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Minutes of the meeting of the Commission  
held on 13<sup>th</sup>, 16<sup>th</sup> & 20<sup>th</sup> and 23<sup>rd</sup> April, 99

Date: 13.4.99

Time : 10.30 A.M.

Venue: Chairperson's Chamber

1. At the outset Chairperson welcomed all present.
2. Before the formal agenda was taken up a few points were raised:

2.1 (a) Member (SO) wanted to know whether her name for the proposed visit to Kuala Lumpur, Malaysia was likely to be dropped due to the fact that she had not paid any official visit to any foreign country, as details of her visits abroad had been asked for and sent to the DWCD. MS clarified that it is Govt. procedure to ask for details of previous foreign visits in the preceding 3 years in respect of any Government official/officer *proposing to* make any official foreign visit. Member (VD) expressed her view that any invitation received by the Commission to visit other countries should be circulated amongst Members. It was clarified by MS, that in this particular instance, the invitation was received in the name of the Chairperson, NCW.

2.2 (b) Member (VD) desired that the rights and responsibilities of the Members be clarified. She cited instances where a taxi bill for reimbursement has been pending for the last 2 months for which her PS has been asked to submit her tour programme approved by the CP. Member(PA) pointed out that as per Rule 9(2) of the NCW (Salaries & Allowances and Conditions of Service of Chairperson and Members) Rules, 1992, the Chairperson and every Member is her own Controlling Officer in respect of her bills relating to travelling allowances and daily allowances. Thus, any TA Bill signed by CP or any other Member does not need any further approval. MS clarified that, as per exist-

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ing procedure, four programmes of Members need to be approved by Chairperson. However, the exact meaning of 'Controlling Officer' as defined in the Financial Rules can be specified by her only after examining the same.

Chairperson expressed her view that it appears necessary for herself and Members to obtain orientation from Senior Govt. officers, lawyers, academicians to obtain inputs from all angles and then obtain legal counsel about the implications of the Act, Rules and Procedure. Member (PA) opined that the NCW Act, rules and the internal procedure need to be looked into and offered to draft the same if the Commission so desires and authorises. It was agreed that M(PA) may prepare a draft which may then be looked at.

Agenda items were then taken up.

Item No.1

Confirmation of the minutes of the Commission's meeting dated 15-16<sup>th</sup> March, 99

- a) Member (PA) pointed out that under Item No.1(B) of the minutes the word 'Member (PA) desired' should be replaced by 'Member(PA) noted'.
- b) Member (VD) referred to the first part of the minutes prior to the discussion of the Agenda where it was mentioned that JS would attend as a special invitee. She disagreed. Member (PA) also wanted the role of the special invitee to be clarified. She said that under Section 9(2) of the NCW Act, the Commission can regulate its own procedure and the attendance of any special invitee is not a part of the procedure. Reference was also made to page 2 of the

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minutes where MS had clarified that Screening Committees are Administrative Committees. MS clarified that the confirmation of minutes only entails confirmation that the recording of actual discussion which took place is correct. It does not imply that Members agreed with the views mentioned in the minutes unless it is so recorded. However, Members may take items on which they disagreed as Agenda in subsequent meetings. The question of constitution of Screening Committees has been included as part of the Agenda for the current meeting.

- 1.3 Member (SSH) referring to Item No.13 said that although she had not attended the meeting on 16<sup>th</sup> March, 99, she would be sending her note regarding the minutes recorded under Item No.13.
- 1.4 Subject to the above, the minutes of the meeting dated 15-16<sup>th</sup> March, 99 were confirmed.

### Item No.2

#### Powers of the Commission – outcome of discussions with prominent women activists on 17.3.1999

It was made clear that for this Agenda item, discussion of meeting of 17<sup>th</sup> March, 99 would be used as a reference point. The points contained in the letter received from Prof. Lotika Sarkar and Ms. Brinda Karat were discussed point by point with the views of Members given on each (For convenience of reference, a copy of this letter dated 30.3.99 is enclosed as Annexure 'A')

#### 1 Point No.1

- 1.1.1 Members pointed out that the existing procedures government NCW are not functional and are cumbersome and need to be changed as the work of NCW is very different from the work of a Govt. office.

