

F.No.1-6/2011-12/NCW (Commission Meeting)(part)
National Commission for Women
4, Deen Dayal Udadhayaya Marg
New Delhi

Dated: - 11th Nov, 2013

**Subject:- Minutes of the Commission's meeting held on 15th Oct, 2013
at 1230 hrs in the Conference Hall of the Commission.**

The minutes of the Commission's Special Meeting held on 15th Oct, 2013 at 1230 hrs in the Conference Hall of the Commission are enclosed for information and necessary action.

2. It is requested that Action Taken Report, if any, on the decision taken in the above meeting may please be furnished at the earliest.

Raj Singh

(Raj Singh)
Deputy Secretary

To,

✓ US, LO, PAO, SRO, PRO, SRC
Coordinators (Arti Chawala, DK Chaubey, Suman)

Copy for information to:-

✓ PS to CP, *CP*

PS to M(CWK), M(HK), M(NSP), M(SS), M(ES) *MS*

✓ PS to MS

PS to JS

PA to DS ✓

30/11/13
14/11/13.

**Minutes of the Commission's Special Meeting held on
15th October, 2013 at 1230 hrs. in the Conference
Hall of the Commission.**

The following attended the meeting:

1. Ms. Mamta Sharma, Chairperson, NCW
2. Dr. Charu WaliKhanna, Member, NCW
3. Ms. Nirmala Samant Prabhavalkar, Member, NCW
4. Ms. Hemlata Kheria, Member, NCW
5. Ms. Laldingiani Sailo, Member, NCW.

In attendance were:

1. Ms. Sunita H. Khurana, Joint Secretary, NCW
2. Sh. Raj Singh, Deputy Secretary, NCW
3. Ms. Sudha Chaudhary, Law Officer, NCW
4. Sh. S.K. Gupta, Under Secretary, NCW
5. Ms. Richa Ojha, Senior Research Officer, NCW
6. Sh. J.K. Uniyal, Pay & Accounts Officer, NCW
7. Sh. Jawahari Singh, Sr. Research Consultant, NCW
8. Sh. Yadunath Singh, Coordinator (legal), NCW

At the outset, Hon'ble Chairperson and all the Members and Officers of the Commission were welcomed.

The Special Meeting was called by Hon'ble Chairperson for reconsideration of the case of Ms. Charu Khurana, make-up artist. The issue of payment of fee bills of Ms. Indu Malhotra, Sr. Advocate and Ms. Pooja Chandra, AOR in the case of Charu Khurana (writ petition No. 78/2013 Charu Khurana & Ors. Vs. Union of India and Ors.) pending in the Supreme Court was discussed earlier in the Commission's meeting held on 14th September, 2013 and it was decided that the Commission would not take up individual cases but if the issue is of general interest of women, NCW would implead itself. Therefore, the fee bills submitted to this Commission were not accepted.

Joint Secretary specifically mentioned that Government's decisions become precedents for future and so NCW needs to consider the case carefully to avoid setting wrong precedents of funding individual's litigation and that too against self i.e. NCW and its administrative Ministry i.e. Ministry of Women & Child Development.

It was informed by Dr. Charu WaliKhanna that Ms. Jyotika Kalra, AOR, along with Ms. Charu Khurana had a Conference with Sr. Advocate Ms. Indu Malhotra for vetting of writ petition. The senior advocate was of the opinion that it is good case to fight but jurisdiction under Article 32 of the Constitution of India can be invoked only if state is a party. It was also informed that Ms. Indu Malhotra suggested to send representation to Ministry of Information and Broadcasting, Women & Child Development and the Registrar of Union under which these Trade Union are registered. She further opined that NCW cannot be a party in writ petition in order to see that gender discrimination is stopped, it should file an intervention application in the writ petition. However, there is no document in the file to show any such opinion.

After discussions following decisions were taken:-

1. DS, LO and Sh. Yadunath Singh, Coordinator (Legal) will again inspect the file thoroughly to find out whether changing of strategy is on record. The position would also be ascertained from the advocates Ms Indu Malhotra Sr. Advocate & Ms. Jyotika Kalra AOR.
2. Payment of fee is to be made as per MOL rates. Dr. Charu WaliKhanna, Member, NCW assured and took the guarantee that Sr Advocate Ms Indu Malhotra and Ms Jyotika Kalra ,AOR who are working for the cause of women will look after the interest of NCW and the

Ministry and will not charge any fee for filing of replies/affidavits and appearing on behalf of NCW and Ministry of Women & Child Development in the case. However, instructions was given to LO to find out whether technically Ms Jyotika Kalra, AOR can file her Vakalatnama on behalf of NCW in intervention application as Ms. Meenakshi Arora, AOR for NCW, has been elevated to Sr. Advocate.

Additional Agenda placed by Dr. Charu WaliKhanna, Member, NCW for withdrawal of the corrigendum dated 14.10.2013 regarding Bill of Rights was also discussed. Dr. Charu WaliKhanna, Member stated that despite Chairperson giving 'in principle' approval for holding Consultations on the Bill of Rights, the corrigendum stated some Members raised objections in the Commission's meeting dated 14.9.2013 and as such it was decided that Bill of Rights may not be taken up further by the Commission.


Ms. Nirmala Samant Prabhavalkar, Member, NCW and Ms. Hemlata Kheria, Member, NCW strongly objected the word 'opposed' which was used by M(CWK) in her agenda placed before the Commission. The Members stated that the objections were raised because the matter regarding BILL OF RIGHTS should have been first discussed and finalised within the Commission before taking up with other stake holders.

It was therefore decided that a revised corrigendum will be issued. Instead of the decision that the Bill of Rights may not be taken up further. The following addition may be made after the words "**may not taken up further**":-
"Until the matter is discussed and finalised by the Commission preferably by the end of December, 2013."

Hon'ble Chairperson also directed that loose papers should not be placed before her for approval. All the complete papers should be placed along with the file for her consideration.

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


Joint Secretary


Chairperson
8.11.13

**F.No.1-6/2011-12/NCW (Commission Meeting)
National Commission for Women
4, Deen Dayal Udadhayaya Marg
New Delhi**

Dated: - 9th Dec, 2013

CORRIGENDUM

**Subject: - Minutes of the Commission's meeting held on 15th Oct, 2013
at 1230 hrs in the Conference Hall of the Commission.**

In continuation to the Commission's letter of even no dated 11th Nov, 2013 enclosing minutes of the Commission's meeting held on 15th Oct, 2013, it is stated that in the Commission's meeting, matter regarding **Bill of Rights** was further discussed in detailed. It was therefore decided that a revised corrigendum may be issued. Instead of the decision that the Bill of Rights may not be taken up further. The following addition may be made after the words "**may not taken up further**":-

"Until the matter is discussed and finalized by the Commission preferably by the end of December, 2013".



**(Raj Singh)
Deputy Secretary**

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