

MINUTES OF THE COMMISSION'S MEETING HELD ON
15TH NOVEMBER, 2002

Present in the meeting were:

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| (1) | Smt. Poornima Advani | : | Chairperson |
| (2) | Kum Anusuiya Uike | : | Member |
| (3) | Smt. Nafisa Hussain | : | Member |
| (4) | Smt. Baby Rani Maurya | : | Member |
| (5) | Smt. Nita Kapoor | : | Joint Secretary |
| (6) | Shri S.K. Garg | : | Under Secretary |
| (6) | Smt. Romi Sharma | : | Under Secretary-cum-PRO |
| (8) | Shri S.M. Imran Ali | : | Law Officer |
| (9) | Shri T.N. Sabharwal | : | Consultant |

CP welcomed the Members to the meeting. At the outset, CP stated that since the post of Member Secretary in the Commission is vacant, JS will function as Member Secretary-in-charge. The Commission concurred.

The agenda items circulated for the meeting of the Commission scheduled for 13th November, 2002 alongwith additional agenda items given by the Members during the meeting were partially discussed on 13.11.2002 and the items which could not be covered on 13.11.2002 are being discussed in the present meeting.

Leave of absence was granted to Member (K.Santha Reddy), who was on tour and to Member (S.Malaiya), who was on leave.

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Chairperson stated that a team consisting of Joint Secretary Subrat Birla, Advocate, Shri Anees Ahmed, Advocate and Shri S.M. Ali, Law Officer, National Commission for Women, after seeing working in other Commissions drafted the procedure for handling complaints in NCW. Though the Complaint Procedure was approved by the Commission, it was not formally adopted. The Commission formally adopted the Complaint Procedure circulated vide order dated 5 August, 2002. It was clarified that geographical allocation with regard to work of the Members (mentioned in Office Order dated 9th/12th A 2002) was not only for handling of the complaints but also for other work. Attachment of the Counsellor will be as per the aforesaid Order. Chairperson further clarified that Shri Jaleel Ahmed, Counsellor, will handle the cases relating to Member (Sudha Malaiya) in respect of the States of Haryana and Himachal Pradesh and complaints of rest of the States of Madhya Pradesh. Member (Sudha Malaiya) will be handled by Smt. Savita Sharma, Counsellor. Form Number I, Form Number II and Form Number III were approved and adopted by the Commission. Form No. I will be issued by Complaints Cell when only written explanation is required. Form No. II will be issued for personal appearance and Form No. III, that is, summons, will be sent through police authorities. The Commission authorised the Law Officer to sign the Form No. III. The Commission decided that Forms bearing the logo of the Commission will be got printed in Hindi. However, Member (Anusuiya Uike) suggested that Hindi translation may also be got done and printing of the Form should be bilingual, which was agreed by the Commission.

It was clarified that on closure of cases of complaints under investigation, the existing procedure will continue till Deputy Secretary/Director joins the Commission.

(Action {A} & {B} : Admn Section)

Agenda Item No.7

**Interim Report of the visit of the Commission on 13th August, 2002
National Law Institute University, Bhopal(Madhya Pradesh).**

Due to absence of Member (S. Malaiya), the agenda item was kept abeyance.

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Amendment to the Juvenile Justice (Care & Protection of Children) Act, 2000.

Approved and adopted by the Commission.

(Action : Legal Cell/follow up by Monitoring Cell)

Agenda Item No.22

Compliance with ILO Convention No.111 on Discrimination (Employment and Occupation), ratified by India in 1960.

CP observed that as per her information, Members of National Commission for Safai Karmacharis are not full time and, if so, then NCW can not send recommendation that the National Commission for Safai Karmacharis should be given the power to summon or monitor the cases. The Commission decided that if National Commission for Safai Karmacharis has full time Members, then only NCW can make such a recommendation to the Government to this effect.

(Action : Legal Cell/follow up by Monitoring Cell)

Agenda Item No.23

Any other item with the permission of the Chair.

Agenda Item No.23(1)

Project proposal on Women in Industry.

Member(N.Hussain) suggested that this proposal may be taken up when Member(S.Malaiya) is present. However, it was observed that in the proposal, the items mentioned, i.e. work on globalization, sexual harassment at workplace, economic empowerment etc. are already being done by the Commission. This should not be repeated. Member(N.Hussain) further stated that focus has been only on the working in an organized sector and as such focus should also be on those working in unorganized sector. Proposal in the present shape is also not clear. In view of the same it should be redrafted and then placed before the Commission.