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4.1.2 Member (PA) pointed out that NCW was set up by a  
of Parliament and not by a Government order. Further  
both the Rules (which need to be placed before the P  
ment) and regulations governing the internal proc  
need to be relooked at. Member (PA) was of the view  
the procedure which was presently being followed, v  
bore the nomenclature "The National Commission  
Women (Rules of Procedure) Regulations 1995" has  
been placed before Parliament was neither a Rule nor  
it a Regulation as such was null and void ab initio.  
NCW can be governed only by the NCW Act and I  
Rules and not by the said Regulations of 1995 unles  
Commission passed a resolution adopting it as on  
Therefore, an alternative mechanism was necessary til  
Rules of Procedure are framed. It was suggested that  
Commission authorise setting up a Committee to be hea  
by Member (PA) for providing an interim procedure  
the final set of Procedures are drafted and approved by  
Commission.

~~4.2~~ Point No.3 Part 1

4.2.1 Members felt that they had not been able to carry out  
functions of the Commission as mentioned in Poin  
mainly because of lack of procedutes. At this point, Me  
ber (PA) asked every Member if they had achieved  
mandate given to NCW, to which the response of ev  
Member was that they were handicapped from the ve  
beginning. It was pointed out that there is no regulat  
vention by NCW in Govt. policy. Neither has NCW qu  
tioned the Govt. on the action taken of the Government.  
NCW's recommendations for it has neither in accepted t  
recommendations, nor given its reasons for no  
acceptance. It was also mentioned that due to lack of i  
nfrastructure a large part of every Member's capacity is n  
utilised, which itself is a loss to the Commission. M  
pointed out that although in several cases Government

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was not asking for NCW's comments, on the other hand initiative has been taken by NCW itself by taking suo-moto no of media and other reports and sending its comments to Government. She cited the media reports on the Rajrajesw Insurance Scheme. — In order to enforce accountability, Commission itself should be alert which might have been a lacun. However, other Members felt that intervention is difficult beca of lack of infrastructure.

- 4.2.2 The reasons for Members' feeling that they had not carried out the functions of the Commission were cited as, cumbersome procedure, delays in processing proposals, no support from staff consultants and lack of infrastructure, Member (PA) pointed out that had Government wanted Members to have past bureaucratic experience, the Commission itself would have been part of the Deptt. of WCD. Member (VD) was of the view that Commission needs to work at the grass root level and a free hand is necessary for Members to function in their own way. MS pointed out that the existing procedure was adopted by NCW itself — rightly or wrongly. Therefore, the Commission is itself responsible for adopting this procedure.

4.3 Part 2 of Point 2

- 4.3.1 The question posed was whether NCW had ever emphasised the facts of Govt's accountability. It was said that although follow up was done at the individual level, there was no follow up collectively as a Commission. The then CP used to talk of the recommendations at various for a.

- 4.3.2 Member (SSH) mentioned that 213 recommendations of the Commission were compiled but follow up was done only at an individual level. MS clarified that, even after an effort was made, the original letters through which recommendations were sent could not be traced and this problem had been discussed with the then Members. Member (PA) suggested that letters may be sent to former CP/MS to trace the letters. CP however felt that

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such a move would not achieve at this late juncture.

4.4 Point 3 Part 1

4.4.1 With regard to the exercise of powers of the Commission under Section 10(4) of the NCW Act, Member (SSH) mentioned that these were not utilised efficiently. In the last four months, no summons have been issued by her. Both Member (IB) and Member (SSH) expressed that they were unaware of what is happening in the Complaints Cell. Member (SO) mentioned that several times, she had found Counsellors not available. In her view it was necessary to have full time Counsellors. Member (SSH) also mentioned that she found illegible signatures on some summons and the dates of hearing was fixed for Saturday. Member (VD) was of the view that a meeting should be held with the Counsellors about their ways of tackling the complainants. JS said that there were inadequacies in the working of Complaints Cell. She also has been informed about the behaviour of the Counsellors from the Complainants and on listening to such complaints she has sorted them out. The inadequacies basically arise from the lack of infrastructure and lack of training for the Counsellors. She herself is far from satisfied about the working of the Complaint Cell. However, there were administrative constraints standing in the way of providing infrastructure and training. She said that in her opinion, in 60% of the cases, the Counsellors could satisfy the clients. However, the follow up action was inadequate because of lack infrastructure. She is conducting weekly meetings with the Counsellors (on every Monday) and felt that regular sittings with Counsellors is necessary. She welcomed suggestions

