

F.No.1/6(58)/99-NCW(A)

National Commission for Women

Minutes of the meeting of the Commission held on

13th January, 2000.

Present in the meeting were :-

Smt. Vibha Parthasarathi	:	Chairperson
Dr. S.S. Hameed	:	Member
Smt. Vijay Daksh	:	Member
Dr. Poornima Advani	:	Member
Smt. Binoo Sen	:	Member-Secretary
Smt. Leena Mehendale	:	Joint-Secretary
Kum. R. Bhama	:	Deputy-Secretary

At the outset CP welcomed all present.

R. Bhama

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Agenda Item No. 1

Confirmation of the minutes of the preceding meeting held on 15.12.1999

Minutes were confirmed with the following amendments

- (a) Regarding Item No. 7, the 5th line would read as “--- group to be headed by NCW”.
- (b) In Agenda Item No. 14, the second sentence would read as – “----- administrative order be obtained from MARG”.

Agenda Item no. 2

Action Taken Report

As the Action Taken Report could not be prepared and circulated, agenda item was deferred.

Agenda Item no. 3

Sponsorship of 1-2 day's seminar on Women's displacement – Proposal of Women's Studies Research Centre, M.S.University, Baroda

Proposal to have two-day seminar on the subject was agreed to in principle. It was decided that the Women's Studies Research Centre would be asked to send a formal detailed proposal. It was felt that one day could be devoted for discussion on man-made disasters, and the second day could be slated for natural calamities/disasters. Members were requested to send their suggestions in circulation.

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Agenda Item no. 4

Sexual harassment of a girl student in Navodaya Vidyalaya, Tripura, by the Principal of the School

It was felt that since the Commission was scheduled to visit Tripura in the period 17-20th January, 2000, the case could be discussed with the Tripura State Commission for Women.

Agenda Item no. 5

Draft National Slum Policy (prepared by the Ministry of Urban Employment & Poverty Alleviation).

The Commission recorded its appreciation for a comprehensive and very well thought out policy, in which women were also involved. In addition, specific comments on the draft policy were as follows :-

- (a) C.P. felt that conscientisation of the community needs to be built up (refer S. No. 14 (c) (iv) at page 31 of the policy)
- (b) M.S. felt that building of awareness in the community needs to be re-iterated and reinforced.
- (c) M.S. expressed reservations on the community centres being for multi-purpose use, if it is a single roomed structure, as is usually the case.
- (d) C.P. felt that in the constitution of the working group (refer part D, S.No.1 at page 40 of the report), women should necessarily be involved.
- (e) It was also felt existing slums should not be dislodged as this was used by vested interests as a

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was usually allotted to slum dwellers for rehabilitation, on relocation.

The Commission felt that it was a very good and comprehensive policy. However, the implementation would require great will.

M(P. Advani) mentioned that the Urban Development Ministry had a Project in which NRI funds were being used for development work. Copies of the Project could be obtained for information.

The draft reply incorporating the comments of the Commission would be circulated before the final response is sent to the government.

Agenda Item no. 6

Recommendation arising out of the NCW team's visit to cyclone affected areas of Orissa.

The report of the J.S. was appreciated by Members. It was decided that NCW would write to the State Govt. to involve local NGOs in the rehabilitation measures. NCW could have a meeting with the SOS Villages, AIWC, ICCW, CSWB etc., in order to promote running of shelter homes for children in a family set up. With regard to the scheme for promoting scheme of forest nurseries, the Deptts. of Environment could be involved along with NGOs. The Secretary, Women and Child Welfare, Orissa and RMK should also be involved in these schemes. J.S. was requested to circulate other ideas as they emerged.

Agenda Item no. 7

Sponsorship to study the implementation of the recommendations of the Committee on the Status of Women in India - 1974

research. It was suggested that the Commission, talk to Smt. Veena Majumdar to obtain names of suitable persons. Work could be carried out by a team headed by Smt. Maitreyi Krishna of SNDT, Mumbai and M.S. University, Baroda. Inputs would also be needed from all regions.

Agenda Item no. 8

Collection of gender-biased songs, lullabies, poems etc. in regional languages.

The idea approved of building up of a collection of gender based songs, poetry etc. which build up stereo-types was approved.

