

MINUTES OF THE COMMISSION'S MEETING HELD ON 9TH OCTOBER, 2001

Present in the meeting were:

1. Smt. Vibha Parthasarathi : Chairperson
2. Smt. Vijay Daksh : Member
3. Smt. Poornima Advani : Member
4. Smt. K.Santha Reddy : Member
5. Kum. Anusuiya Uike : Member
6. Smt. Nafisa Hussain : Member
7. Smt. Reva Nayyar : Member Secretary
8. Kum. R. Bhama : Deputy Secretary

At the outset, CP welcomed all present.

Agenda Item No.1

Leave of absence

It was informed that Member (N.Hussain) would join the meeting a little late as she was arriving from Mumbai by train. Other Members were all present.

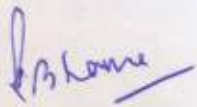
Agenda Item No.2

Confirmation of minutes of the preceding meeting held on 16.8.2001.

It was reiterated that while the minutes would be recorded in bullets, if and when necessary, some background on the item would be included.

The minutes were adopted with the following comments:-

- i) **Regarding Agenda Item No.4 – Proposal for Public Hearing on Prevention of Child Marriage** – 10 States were selected. However, hearings would be kept in the border areas so that neighbouring areas of contiguous States could be included.



- ii) **Regarding Agenda Item No.7 – ‘Gender Equity: Making it Happen – NCW publication for approval** – Member (K.S. Reddy) **clarified** that she was not to send the comments to Member (P. Advani) before the end of August, 2001; she was to discuss her comments with Member (P. Advani).
- iii) **Regarding Agenda Item No.23 – PRAJA Project at NCW and transfer of all files relating to complaints to the Complaints Cell** – Chairperson asked Member (V. Daksh) to send the list of good NGOs as was decided in the meeting.
- iv) **Regarding Agenda Item No.25 - Ex-post facto approval of expenditure of Rs.14,73,998/- incurred on four regional workshops on Gender and Law Enforcement followed by National Workshop held on 1-2 June, 2001** – Members stated that some specific issues raised in the last meeting were not included in the minutes. These were
- (a) Approval of the budget of Rs.8 lacs by the Commission – Date of approval by the Commission.
- (b) Printing of the reports of the regional workshops – the numbers printed and their distribution.
- (c) Expenditure over and above the approved budget, that the Commission should take a decision on what percentage of excessive expenditure is acceptable. If the expenditure goes beyond the acceptable limit, what action would be taken.

Another objection was raised that the Commission had not authorised the Chairperson to give ex-post-facto approval. The Chairperson clarified that she had not finalised the matter and thus ex-post-facto sanction had not yet been given. After the examination of the matter by Chairperson, Members had the freedom to raise objection to any decision.

- v) **Regarding Agenda Item No.30 - Release of women from prison – who are over 65 years of age and who are undergoing the last year of their sentence** – The Commission was informed that the Supreme Court has raised some serious objections regarding release of prisoners because of wrongful releases on account of corruption. It was also reported that the Haryana State Government is thinking of withdrawing its earlier orders on the subject. The Commission would, therefore, need to rethink on its decision.
- vi) **Regarding Agenda Item No.33(1) – Maternity Benefits to Smt. Sangeeta Sharma, Receptionist, NCW** – It was decided that the decision taken on the file would be informed to Member (V. Daksh).



Before the next Agenda Item was taken up, Member (P. Advani) moved a motion for recording the Commission's appreciation for the Goa State Commission for Women for successfully conducting a regional conference of NCW and State Commissions for Women on 12th & 13th September, 2001. The Commission unanimously recorded its appreciation for the organisation of the conference, selection of the subjects and the resource persons for each. It was decided that a letter of appreciation from the Commission would be sent to the Goa State Commission for Women.

Agenda Item No.3

List of Legal Awareness Programme recommended by Screening Committee and approved by the Chairperson.

The Legal Awareness Programmes approved by the Screening Committee on 10.8.2001 were noted by the Commission.

The Commission decided to raise the funding limit of Legal Awareness Programmes to Rs.20,000/-, 50% to be released in advance and the remaining 50% to be released on receipt of the report and accounts after conduct of the programme. The enhanced ceiling would be applicable for cases approved after the date of this Commission meeting. However, the Screening Committee should ensure selection of good institutions and a good attendance, and the programme should be administered with high standards.

