

NATIONAL COMMISSION FOR WOMEN

Subject: Minutes of the 41st Meeting of the Commission held on 14.07.1998 at 12.30 p.m. in National Commission for Women.

At the outset, Chairperson welcomed all Members, Member-Secretary. The following were present:

- 1. Dr.(Mrs) V.Mohini Giri, in the Chair
- 2. Dr.Syeda Saiyidain Hameed, Member, NCW
- 3. Dr.Indira Basavara], Member, NCW
- 4. Miss Sukeshi Oram, Member, NCW
- 5. Mrs. Binoo Sen, Member-Secretary, NCW
- 6. Miss R. Bhama, Dy.Secretary, N CW
- 7. Sh.Chaitanya K. Prasad, Under Secy., NCW

Item No. 1 Confirmation of the minutes of the 40th Meeting.

Minutes of the 40th meeting of the Commission were confirmed with few changes.

Chairperson desired changes with reference to section (II) of Item No. 4 of the minutes.

Chairperson gave details of the two amounts of Rs. 5000/- and Rs. 2000/- respectively, with reference to two Institutions in Orissa. In case of the Blind School the amount had been given to promote legal literacy awareness. In the second case, the amount had been given as "seed money" to start a polytechnic in the Behrampore district. Chairperson referred to two letters sent to the then Prime Minister Mr. P.V.Narasimha Rao, regarding the necessity of starting a polytechnic in his constituency. Chairperson said these amount were given for promotional activities. Chairperson also desired information on the number of Commissions' meetings held between 1995-98.

Item No. 2 Action taken report in respect of decisions taken in the 40th meeting of the Commission and action taken on the items discussed in the meeting.

Action taken report in respect of the decisions taken at the 40th meeting of the Commission were approved with following modifications and additions.

Sub-Section 6 - On the issue of separate status for NCW, the UN Member-Secretary gave details of National Human Rights Commission's discussions with Ministry of External Affairs in this regard. Chairperson desired the Commission to liaise directly with International institutions such as Commission on the Status

for Women and CEDAW. NCW could then sent its reports and recommendations directly to these institutions. It was felt that being part of a Government delegation was a handicap as on many occasions in the past NCW's views on issues concerning women could not taken into account. It was desired that NCW should not be part of Government delegations at International Meetings. It was decided that a letter from Member-Secretary to Addl. Secretary (UN), Ministry of External Affairs would be sent shortly. It was felt that NCW should participate in the United Nations in its own right with separate speaking time (as in the case of observers for NGOs). The Commission was unanimous in its view that institutions such as the NCW should have a separate identity, status and speaking times at meetings of UN Human Rights Forum. Such a move would certainly strengthen the perspective being put across by India at major International meetings.

Sub-section 9 - Member-Secretary informed that letter had been sent to the Ministry for Rural Development.

Sub-Section 10 - The information would be given to the Human Resource Development Minister, in the proposed meeting on the 20th July.

On the decisions of the 40th meeting, it was decided that acknowledgement of complaints by the NCW would be sent in a pre-formatted inland letter. The Commission approved the (inland) copy prepared for this purpose.

On Sub-Section (ii) it was felt that a legal literacy campaign had to be initiated in the panchayats to make them aware of their rights and obligations. It was decided to liaise with the Department of Rural Development to implement the module effectively.

- Item Nos. 3, 4 & 5 :** - Report on Mentally Handicapped.
 - Report on Sexual Harassment at workplace SANTEK
 - Girl Child Prostitution in India Policies and Programmes.

The Commission accepted the recommendations of the three reports submitted to the Commission. It was decided to give these reports to the Press at CP's Press Conference on the 20th July, 1998.

In item No. 5 Member (SSH) pointed out that "ADITHI" an NGO working in Bihar, its name had been omitted in the directory submitted. Member-Secretary said she would get the name inserted after speaking with Mr. Mukherjee.

- Item No. 6** Annual Reports of National Commission for Women - 1995-96, 1996-97 and 1997-98 - position regarding.

The position regarding the preparation of the Annual Reports 1995-96, 1996-97 and 1997-98 were placed before the Commission. In addition it was informed that the Hindi version of the report for 1995-96 has also been received. With regard to 1996-97 addition of a Chapter on Networking suggested by Mrs. Radhey Nag, Consultant was approved. Chairperson desired that the complete report of 1996-97 should be available to her and the reports for 1995-96 and 1996-97 would be submitted to the Minister of Human Resource Development on 20.07.1998. The Commission desired that as soon as the work for 1996-97 is completed preparation of the report for 1997-98 should be started in earnest.

Item No. 7 Various recommendations made since, 1997.

In addition to the various recommendations of the Commission placed before the meeting the Commission agreed that in cases of conviction on account of rape, the punishment to the offender should be castration as nothing less would act as a deterrent.

The Chairperson desired that any recommendation other than those placed before the Committee should be included in the Annual Report. Letters should also be written to the concerned Departments.

Item No. 8 Projects/Studies during the tenure of Chairperson - Payment position - If any pending reasons for non-payment.