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for improving the working of the Complaint Cell. She said the Cell needs persons capable of supervision and analysis. There is also a need for studying the problems for bringing about systemic changes.

2 Member (PA) said that it would be useful for Counsellors to attend Seminars such as the recent CBI workshop on Crimes against Women.

3. CP was of the opinion that the whole complaints cell should overhauled, it needed a different approach, orientation and manning which would depend also on the quantity of funds available. She herself had come across extreme reactions about the Complaint Cell- some clients were very happy with the outcome and others were very unhappy.

4.4 Member (SSH) was of the view that while laying down the new procedure, stress should be placed on the effective functioning of the Complaints Cell in order to make it worthwhile.

1.5. Point:3 Part 2

4.5.1. This point speaks of the status of Chairperson of the NCW vis-a-vis the status of the Chairperson, Kerala State Commission - the latter has Cabinet Rank status. Member (PA) said that earlier it was suggested that CP would be writing a letter to the MOS. CP said that she had met MOS who is very supportive of the idea and has promised action. One suggestion came that Member (SSH) could maintain liason with the Activists/ NGOs and the latter could send a letter to the MOS which could be supported by NCW. It was decided that Member (SSH) will get a letter drafted for CP to take up the matter with the Government.

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In this context Member (PA) stated that CP of Kerala Commission had said that they were reviewing the Kerala Act and Member (PA) had requested them to allow her to be present during the deliberations.

4.6 Point No.4 Part 1

Discussions about status of Chairperson of the Minorities Commission . It was clarified that all National Commissions have a Secretary, only the NCW has a Member Secretary. Member (PA) offered to draw a comparative chart of different Commissions.

4.7 Point No.4 Part 2

Member (SSII) said that former CP had constantly desisted becoming a subordinate agency of the Government. Member (IB) said that NCW should not be subservient to the Government.

4.8 Point No.5

Procedure for Summons

MS requested Member (PA) to apprise the Commission of the procedure to be followed under the CPC for non-compliance of summons issued by the Commission under Section 10(4) of the NCW Act. Member (SSII) also expressed her frustration at not being able to find a way out of this problem. Member (PA) said she would prepare a note for the Commission, after studying the provisions of CPC.

4.9 Point No.6

4.9.1 Referring to Dr Lotika Sarkar letter, Members felt that Section 5 refers to the appointment of officers/ employees of the Commission which would be done by the Central Gov

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ernment. However, under Section 8 persons can be inducted in Commission for taking up special issues. The words 'special issues' appearing in Section 8 could be read as 'project'. Section 8 is read with Section 9, which provides that NCW regulate its own procedure, persons can be appointed retainership or as Advisors under Section 8 and 9 pending finalisation of the SIU report. This method of appointment would not be in conflict with Section 5. Only two ground rules would have to be followed – (i) that the Commission has to appoint special persons under Section 8 read with Section 9, (ii) the accountability of the employees to the Commission must be ensured. Section 8 mentions what Central Government gives to NCW, whereas Section 9 provides what the Act gives to NCW. NCW could have a Committee and a Committee could have co-opted Members. However, the Commission would have to lay down procedures for such appointments. MS expressed the view that this would be in conflict with the provisions of Section 5 of the Act and therefore reserved her views on the question of appointments of consultants/advisors through such method and reading "Special issues" as "project" as it would contravene the provisions of the Act.