Agenda Item No.4

Proposal for holding the PMLAs approved by the Screening Committee.

The PMLAs approved by the Screening Committee were noted by the Commission.

Agenda Item No.5

Proposals relating to special studies/seminars/workshops/public hearings approved by the Screening Committee.

The proposals relating to special studies, seminars, workshops and public hearings approved by the Screening Committee on 13th August, 2001 were noted by the Commission.

It was decided that a screening committee should be discriminating in considering proposals, since a few proposals did not merit consideration.

It was also decided that the list of proposals submitted to the Commission for information should include the full address of the organisation indicating the branch of the organisation which carried out the programme.

Agenda Items No.6

Economy in expenditure.

The Commission took note of the expenditure tabulated Member wise and month wise on domestic travel, telephone (office and residence) and mileage of respective vehicles. The Commission decided to minimise its expenditure on petrol, domestic travel and telephones especially at their residence. The position would be reviewed periodically.

The Commission was informed that the National Human Rights Commission has laid down a ceiling of Rs.5,000/- per month in respect of the residential telephones of the Members of the NHRC, amounts exceeding the ceiling are paid by the concerned Member. It was also apprised that if bills of high amounts continue, audit objections are likely to be raised. The Commission may watch the trend of expenditure and reports may be prepared periodically.

Regarding the mileage, it was decided that the mileage would also be compared with the number of days that the concerned Member/officer remains on tour. It was felt that rail routes should be used if cheaper, rather than using the staff cars for travel.

Agenda Item No.7

Reimbursement of newspapers purchased/supplied to Members/Officers at their residence.

The issue was whether the Government orders regarding the ceiling on the number of newspapers to be allowed at the residence of Members and officers of the Commission should be followed strictly. It was also suggested that Members could use the internet to read newspapers since the internet facility is available at the office and at their residence. Members, however, felt that the limit on the number of newspapers should not be applicable to them especially since they need to read regional news and newspapers of their states.

The Commission decided to think about it.

Sharma

Agenda Item No.8

Norms for payment of TA/DA to persons invited to attend meetings/seminars/functions organised by NCW.

The Commission decided on the following norms for payment of TA/DA:

(i) Former Chairpersons of NCW

The former Chairpersons of NCW may be paid air fare (Y class) if they travel by air. In case, they travel by rail, they would be paid 2nd AC fare + DA @ admissible to class I officers of the Government of India.

(ii) Former Members/Member Secretary of the NCW

If the former Members/Member Secretary of the NCW are in Government service, they may claim TA/DA from their respective Governments. In case they are not in Government service, they would be paid 2nd AC rail fare + DA at the rate admissible to class I officers of the Government of India. Normally they would be paid TA by AC II tier. However, for those who are invited for contributing as resource persons or chairing of sessions in the seminars, air travel by Y class may be considered on case to case basis.

(iii) Resource persons(Government servants/others)

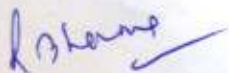
The resource persons, if they are in the Government service, will claim TA/DA from the respective Governments. However, the resource persons, if not in Government employment, would be paid 2nd AC rail fare + DA as admissible to the class I officers of the Government of India. Where the distance exceeds 800 kilo meters and overnight journey by rail, they may be permitted air travel by Y class.

(iv) Coordinators

The coordinators engaged for a temporary period for a particular programme would be paid rail fare by AC III tier + DA @ Rs. 200/- per day.

(v) Chairpersons of Women State Commissions

Ordinarily it is expected that the State Commission may meet the expenses on their TA/DA. However, when it is not possible due to the paucity of funds with the Women State Commissions, the TA/DA would be paid by the Commission. Chairpersons of the Women State Commissions may be allowed to travel by air



(Y Class) and be paid DA @ admissible to the call I officers of the Government of India.

(vi) Members/Member Secretary of Women State Commissions

Ordinarily, it is expected that the State Commission may meet the expenses on their TA/DA. However, if the NCW is to pay them the TA/DA, they would be paid 2nd AC + DA admissible to class I officers of the Government of India.

(vii) Participants and NGOs

They would be paid 3 tier AC + Rs.200/- per day as DA.