The project would be long term and the need was to make such songs etc. gender acceptable. After this was done the changes could be suggested to schools and to society at large. The Commission would need to identify persons to undertake this task.

Agenda Item no. 9

Preparation of programmes on women's issues for the FM Channel to be launched in June-July, 2000

Preparation of programmes on women's issues for FM channel and AIR were approved. The Commission would need to identify an organisation to prepare suitable programmes.

Agenda Item no. 10

Abolition of Death Penalty (Persons convicted in the Rajiv Gandhi assassination case particularly in the case of Smt. Nalini.

NCW felt it should **not** intercede in the matter.

M(P.Advani) held the minority view that it was a fit case for commutation of death sentence in respect of Smt. Nalini.

Agenda Item no. 11

Formalising financial and administrative rules for NCW

It was decided that the formalisation needs to be done. Members were asked to suggest areas of change.

Agenda Item no. 12

Re-constitution of Screening Committees

It was decided that Screening Committee would be re-constituted after the new Members.

Agenda Item no. 13

Geographical allocation amongst C.P./Members/M.S.

Re-allocation of geographical areas among Members was deferred till the new Members join the Commission.

Agenda Item no. 14

Project on development and empowerment through education and training of financially and socially weaker rural women.

Regarding approval of the report by the Commission, Member(V. Daksh said she had received only, the comments of Chairperson and requested other Members to sent their comments at the earliest.

Regarding release of the balance amount, it was decided that since the original file was not traceable, the file would be re-constructed and put up.

Regarding approval of tours, a copy of note sent by Member (V. Daksh) for approval of C.P. would be again sent by Member (V. Daksh) to the Chairperson's for necessary action.

Member (S.S. Hameed) and Member (P. Advani) said that a broader sounding board was required. An Expert Committee could be set up to give suggestions on the report.

Regarding the approval for the entire study C.P. said it would be taken up after the existing report was approved and adopted.

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Agenda Item no. 15

Supply of a copy of complaint to the person complained against.

Member (V. Daksh) gave a brief background of the case. The main point for discussion hinged on the legal view versus the practical view. In practice, if a copy of the complaint is furnished to the person complained against, it may give rise to greater harassment of the complainant.

It was felt that the Commission should maintain the stand that a copy of the complaint would not be supplied to the person against whom complaint is filed since NCW would be carrying out an investigative action, not a judicial action. The statement of person against whom complaint is filed is recorded only to arrive at a conclusion about the allegations made in the complaint. Since it is an investigative action & does not require furnishing the complaint to the person.

Also, it was felt that Member (V. Daksh) should place on record as denial in respect of para 3 of the letter of Shri Rajiv Agarwal in which he has said that Member (V. Daksh) warned that she would issue non-bailable warrants etc. Member would also have to send a reply to Shri Rajiv Agarwal

Agenda Item no. 16

Constitution of an Advisory Committee for the NCW

It was felt that Commission did not need to constitute an Advisory Committee. However a directory of people who have worked for NCW and others who would be useful to NCW should be prepared.

Also the existing Expert Committees needed to be reviewed and disbanded if not operational. In cases, where Expert Committees are decided to be discontinued, letters of thanks should be sent to for each of its Members. Expert Committee should be constituted as and when required.

In respect of Expert Committees as also Inquiry Committees it was felt that all Members of such Committees should travel in the same class. This had reference to the recent Inquiry Committee which travelled to Dangs, Gujarat, where some Committee Members travelled in different classes.

Agenda Item no. 17

Letter of NHRC regarding complaint of atrocities committed upon women agitators.

It was decided that the file would first be submitted to Member(V. Daksh) for examination.

Agenda Item no. 18

Follow-up to the CBI Workshop on Crimes against Women

1. It was decided that drafting of /preparing comments on the law on sexual harassment at workplace, changes in the laws(39laws identified by NCW), and Draft Bill on Domestic Violence, would be got done by legal experts. Member(P.Advani) would collect the

P. Advani

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experts identified by Member(P.Advani), and the terms of reference/payment would then be placed before the Commission for approval.

2. In order to identify a list of experts at the national level, such as retired Judges etc., letters would be sent to the Registrars of High Courts.

3. To build up awareness on the subject of sexual harassment at workplace, CP would write to all TV channels. Top stars could be invited to canvass opinion. A meeting could also be held with the heads of the TV channels. Letter would be sent to Minister (I&B).