4.9.2 Member (PA) wanted to know the present position of the SIU study report. MS said that the provisional report was expected shortly. On its receipt it shall be shared with Members and NCW comments will be sent back. Member (PA) said that the SIU report would not suggest a way out on how NCW would tide over the present situation. She desired that an interim method should be formulated despite the SIU study. Member (SSH) suggested that as there were impediments in the procedure for approval of proposals pending with the Commission should be cleared by the Commission. Each Member should take the responsibility to present her proposals and some functional allocation of work should be decided till the next meeting.

4.9.3 It was stated that a structure would be drawn up which would be placed before the Commission on 16<sup>th</sup> April, 1999.

5. The meeting was adjourned for continuation on Friday 16.4.99  
10.30 A.M.

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Discussion on 16.4.99 at 10.30 A.M.

6.0 Before discussion on the structure of the procedure to be drawn up could be commenced, a few points were made by Members:-

6.1 Member (VD) mentioned that she did not have access to the FAX machine as the FAX was in the room of US which was found closed at 5.45 p.m. CP said that her own FAX had been shifted to her PS's room so that it could be used by Members also. Member (PA) mentioned problems of receipt and despatch of faxes and requested that one fax machine jointly for all Members may be purchased.

6.2.1 Member (VD) remarked on the absence of MS and said that since MS had gone to Indore for celebration of Ambedkar Jayanti, Member (VD) could also have accompanied her. On the subject of the tour programme, CP said that it had her prior approval and that MS had not gone for the Ambedkar Jayanti Celebrations.

6.2.2 Member (IB) said that she is looking after the subject of Agriculture, when a programme on the subject of "Fisheries" was held in Kerala, she was not consulted, only a note was received by her.

7.0 Members then commenced discussions on the suggestion of M(PA) regarding the procedure to be followed.

Member (PA) said 5 Members met on 14<sup>th</sup> April, 99, and discussed the principles of the interim procedure which were based on (a) Autonomy (b) what is to be done in the period pending formulation of procedures.

The discussions focussed on:-

- 1) Functional allocation under Section 10 which includes both issues allocation and geographical allocation.

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- 2) Tour programmes
- 3) Procedure for meetings of the Commission

Points as discussed by the Members on 14.4.99 were mentioned in detail:-

7.1 (A) Principles of Tour Programmes

7.1.1 Member (PA) said that Members have accountable to Commission. Each Member should be autonomous within autonomous body. This was needed for fulfilling the NCW mandate.

7.1.2 CP wanted to know whether a structure for an alternative procedure had been worked out since without a procedure no one can function. She asked Members as to what procedure they had in mind.

7.1.3 Member (PA) said that in every Commission meeting, Agenda item should be prepared on the tours undertaken.

This would ensure accountability and also prevent misuse of the Commission's funds.

7.1.4 CP was of the view that the approach should be professional. It was important to know the benefits of the tour to the Commission and whether it could be justified.

7.1.5 Member (VD) said there was no need to have any time limit for circulating the tour programme as the Commission should repose trust in its Members. She again cited the incident of M proceeding on tour without a 7-day intimation. CP pointed out that the discussion is on procedures and not on individuals. The time frame to be decided would depend on the individual and institutional common sense. Also that for a fact, MS had accepted

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the invitation with prior permission from CP well in advance, but the possibility of going Kuala Lumpur on the same date had meant freezing it for a while.

7.1.6 Member (SSH) stressed the need for follow up of tour programme in terms of the commitment made by Members during the course of their tours. On this CP added that the nature of follow up would depend on a combination of many factors such as the possibility of it being done by State Commissions or NGOs and availability of staff at NCW. Hence commitments should be made, with due caution. Members have to exercise judgement depending on the volume of the work involved, subject matter, its nature and complexity. M(P.Advani) suggested that each Member should limit herself to her own functional allocation. She should tell NGOs that a decision would be taken in the next meeting of the Commission. There was always also a problem of compliance of State Commissions as no State Commission is a branch of the NCW and any follow up action by the State Commission would depend on the relationship between the State Commission and the concerned Members of the NCW.