(viii) Persons honoured by NCW

They would be allowed option of (a) air travel by Y class or (b) in case of their age or disability etc. if they need to come with an escort, AC II tier rail fare would be paid to both the person and the escort.

(This would apply to persons being felicitated at different occasions as have been done in the past as women freedom fighters, women surpanches, women breaking new grounds, awardees of essay, poster and painting competition of Dahej Mukti Abhiyan)

Agenda Item No.9

National Conference on the Impact of Globalisation on the socio-economic conditions of women in our society

The estimated expenditure totaling Rs.15,76,375/- was approved for a 3-day conference.

Agenda item No.10

Printing of the report on "Dahej Mukti Abhiyan".

(Original Item No.11 re-numbered as No.10)

The Commission decided that the report of the campaign conducted in 1999, which include prize winning essays, posters and painting would be made a part of the report on the outcome of the workshops and hearings on dowry conducted by the Commission on all India basis.

Sharma

At this point Member (N.Hussain), joined the Commission meeting (12.00 Noon).

Agenda Item No.11

Report of the National Workshop on Gender and Law Enforcement – for approval and adoption.

Comments of only Member (K.S. Reddy) had reached Member (P. Advani). Repetition of language and reproduction of comments by participants, etc. were commented upon. Member (P. Advani) said this was a preliminary draft circulated so that gaps caused by omission could be filled up and editing could be done.

The Commission approved the report in principle. The correction and editing could be carried out and thereafter the report would be got approved in circulation.

Agenda Item No.12

'Trafficking – a Legal Study' – Report for approval and adoption.

The report was adopted with the following comments:

- a. Placement of the annexures connected with chapter 4 would be decided.
- b. Member (P. Advani)'s own observations and comments on the outcome of the workshops would need to be included.

The Commission also decided that when any programme is fixed for any State, the touring Member should inform the Member in charge of that State since State wise allocation had been made by the Commission.

It was also decided that when invitations are circulated for attending any meeting (in the Commission or elsewhere), Members should specifically intimate whether they would attend or not attend.

Agenda Item No.13

Report on Explanatory Study on Devadasi Rehabilitation Programme initiated by Karnataka State Women's Development Corporation and SC/ST Corporation of Karnataka – Report for approval/adoption.

The report was approved and adopted.



Agenda Item No.14

Public Hearing on Dowry organised by Vivekanand Avam Social Welfare Institute, Lucknow – Report for approval/adoption.

The report was approved and adopted pending the receipt of the list of participants. Also the portion on legal suggestion and dowry cases would need editing.

Agenda Item No.15

Regional Conference of Departments of WCD and NGOs of the Southern region to coordinate the work on the subject of prostitution.

It was decided to hold a meeting to co-ordinate work among southern states since this was an important outcome of the regional conference of State Commissions for Women of the South West Region held at Goa in September, 2001. The proposal was approved. The meeting would be held in Vijayawada. Representatives from Andhra Pradesh, Karnataka and Goa would be invited, however, NGO invitees from Goa would be restricted to five. Tentative budget ceiling of Rs. 1,50,000/- was approved. Formal proposal of the NGO identified to organise the conference would be considered and approved.

Agenda Item No.16

Constitution of an in-house Committee to look after the construction work of the Commission's building at Jasola Institutional Area.

The Commission had earlier approved engagement of HUDCO for complete architectural consultancy and noted that the agreement was signed.

The Commission approved the constitution of a Committee for coordination with HUDCO and other agencies, which would be engaged for the project and for over all supervision. The Committee would consist of Law Officer, P&AO, US and a representative from Ministry of Urban Development of Under Secretary level and would be chaired by Deputy Secretary, NCW. Member (A.Uike) would attend by invitation.

Agenda Item No.17

Public Hearing on Rehabilitation of Devadasis in Andhra Pradesh held at Tirupati on 18.8.2001.

The report was approved and adopted. A compilation would be prepared of all the reports of the public hearing after the last one is completed.

Bhena

Agenda Item No.18**Amendments proposed by the National Commission for Women in the Hindu Adoption and Maintenance Act, 1956.**

The proposed amendment to the Hindu Adoption and Maintenance Act, 1956 enabling the adoptive parents to decide the number and sex of the children they wish to adopt was approved.