A list of NCW sponsored study projects, seminar/workshops were placed before the Committee. The list showed the amounts sanctioned/release and the status report showing whether the reports have been received by the Commission. The Commission desired that the status should be updated and follow up action to be taken up wherever reports were not received. The Chairperson also desired that the records of all the studies/surveys should be consolidated.

Ms. Prasad

Item No. 9 Consideration of the proposal from Ms. Annie Prasad, former Member-Secretary, National Commission for Women regarding confederation of women elected to local bodies - Formation of Gujarat Chapter.

The proposal received from Ms. Annie Prasad, former Member-Secretary, NCW was endorsed in principle. It was further decided that after obtaining a detailed proposal the same would be examined. After assessing the success of proposed confederation of women in Gujarat, The Commission would discuss extension of similar bodies to other parts of the country.

The Commission has decided to authorise the Expert Committee on Panchayat Raj (a) to study in detail the proposal from Gujarat to set up an "All

India Confederation of Elected Women Representatives of Local Bodies" and constitute its Gujarat Chapter; and

(b) to approve the proposal, in-toto if deemed fit, or with any modification as may be found necessary.

The total expenditure on this project shall not exceed Rs.0.5 lakh during the year 1998-99.

Item No. 10 Eighty Third Amendment Bill, 1997 seeking to make Elementary Education a Fundamental Right - Consideration of the Open letter - proposal to be addressed to Prime Minister and the Human Resource Development Minister.

The open letter proposed to be sent by the Forum for Creches and Child Care Services proposed to be sent to the Prime Minister and the Minister of Human Resource Development was endorsed.

Item No. 11 Jurisdiction of NCW Act over J & K and modalities for Interim Interaction.

Member(SSH) initiated the discussion in view of the NCW Act not extending to Jammu and Kashmir. She wanted to know whether the Commission could have programmes such as legal literacy or awareness generation conducted in the State. It was decided that there is no bar to action by the NGOs on these aspects in J&K. The Commission would welcome proposals from NGOs to conduct programmes on legal literacy and awareness generation.

Item No. 12 Survey of status of Minority Women : A research project.

Member(SSH) proposed that a base line study should be conducted on the status of women. The proposal was accepted and it was decided to identify an individual to carry out the study.

Item No. 13 Constitution of Committees under Section 8 of NCW Act : Request of Bihar Educational Society.

The request by Bihar Educational Society for constitution of committees under Section 8 of NCW Act was examined in the light of the opinion expressed by Shri S. Ramalah, Adviser (Legal). Shri Ramalah had opined that any Committee appointed by the NCW should consist of the Members of the Commission only and any non member could only be co-opted as a member. It was therefore, decided that since a Committee comprising non-members only can not be empowered by the Commission, wherever necessary, action would be taken by networking. In this connection, Member-Secretary mentioned that a list

-5-

of NGOs has been compiled which would be forwarded to the District Collectors and the Chief Secretaries of all the States.

Item No. 14 Honouring Women Freedom Fighters on Golden Jubilee Year of Independence.

The Commission had identified 96 Women Freedom Fighters who would be honoured on International Women's Day. In the cases of all the persons who could not attend this function and receive the honour it had been decided to send the items to them individually by mail through District Collectors. In three cases the recipients have been reported to be deceased. The Commission decided that the honour can be bestowed on the legal heir of the deceased.

Supplementary Items for agenda

Item No. 15 Proposal for Teleconferencing.

The proposal from Member (IB) for teleconferencing in Bhopal was approved by the Commission.

Items introduced with the permission of the Chair.

Item No. 16 Proposal for setting up Voluntary Sector data base.

Member-Secretary proposed that data can be collected from NGOs to form an information base for voluntary sector data, as this would improve our networking tremendously. This proposal was approved with the decision that letters calling for information in the designed format would be written to the NGOs.

Item No. 17 : Jurisdiction over common subject matters - NHRC & NCW.

Member-Secretary had attended a meeting of the National Human Rights Commission in which the NHRC had circulated a list of projects, some of the subjects of the project, e.g. Child Prostitution overlap with the matters dealt with by the NCW. It was decided that no matter relating to women should be dealt by the NHRC, except where the Commission itself refers the matter to NHRC.

Item No. 18 National Policy for the Empowerment of Women 1996 - Final Draft

A final draft of the National Policy for the Empowerment of Women 1996 was circulated by the Department of Women and Child Development, Ministry of Human Resource Development. The Chairperson expressed her disagreement with para 3.1 under the Strategies and Action Points Chapter. The proposal that the National Councils would also oversee the operationalisation of the Policy on a

regular basis would impose undesirable bureaucratic controls and hamper the implementation of the National Policy. Chairperson desired that these views be communicated to the Minister for Human Resource Development.

Item No. 19 Enhancement of fees paid to Ms. Padma Seth (Adviser).

In view of her valuable contribution as full time Adviser as well as handling important cases and enquiries, it was decided to enhance the fees paid to Ms. Padma Seth (Adviser) to Rs. 12000/- per month w.e.f. December, 1997.

The Chairperson mentioned that during her tenure as Chairperson in NCW a tape recorder and Inverter were lost and FIRs have been lodged accordingly. Chairperson expressed her willingness to make payment of the items if it was required to be done. It was decided that the matter would be examined.

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