7.1.7 Member (SSH) said that their past commitments were not onerous even then no follow up was done. Member (IB) suggested that an officer should be appointed for follow up.

7.1.8 Member (PA) said prior circulation of tour schedules should not be necessary. The earlier reason for circulation was (i) to know when Members would be available in order to fix the Commission's meeting or other meetings and (ii) to entrust the touring Member with the Commission's work related to the concerned State. These could be done away with by having state allocation and functional allocation. In order to ensure Members' presence in the Commission's meeting, a date should be decided in advance and in that week the Members would remain available in station.

7.1.9 CP said the prior circulation of a tour programme is necessary in order to obtain inputs from other Members to enable interlinkages (eg. With States, NGOs etc.) and seeking connection with NCW's own work in the past.



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- 1.10 Member (PA) said in any case, tour reports should be circulated for information, accountability and follow up by administration. CP said, dispensing with prior approval of tour schedules is not acceptable, as even, for planning a good programme, a schedule has to be drawn up by a Members and if such schedule is drawn up there is no reason why it could not be circulated, and approval sought.
- 1.11 Member (SO) was of the view that earlier State allocations were made amongst Members. Members were then aware of the NGOs working in the State and facilitated organisation of legal awareness programmes and PMLAs. State allocations also enabled Members to determine which are the untouched areas in which NCW activity could be undertaken.
- 1.12 Member (VD) said there should be no time limit for circulation of the tour schedule and there should be equality amongst all. She mentioned that she had not received any tour schedule of CP. CP said she could also be part of the scheme of circulating tour programmes in advance.
- 7.1.13 After this discussion, Members said tour programmes needed to be circulated amongst Members unless it is undertaken in an emergency. Tour reports would be presented at Commission meetings and would specify the follow up action required. Members would write to the Administration for follow up, if it is to be done immediately, before the next meeting of the Commission.
- 7.1.14 Members also said that for making tour arrangements (a) person in Administration should be identified (b) statistics and profile of the place to be visited should be furnished by Administration to the concerned Member (c) Members would camp during the tour for a few days. NCW would inform the press in advance so that women in distress could know when and where to approach them.
- 7.1.15 CP said all Members should enter their tour programme in a common planner. CP and each Member could be allocated a colour and the wall planner would be placed at some central place. Member (P. Advani), Member (V. Daksh) and Member (S. Oram)

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did not agree with the idea of well planner for tours.

7.2 Projects of Members pending formulation of procedures discussed.

7.2.1 Member (PA) informed that, in the meeting of the 5 Men on 14.4.99, Members had said that project proposals placed before the Commission in every Commission meet with the cost and staff requirement for the project. subsequent meeting they also proposed to submit the report of the project.

7.2.2 Member (SSH) said that proposals had not been processed months. Member (IB) mentioned that many proposals pending.

7.2.3 Member (PA) also said that the terminology proposed to would be (a) 'project' - which are proposed by in Members and (b) 'proposals' received from persons/organs other than Members. It was also suggested that all proposals should be examined.

7.2.4 Member (S.S.Hameed) stated that she felt constrained to : she had not been able to do full justice to the mandate given under the NCW Act. CP commented maturity and judgment should guide such a decision. Member (IB) pointed out anomaly in prescribing a minimum period of 3 years functioning before on NGO' proposal could be considered. She said functioning for 3 years would not make an NGO good nor could inexperienced NGO be called bad only because it had not v for the prescribed years. CP said that the minimum period years was at least one yardstick to measure the existence NGO. She also questioned why it is necessary to assume everything done in the past was wrong.

7.2.5 Member (PA) suggested that Members could see all the projects on Tuesday, the 20<sup>th</sup> April, 1999 at 10 A.M. she suggested projects may be placed before the Commission on 20 following which 'proposals' can be examined.

