission in respect of the Phase-I of the project which concluded on 31.3.1995. The agenda note, however, indicated that it was opened for the Commission to give financial assistance to the Manglam project for any other activities after examining the project documents detailing the objectives of the project. Accordingly, the project document was examined in the meeting and it was noted that it broadly related to all aspects of "Delivery of Gender Justice to Rural Women". The Commission has already received 10 video cassettes on Mangalam project. It was also noted that the project was a complete success and as stated above it is a successful model and can be replicated all over the country. However keeping in view of the fact that the second Phase of the project in six villages of Pondicherry has been taken over by the Union Territory Government and necessary funding allocated for the same, it was decided in the meeting that

need not fund the Phase-II of the project.

MEM NO. 5: Consideration of balance payment of the bills received from IIC in respect of the visit of a leading Expert of Law to attend Commission's meeting at Delhi.

The Commission gave its approval to the payment the balance amount of Rs.1572.90 to India International Centre.

MEM NO. 6: Reply to the letter received from Deptt. of Women and Child Development enclosing a copy of letter from Chairman, Committee on Subordinate Legislation to Human Resource Minister on the need to frame rules etc. for the Commission.

During the course of the discussions it was suggested that Commission should be empowered to appoint its own staff. It was noted that the Commission has collected legal opinion in the matter which should be taken up with the Central Government. It was observed that the Government provided only resources for the Commission for recruitment of personnel and NCW alone can appoint the needed expert staff for its priority areas of work identified by NCW. It was emphasised that the Commission should first take necessary action for the creation of required number of posts. Also it was decided that a draft reply to the letter received from Deptt. of Women & Child Development enclosing a copy of letter from Chairman, Committee on Subordinate Legislation) should be prepared and circulated for approval of the Members before issue. The draft reply should inter alia mention that as a Statutory body, NCW, should have its own powers to recruit persons. A separate reply to Shri Amal Dutta, M.P. should also be drafted giving the true picture of the staff position in the Commission. It was also suggested that the Chairperson and Members of the Commission should meet Shri Amal Dutta and explain to him the existing position regarding the inadequate number of staff in the Commission vis-a-vis the work load.

MEM NO. 7: Any other item with the approval of the Chair
(I) Amendment to the Child Marriage Restraint Act, 1929

A note on the amendment of the Child Marriage

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Restraint Act, 1929" was circulated in the meeting. It was indicated in the note that the National Human Rights Commission has asked the NCW to take into account the advice given by Justice, Malimath while making amendments to the Child Marriage Restraint Act, 1929. The suggestions made by Justice, Malimath such as appointment of Child Marriage Prevention Officers, enhancement of the punishment provided for under Section 3 to 6 of the Act, making void of any marriage performed in contravention of the order made by the Child Marriage Prevention Officers, prevention of the solemnisation of the child marriage and making the child marriage a cognizable offence were briefly discussed in the meeting. It was noted in the meeting that the Marriage Bill, 1994 prepared by NCW was all comprehensive and it takes care of the elimination of child marriage, sale of girls etc. However, the procedural amendments as suggested by Justice Malimath for appointment of Child Marriage Prevention Officers were accepted in the meeting and it was decided that a reply to the National Human Rights Commission should be sent on the aforesaid lines.

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(Ii) It was noted that the Home Ministry has given some suggestions on the Marriage Bill, 1994 prepared by the NCW. These suggestions related to dowry death, registration of the marriage within three days either with Panchayat, Block Development Officer or Collector of the District. It was also noted that many suggestions given by the Home Ministry were not agreeable to the NCW as these would only delay passing of the Bill. It was decided that a reply should be sent to the Home Ministry.

(II) National Policy on Gender Development

The draft outline of the policy was discussed in the meeting. It was decided a meeting should be organised with the NGOs of national level for discussion of the draft policy outline at an early convenient date. It was also decided that the Member (MS) will be Incharge of the meeting and that the Consultant (SK) and Consultant (CRS) would assist the Member (MS) in convening the meeting.

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It was also decided that the draft National Policy on Gender and Development should be passed by the NCW within 8 days after the meeting is held and communicated to the Deptt. of Women and Child Development.

(III) Payment of rental arrears, electricity charges, garrage plus water charges by NCW in respect of the portion of the building occupied by NCW

It was mentioned in the meeting that in so far as the first floor of the building is concerned, the bills in respect of rental, garrage plus water charges have been settled up to the end of October, 1995. As for the second floor of the building it was pointed out in the meeting that the agreement for hiring of the building had been executed between the Department of Women & Child Development and ICCW. No fresh/separate agreement between Deptt. of W&CD and ICCW or between NCW and ICCW has so far been signed. Moreover, in respect of the second floor, there is no separate electricity meters fixed for NCW and Rashtriya Mahila Kosh which is in the occupation in the second floor by DWCD. The electricity bills for the first and second floors will be settled as soon as the aforesaid issues such as execution of fresh agreement and fixation of separate meters for NCW and Rashtriya Mahila Kosh are finalised. Chairperson desired that pending settlement of the bills letter should be sent to Ms. Sonia Gandhi, Chairperson, CCW TRUST explaining the reasons for the delay in the settlement of the bills.

✓ Supplementary Agenda Item : Delegation of Financial Powers in the absence of Member Secretary/Deputy Secretary

The note on the delegation of financial powers is discussed at length in the meeting. It was finally decided that all financial and administrative matters beyond the powers of the Head of Office would be exercised by the Chairperson on behalf of the Commission and that

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such financial expenditure incurred on various items would be placed before the Commission for obtaining its ex-post-facto approval.

The meeting ended with a vote of thanks to the Chair.

would present the member (20) in conveying the meeting.