(Action : Member (S. Malaiya)

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Position regarding PSs going on tour with Chairperson or Members

The existing arrangement in other Commissions was brought to notice of the Members and as per the position prevailing in other Commissions, while PS accompanies Chairperson on tour, the Members are not permitted to take their PSs on tour. It was further informed that a reference made by Backward Class Commission, Ministry of Finance (Deptt. of Expenditure) has confirmed the above position.

Agenda Item No.23(3)

Publication of Book titled "A Year of Endeavour of the work done by the NCW during the year 2002".

CP stated that laying of the Annual Reports takes a long time. The view of the ATRs to be laid along with the Annual Reports by the Department of Women & Child Development. When Annual Reports are actually laid, only then NCW can distribute the Annual Report to the outside world, by which time the information becomes very old. Hence we should publish one book, in which the activities of the year are compiled under the title "Year of Endeavour". One scholar will have to be engaged for preparation of the publication by paying a suitable amount as honorarium. Monthly reports from October to December, 2002 will have to be compiled before bringing out this publication. This was concurred by the Commission.

(Action : Monitoring Cell)

Agenda Item No.23(4)

Draft report of the 5th regional workshop on the subject "Empowerment of Tribal Women: Problems and Prospects" for approval/adoption by the Commission.

The report was approved and adopted.

(Action : Member (A.Uike)/Follow up by Monitoring Cell)

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Approved and adopted. The Commission also decided that this should preferably be held during the winter session of the Parliament. On the same day, Empowerment Camp may be launched.

(Action : Research Cell)

Agenda Item No.23(6)

Proposals approved by the Screening Committee at its meeting held on 1.11.2002.

The Commission noted the proposals approved by the Screening Committee.

Agenda Item No.23(7)

Engagement of one full time Coordinator and one Project Assistant for work on Sexual Harassment of Women at work place.

Approved and adopted. CP stated that we should cover the sectors which have not been covered for holding the State-wise meetings. CP also stated she is not satisfied with the way in which the meetings on Sexual Harassment at Work Place has been conducted and its result. She observed that a form should be circulated in advance. Member(N.Hussain) was of the opinion that even in the nationalised banks or big organizations, the Committees have been constituted in the main offices only. Even today, these are not constituted in the regional offices also.

(Action : Monitoring Cell)

Agenda Item No.23(8)

Approval and adoption of Minutes of the Special Meeting of the Commission held on 8th November, 2002.

Minutes of the Special Meeting of the Commission held on 8th November, 2002 were approved and adopted by the Commission except two deferred items, which will be placed before the Commission separately.

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included after the circulation of the agenda, should be given to the administration before the meeting of the Commission to avoid any omission/inconvenience to the Members.

Meeting ended with Vote of Thanks to the Chair.

Note: The minutes of meetings with Members held on 1st November, 8 November [whereby National Commission for Women (Procedural Regulations, 2002 were adopted] and 13th November, 2002 are annexed and will form part of the Minutes of the Commission's meeting held on 15 November, 2002.

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The special meeting of the Commission was called in order to discuss the reorganization of the work in the Commission and other points to improve the overall efficiency of the Commission.

Present in the meeting were:

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| 1. | Dr. Poornima Advani | Chairperson |
| 2. | Kum. Anusuiya Uike | Member |
| 3. | Smt. Nafisa Hussain | Member |
| 4. | Smt. Baby Rani Maurya | Member |
| 5. | Smt. Sudha Malaiya | Member (Joined the meeting at 10:50 AM) |
| 6. | Smt. Nita Kapoor | Joint Secretary |
| 7. | Shri S. K. Garg | Under Secretary |
| 8. | Smt. Romi Sharma | US-cum-PRO |
| 9. | Shri V. K. Gupta | Pay & Accounts Officer |
| 10. | Shri Ramesh Chand | Section Officer |
| 11. | Shri S. M. Imran Ali | Law Officer |
| 12. | Shri T. N. Sabharwal | Consultant |
| 13. | Smt. Gauri Sen | Editor, Rashtra Mahila |

M(KSR) was on official tour. Leave of absence was granted.