Agenda Item No.19**Review of Laws – Commission's comments on the Laws.**

The amendments to the following laws reviewed by the Commission and on which comments have been sent to the WCD were noted by the Commission:-

- (1) The Minimum Wages Act, 1948
- (2) The Employees' State Insurance Act, 1948
- (3) The Bonded Labour System (Abolition) Act, 1976
- (4) Legal Practitioners (Women) Act, 1923
- (5) Juvenile Justice Act, 1986
- (6) The Hindu Marriage Act, 1955 (25 of 1955)
- (7) The Equal Remuneration Act, 1976
- (8) The Indian Divorce Act, 1869 (4 of 1869)
- (9) The Hindu Minority & Guardianship Act, 1956
- (10) Muslim Personal Law (Shariat) Application Act, 1937
- (11) Contract Labour (Regulation & Abolition) Act, 1979
- (12) Inter-State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979.

Sharma

Agenda Item No.20

Extension of "Preparing the Women for Tomorrow" from 1st September, 2001 to 31st August 2002

The proposal to extend the programme for one more year with effect from 1st September, 2001 was approved for an estimated budget of Rs.3 lacs.

Any other item with the permission of the Chair

- i) ***Report on the survey of economic condition of rural women belonging to villages of 3 districts – Dehradun, Garhwal and Uttarkashi.***

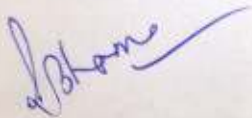
In the Commission's meeting held on 16th August, 2001, it was decided that Member (V.Daksh) would amend the recommendations in the report. Member (V.Daksh) circulated the revised recommendations for the consideration of the Commission.

The Commission decided that the following changes needed to be made :-

- (a) Forestry laws needed to be considered and appropriate added.
- (b) Regarding training on artificial insemination (recommendation No.4), the recommendation should be very specific.
- (c) Recommendation Nos. 2 & 8 regarding vocational and technical training programme should be combined. Suggestions may also be made regarding following of the National Dairy Development Board Model.
- (d) With regard to recommendation No.3 on Empowerment through Self Help Groups, some examples need to be added.
- (e) Training for birth attendants (Dais) may also be suggested.
- (f) The need for having primary health centres should be indicated. Also that the staff should be women.

- ii) **Report on workshop 'Bharatiya Nari Kal Aaj or Kal' for approval and adoption.**

The revised and re-edited report was circulated by Member (V.Daksh). The Commission decided that it would be approved in circulation.



iii) **Proposal to hold a seminar to study the problems and prospects of self help groups in the context of globalisation.**

Member (K.S.Reddy) moved a proposal to hold a one day seminar each at 15 places in the country and a two day national seminar at New Delhi.

The proposal was approved in principle.

iv) **Approval of a booklet on Common Health Problems and Aurvedic Remedies.**

Member (K.S.Reddy) circulated a copy of the booklet in the draft form. It was decided that approval would be obtained by circulation.

v) **Posters of the Commission on 'Prevention of Child Marriage'.**

Entries had been called from the students of the College of Art for posters. Two posters were selected by the Commission; 5000 copies of each would be printed - 2500 in English and 2500 in Hindi. The selected posters were prepared by Shri Sunil Kumar and Shri Suresh Kumar.

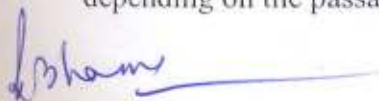
vi) **Visit of Mrs. Mary Robinson, United Nations High Commissioner for Human Rights.**

Chairperson informed the Commission that Mrs. Mary Robinson would be in New Delhi to receive the Indira Gandhi Award on 19th November, 2001. Mrs. Robinson had been invited to interact with the Commission and its guests. It was decided that the impact of terrorism on women and its various aspects including displacement of women, role of women in peace building etc. could be the theme for the discussion.

vii) **Film on awareness of Muslim women - Ujale Ki Ore.**

The Commission viewed the film prepared by Ms. Iffat Fatima for the Commission. The film was found excellent. A few changes were suggested:

- a. The amount of mehr should be indicated linked with the date of marriage, so that at the time of divorce, the value of the mehr can be sealed upwards depending on the passage of time.



- b. In the credits, from the Commission only the name of Chairperson should be included. Credit would be given in general to National Commission for Women.

The changes would be communicated to Ms. Iffat for necessary action.

The meeting ended with a Vote of Thanks to the Chair.

Iffat