4. Workshops for creating awareness were approved.

Agenda Item No. 19

Crim. Misc Appl. – Ravinder Singh vs. Balbir Kaur before the High Court of Punjab & Haryana reg. Suitable amendment in Section 198 of Cr.PC

The question was whether an amendment to the law be suggested to the effect that a wife may also be allowed to file a complaint in case of adultery. Member (P.Advani) gave a brief background of the discussion on this subject in the legal and academic circles. Since this would require more thought, it was decided that Member(P.Advani) would circulate a detailed note on the subject for consideration.

Agenda item No. 20

Programmes for 8th March, 2000 (International Women's Day)

It was decided that the Commission would hold a programme from the period 9th March to 11th March, 2000 which would be inaugurated on the evening of 8th March, 2000. Further if any programme for the day (8th March.

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Agenda Item No.21

Sub, Issues raised regarding the programme content and concept of targetting interventions amongst commercial sex workers

M.S informed that she had attended a meeting in the Health Ministry on 11th Jan., 2000. NGOs had emphasised on

- a. Need for the rehabilitation, and
- b. Their views that if condoms are provided, a larger number of girls would come into prostitution.

To this the Health Ministry responded the rehabilitation did not come within their mandate. On the second point, when NGOs were asked as to what action they wanted, no concrete suggestions were made. NGOs insisted that a holistic view of prevention-cum-rehabilitation package was necessary. They did not continue to insist on discontinuing the NACO Programme.

The Commission after discussion took a stand that

- A It did not agree with the view that condoms should not be promoted.
- B The Plan of Action formulated by DWCD which was circulated, should be implemented.
- C The Commission should also take a look at the NACO project, which would be separately circulated. The interventions suggested in the NACO project were not enough, others would need to be added. Perhaps a small committee could be formed to look into it.

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join in. Names of the Chief Guests for the inaugural function were suggested as Hon'ble Prime Minister of India, Shri Amartya Sen, Ms. Mamta Banerjee, Prime Minister of Sri Lanka.

The list of invitees should be circulated to Members so that Members could suggest addition/deletion in the same.

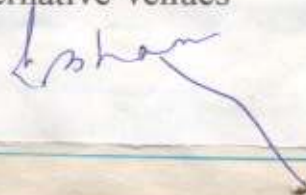
The note of MS on holding of a workshop in collaboration with C.I.I on the 9th of March was approved. The three working sessions would be on

- A Health (women & adolescent girls) and sanitation;
- B Literacy package of women and adolescent girls – this would include awareness on sexual harassment; literacy package would focus on the three Rs and its impacting on attitude.
- C Income generation (training and upgradation of skills, marketing and employment).

For each of the three working sessions, status papers would need to be made. For reproductive health, Member (P. Advani) offered to prepare the same. For other topics, outside agencies such as Sulabh and NCERT were suggested. It was also suggested that working paper on the 1-4 amendment should be circulated.

It was proposed to invite about 40-50 women Mayors. Expenditure allocation for the programme would be worked out by MS.

Regarding the venue, if it is not possible to hold the cultural programme at Vigyan Bhawan, alternative venues as I.I.C/Kamani would be explored.



Agenda Item No.22

By other items with the permission of the Chair

Although specific agenda items were not formally brought up, the following points were discussed:

Commission's visit to A.P – regional meeting of NGOs

S suggested the second half of February, 2000 for the visit, tentatively to begin from 21st Feb.2000. The programme would be to visit Hyderabad for three days and then go to Pondichery to see the Mangalam project in operation. Since the Deptt of Women & Child, A.P and the A.P State Commission had expressed their inability to organise the NGOs meet, an organisation named COVA had been asked to do the same. While in Hyderabad, the Commission would try to visit Mehboob Ki Mehendi area and to try to obtain feed back on the problems of Mutta Marriage.

Request for consultants

S informed the Commission that in the previous year, the Govt. had allowed the Commission to engage two consultants for a year which would end on 31st March, 2000. She had written again to request for extension of the period of the existing two consultants and two additional posts of consultants such time as sanction of the posts.

The meeting ended with a vote of thanks to the Chairperson, NCW.

R. Ashok