The following decisions were taken in the meeting:-

I. Administrative Decisions

i) The Commission sanctioned the setting of a Research and Studies Cell as well as a Monitoring Cell. The Legal Cell and the Complaints Cell are to continue. The function of investigation would be associated with the Complaint Cell which would now be called the Complaints and Investigation Cell. To streamline/facilitate the work of the Commission the following 6 Cells would be in operation:

1. Administration
2. Account
3. Monitoring
4. Legal
5. Complaints & Investigation
6. Research & Studies

ii) The Commission approved the work distribution of the above mentioned six Cells (see Annexure). The Research and Study Cell would be located in the area of the present library which would also continue its work.

ii) An officer of the Commission will be in-charge of each Cell.

v) Regarding fax: Members expressed their difficulty on receipt and issue of faxes. It was decided that since there are three fax machines in the office (and one is placed in the Office of the Chairperson) the other two machines will be kept in the rooms of US/US-cum-PRO.

It was suggested by the Member (SM) that each Member of the Commission have a separate fax machine and xerox machine. The Chairperson directed the Administration to determine the rule in this regard and put up on file.

vi) It was decided that Photostat Operator will maintain the Photostat Requisition Slips.

vii) Regarding Private Secretaries, it was decided that:

(a) Attendance Register in respect of Private Secretaries and Section Office to be maintained.

(b) Chairperson/Member concerned will recommend the leave in respect of staff posted with them. However, the leave will be sanctioned by the Administration.

(c) Private Secretaries belong to the common pool of the Commission. A Private Secretary can be deputed for the work of other Member in any situation. Member concerned will be duly informed.

(d) Private Secretaries are responsible for organizing the tour of CP/Members/MS/JS including arrangement of the tickets etc.

viii) The Commission also read the suggestions submitted by the Consultant (Annexure I. These were generally accepted. Specific approval of clause No. 4 re below is required.

“The subjects for research studies may be selected by the Commission. Then suitable institutions/individuals be identified for undertaking studies”.

ix) Monthly Statement of information

The monthly statement of information of the work of the Commission shall be the responsibility of the monitoring cell. The Chairperson/Member Secretary/those In-charge of various cells shall forward the monthly statement to the monitoring cell by the last date of the relevant month. The statement of work information should be ready for dispatch by the following month.

x) Members expressed their difficulty in local transport in the States of Maharashtra, where they are not recognized as state guests. It was decided that a letter be sent by the Administrative Section to the concerned states under intimation to the WCD.

II. Financial matters.

i) The following three orders were placed before the Commission.

(i) Office Order of DWCD dated 20th Sept. 2002 delegating financial powers to the Chairperson, (ii) Office Memorandum of DWCD dated 20th September, 02, (iii) Memorandum dated 25.10.2002. No. (i) was read and noted by the Commission. The Commission also noted that the wordings of this Order are similar to orders issued by relevant Ministries to the NHRC, Minority Commission, SC/ST Commission and National Commission.

ii) As regards No. ii) the Commission expressed that on a plain reading of the memorandum the financial autonomy of the Commission is eroded. The Commission

following clause of the Office Memorandum will not be applicable:

“Expenditure on grants to outside organizations/individuals, workshops, seminars, etc. should be incurred in consultation with the Department and IFD.”

As regards the second clause of the memorandum dated 25.10.2002, which “Existing and new schemes/projects being run by the NCW may also be reviewed in consultation with the Department and IFD”.

The Commission was informed that in accordance with the 10th Plan all autonomous Commissions are being required to prepare the eligibility criteria and mode of expenditure of various programmes. Hence, there is no difference in the treatment of the National Commission for Women.

III. Other decisions

- i) Members will remain in headquarters at least for two working days in a week.
- ii) Tour programmes will be circulated to all Members/MS/HOD/PAO/US 4 days in advance.
- iii) The Commission suggested that a study would be commissioned on compiling the state-wise work of the NCW in the past 10 years. For this purpose, the tour reports of past and present Chairpersons and Members would be referred to. In addition, Annual Reports from 1992 onwards would also be included.
- iv) The Commission suggested that a study should be commissioned on the women related judgements of the various High Courts in the Country and Supreme Court in the past 5 years.
- v) The Commission discussed the work on gender profiles of the state when the NCW team visited various states. It was suggested that since considerable work is required to be done for finalizing gender profiles, the researchers in the team should be paid an amount ranging between Rs. 15,000 to 20,000. It was suggested by the Members that a panel of such researchers should be prepared.

Matters for Determination

- i) Member Sudha Malaiya suggested that an additional Computer should be provided in office chambers of each Member. At present, each Member is allotted one Computer for the Office Chambers and one Computer for the residence.
- ii) Member Sudha Malaiya suggested that Members should be permitted to take their Private Secretaries when they go on tour.