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7.2.6 It was suggested by Member (PA) that staff requirement under Section 8 and 9 for the projects for one month may be sanctioned immediately along with funds for one month which would be reported upon in the next month's Commission's meeting. However, Member (VD) disagreed to the time period of one month and said one month period of appointment of staff for the project is impractical as a project can not be abandoned thereafter. Therefore, she suggested a sanction for 3 months. She said that her project which had been submitted to CP, the budget is for Rs. 7 lakhs. She proposed to do most of the travelling especially in the nearby northern states by road. CP said that she could not take responsibility for this kind of budget of 7 lakhs without a regular procedure because she is also responsible and accountable for the use of NCW's funds to the Audit by C&AG. Therefore, a regular procedure needs to be established. To this Member (SSH) said that earlier some were funded for Rs. 8-10 lakhs and even Rs. 12 lakhs.

7.2.7 Member (VD) said she had 25 years experience of public service behind her and had nothing further to say, Member (VD) went on to state that she would not attend any Commission meetings in the future if officers were present and if it is not convened and conducted according to the provisions of the NCW Act. Her view was that the Commission meeting should not be attended by officers. Only the CP, Members and MS should be present and that MS should record the minutes. She said such a system should be followed in future. To this, the MS expressed her reservation.

7.2.8 The notes of Member (P. Advani) on 13<sup>th</sup> April, 1999 would form part of the minutes, after MS and CP have gone through them.

7.2.9 M (SSH) suggested the withdrawal of JS & DS from the meeting for discussion on this issue. However, CP insisted on proceeding according to the agenda.

### 7.3 PROJECTS OF MEMBERS

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7.3.1 M (SSH) said that she proposed to take up a project on the political empowerment of women for which she has approached AIWC.

CP said that the project would be discussed in the meeting on 20.4.99.

7.3.2 Member (PA) said she proposed to take up the following

- a) Review of laws relating to Dowry, Prostitution and Bigamy.
- b) Review of and formulation of the NCW Act, Rules and regulations (for laying down procedure) if entrusted to her.

CP opined that Member (PA) could straightaway begin work on the NCW Act. Rules and Regulations, and her progress could be reviewed after a month.

7.3.3 Projects of M (IB)

Member (IB) then mentioned her projects.

- a) A Task force on Technology Transfer in agriculture – has already been set up. Follow up work is to be done and its report needs to be brought out.
- b) Awareness camps on Technology Transfer.
- c) Policy legislation (including credit) is forming practices – a proposal has been received from Sh. M.C. Mehta.
- d) Awareness camps on Dowry –

7.3.4 Projects of M (SO)

Member (SO) proposed two projects

- a) Policy on women on tribal areas
- b) Proposal by Utkal University for a study on women workers in mines of Rourkela.



- 8.0 Winding up the day's discussion, Chairperson said that before decision on the procedure could be arrived at, she needed consult experts on Finance and also take legal opinion.

The meeting was adjourned to be continued on 20<sup>th</sup> April, 99  
10.00 a.m.

9.0 Discussion on 20<sup>th</sup> April, 99

The meeting began at 10.15 a.m. after the arrival of all the Members. M (VD) at the outset raised the issue of the presence of officials other than Members. Chairperson said the NCW must inculcate a family spirit.

9.1 Member (VD) expressed her (and on behalf of all Member) frustration at not being able to work. She again reminded CP of her Member (VD's) statement made in the last date, that she would boycott all Commission meetings if officers were present. She stated that the meetings of the Commission should be attended only CP, Members and Member-Secretary and said a vote should be taken on whether or not officers should be present.

9.2 Member (SSH) agreed with M(VD) with regard to the attendance of officers and said the discussions may be awkward for officers and suggested recording of minutes by a SPA M(PA), M(SO) and M(IB) also agreed that the officers should not be present at the Commission's meetings. They also stated they would feel more comfortable in expressing their views in the absence of officers. MS expressed her view that officers should attend the meeting as (a) they would need to implement the Commission's decisions (b) MS had the responsibility of causing the minutes to be recorded and for this she needed the JS & DS (c) from Oct.-Nov., 97, all officers down to the US level had been attending meetings of the Commission. She said it would be even more awkward to have an SPA present.

9.3 CP said there was no reason for any awkwardness or discomfort by the presence of officers if Members were going to discuss principles and not personalities.