Chairperson directed the administration to determine the rules on the above points and put up on the file

Ceiling on free local calls allowed at Government expense.

The ceiling on free local calls to be allowed at Government expense will be 650 on bi-monthly basis, as stipulated in the Ministry of Finance (Department of Expenditure) O.M. No. F. 7(8)-E(Coord)/82 dated the 8th June, 1982. Calls in excess of 650 (excluding STD calls made for official purposes and so certified by the officer concerned with reference to the register maintained by him) will have to be paid by the officer himself. A register for the official STD calls may also be maintained by the officer/Member/CP.” Private STD/Trunk Calls/ISD calls will be paid by concerned officer/Member/CP.

NATIONAL COMMISSION FOR WOMEN

Streamlining of functioning of NCW

In order to streamline the functioning of the Commission, the Commission is re-organized in the following manner:-

I. Administration Section :

- (i) Procurement of stationary and equipments
- (ii) House keeping/cleanliness
- (iii) Maintenance of equipments furniture etc.
- (iv) Despatch of news letters
- (v) Library - Library Information Assistant – to put up to SO(Adm)
- (vi) Staff discipline/punctuality
- (vii) Maintenance of leave
- (viii) To record service books of CP/Members/officers/officials
- (ix) Maintenance of vehicles
- (x) Commission's meeting agenda - Cashier – to put up to US(A).

II. Cash Section :

- (i) Preparation of all types of bills.
- (ii) Protocol duty.
- (iii) Disbursement of cash, maintenance of cash book/all vouchers.
- (iv) Grant of TA/DA advance.
- (v) Settlement of all claims.

III. Accounts Section :

- (i) Maintenance of accounts
- (ii) Preparation of budget
- (iii) Monthly/quarterly reports of statement of accounts
- (iv) Bank Reconciliation Statement
- (v) Audit of the accounts

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-) Scrutiny of the vouchers received from NGOs/organizations who works on behalf of NCW
- i) Coordination of reply to the audit paras
- ii) Finalization of accounts
-) Issue of cheques/drafts
-) Advice on financial/accounting matter

Legal Cell :

All court cases

Gender related judgement of the High Court/Supreme Court – compilation thereof.

Legal amendment

New bills

Reference on legal issues from other departments

Legal Awareness Programme/Parivarik Lok Adalats

) Empowerment programme

i) Correspondence with judiciary

Recommendations to be sent to the Monitoring Cell on all legal matters.

Complaint and Counselling Cell :

All works relating to Complaint and Counselling Cell

The arrangement of the Complaint Cell will be as per the procedure circulated in the Commission vide office order No. 1/6(38)/2002-NCW(A) dated 12.8.2002.

Works relating to Sexual Harassment at Workplace - Junior Hindi Translator – to report to US-cum-PRO).

Scrutiny of media reports - Junior Hindi Translator – to report to US-cum-PRO).

Investigation on the information received from the State Commissions for Women involving violence against women and violation of the rights of women - Junior Hindi Translator – to report to US-cum-PRO).

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HELD ON 8TH NOVEMBER, 2002

A special meeting of the Commission was called in order to discuss Rules and Regulations for the Commission.

Present in the meeting were:

Dr. Poornima Advani	:	Chairperson
Smt. K. Santha Reddy	:	Member
Kum. Anusuiya Uike	:	Member
Smt. Nafisa Hussain	:	Member
Smt. Baby Rani Maurya	:	Member
Smt. Sudha Malaiya	:	Member
Smt. Nita Kapoor	:	Joint Secretary
Shri S.K. Garg	:	Under Secretary
Shri T.N. Sabharwal	:	Consultant
Smt. Gauri Sen	:	Editor

The scheduled time of the meeting was 10.00 A.M. But the meeting actually started at 10.20 A.M.

At the outset, Chairperson welcomed the Members.

Member (K.Santha Reddy) in the beginning itself wanted to know when the earlier regulations were approved and whether there is any provision in the Act for regulations. Chairperson clarified that in the first meeting of the Commission in 1992, a four page procedure was adopted, the records of the minutes of the meeting are not available. Thereafter, procedure/regulations were approved and adopted by the Commission though it is stated that there were some rules and regulations of 8th November, 1995. But there is no authenticated record of those procedure available and the concerned persons, including the then Chairperson, have categorically denied their existence/adoption. Member (Nafisa Hussain) pointed out that it means everything done so far was illegal.