9.4 Member (VD) voiced her objection and insisted that as this issue was a point of the procedure, this point be voted on. She also wanted to



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know from the CP if a Member had no power.

9.5 MS said that the views expressed by M(PA) which was supported by some other Members, that the earlier procedure was null and void was wrong. She had consultations on this points, the mere use of the words 'rules' of procedure does not take them out of Section 9(2) of the NCW Act and bring them under the 'rules' to be framed by the Central Government under Section 14. Secondly, before an existing procedure is rejected, a proposal for a substitute procedure has to be presented for adoption. Member(P. Advani) objected, to the remarks made by Member Secretary that Member (P. Advani)'s Legal opinion was wrong.

9.6 Member(P. Advani) insisted (a) that the earlier procedure is null & void and (b) that 5 all Members have given a clear statement that such procedure has to be scrapped.

9.7 CP said that such opinion has to be a considered opinion. Before the procedure is scrapped, the Commission has to pass a resolution to this effect. Before the stage of a resolution, she has to consult experts on law and finance, as it is a serious and fundamental issue.

9.8 Member(SSH) said that one officer could be excused from attending the meeting and suggested that JS could leave and DS could remain.

9.9 Member (VD) said the opinion of 70% of the Commission (5 Members) was not being taken into account and asked whether the dictat of only CP and MS can operate in the Commission. She said humiliation is being felt by Members on being disregarded. Earlier it was said that an officer was attending as a special invitee, then it was said that the officers would attend as the meeting was a continuation of the earlier meeting. Member (VD) insisted that a decision be taken on the point, else she would not continue attending the meeting.

9.10 CP said she would not be a party to such a graceless decision and saw no problem in officers attending discussion.

9.11 MS said discussion could be absolutely free as only issues would be taken up, officers would not interfere in the discussions.

9.12 Member(VD) said, insisting on the presence of officers amounted

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to administration's highhandedness and she could not understand why the CP was being adamant and why only the view of MS is being accepted. She insisted on a vote. CP said she was neutral. Thus status quo remains and she could not see any reason for a change in the status quo. Member (P. Advani) was asked for her legal view. Member (PA) said that a legal point was involved and under Section 9(2)NCW can decide its own procedure.

9.13 Member (S. Oram) said that earlier prior to October, 1997 the Commission meetings' were attended by all officers and Consultants and staff of NCW. This has been discontinued after October, 1997, so as not to discuss awkward issues before the staff. She clarified that only Consultants and staff were discontinued from attending the Commission's meetings but the officers continued to do so.

9.14 MS wished to be on record that staff were excused from attending meetings to avoid embarrassment to Members by some of the observations of the then CP.

9.15 CP said she would take a decision only after the minutes of this meeting are recorded.

9.16 Since Members continued to insist that no officer should attend the meeting all the officers, MS, JS, DS withdrew.

9.17 At this point, CP declared the meeting closed.

CP called a meeting on 23<sup>rd</sup> April, 1999, the meeting was scheduled for 10 a.m. but the meeting started at 10.40 a.m. after the arrival of all Members. All Members were under the impression that the meeting was scheduled for 10.30 a.m. The meeting lasted 15 minutes, which was attended by Members and MS. MS had to leave for a meeting fixed earlier in the DOPT. No discussions were held.

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NATIONAL COMMISSION FOR WOMEN

List of those present in the Commission's meeting held on 13th, 16th & 20th April, 99

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|----|-------------------------|------------------|
| 1. | Smt.Vibha Parthasarathi | Chairperson      |
| 2. | Dr.Indira Basavaraj     | Member           |
| 3. | Smt.Syeda S.Hameed      | Member           |
| 4. | Kum.Sukeshi Oram        | Member           |
| 5. | Smt.Vijay Daksh         | Member           |
| 6. | Dr.Poornima Advani      | Member           |
| 7. | Smt.Binoo Sen *         | Member Secretary |
| 8. | Smt.Leena Mehendale     | Joint Secretary  |
| 9. | Kum.R.Bhama             | Deputy Secretary |

\* was not present for the meeting held on 16th April, 1999

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