Introduction of the National Commission for Women (Procedure) Regulations, 2002 was approved. Definitions in chapter I (1) to (11) were approved without any changes.

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chapter II 1(a) - was being discussed.

Chapter II

III. Meetings of the Commission

It was agreed that in 1(a) the word 'every' be replaced by 'The' and the word 'as far as possible' be deleted. In 1(b) the word 'as far as possible' to be deleted.

Member (S.Malaiya) suggested that 'at the instance of Member' may be included in 2 but it was not agreed. This would, in any case, be contrary to Sec. 9 of the Act. She observed that the position about the existence of the particular clause in respect of all the Commissions has not been given. It should have been given in the draft which gives the impression that clause has been mentioned wherever it has been so desired. Clause 2 was approved without any changes.

In clause 3 the word 'matter of emergency' to be replaced as 'urgent matter'.

Regarding clause 4, Member (K.S.Reddy) said that agenda given by the Members should not be screened by MS/CP. Screening of the agenda should only be in the meeting of the Commission. Chairperson observed that position may be checked in all other Commissions. Member (K.S.Reddy) said that there should be uniformity. Member(S. Malaiya), Member(K.S.Reddy), Member(N. Hussain) and Member(B.R. Maurya) were of the opinion that agenda should be circulated in full. Member(K.S.Reddy) said that leaving agenda on the discretion of the CP is not going to benefit the Commission. All agenda items should be placed before the Commission. CP reiterated her point that we should study the position in respect of other Commissions. Member(Anusuiya Uike) agreed with CP that we may check the position prevailing in other Commissions and place it before the Commission. At this point, Member(BRM) also agreed that the position in other Commissions may be checked up. Finally, it was agreed to defer the item No.4. It was decided to study the position on the issue laid down in the procedure of other Commissions.

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Under the heading 'Presiding over Meetings', it was decided that in the event of vacancy of Chairperson due to demitting of the office and delay in appointment of the next Chairperson, the senior most Member in the Commission shall preside over the meetings of the Commission. M(S.M.) and M(K.S.R.) were of the opinion that even in the case of absence of CP, the senior most Member should preside over the meeting but it was not accepted as Chairperson and M(A.U.), M(N.H.) and M(B.R.M.) did not agree.

Decisions of the Commission

Under this heading, there was a difference of opinion on the definition of casting vote. Chairperson was of the opinion that in the event of equality of the votes, Chairperson can vote second time, which means, she will cast vote in the first instance as any Member of the Commission and in the case of equality of votes, as Chairperson, she will have casting vote besides vote casted in the first instance. M(K.S.R.) and M(S.M.) disagreed with the definition of the casting vote given by Chairperson. Hence, it was decided to defer the item and to be placed before the Commission after confirming position with regard to casting vote.

Conduct of Meetings.

The words 'Every meeting' to be deleted and replaced with 'The meetings'.

I. Minutes of the Meetings

M(K.S.R.) was of the opinion that if the responsibility for approval is left with CP, then minutes can be altered. M(N.H.) pointed out that once we adopt the minutes in the next meeting of the Commission, at that time the minutes can be checked. M(B.R.M.) also supported M(N.H.) that changes can be brought to the notice of the Commission at the time of adoption. M(S.M.) said that if the draft minutes are circulated to the members of the Commission, then it will be a better arrangement. However, this procedure is already followed in the Commission.

It was agreed to add a sentence in VII(1) that "The minutes will be placed in the next meeting of the Commission for adoption" since the position was silent about the adoption of the minutes.

In VII(2) the words 'every matter' in first line to be replaced with 'all matters'.

In VII(3) M(K.S.R.) stated that at the time of adoption of minutes of the meeting of the Commission, in case the Member is not present, then changes in the minutes are not possible. CP stated that in such absence a Member can give the desired changes in writing. CP further stated that there had been no problem in the present practice. M(S.M.) said that we should not be selective for taking decisions based on the past activities of the Commission. M(K.S.R.) said that in case circulation of the draft minutes is not agreed then CP should finalise the minutes within 15 days so that there is no discrimination in finalisation of the minutes. But it was observed by the Commission that there is no fault in the clause. With this observation, the Commission approved the VIII(3) without any changes.

VIII. Meetings of the Committees

VIII(1) M(K.S.R.) suggested that the words 'Presiding Officer' to be replaced as 'head'. She felt this was in keeping with the 'dignity' of the Members.

Similarly in VIII(2) and (3) the words 'Presiding Officer' to be replaced as 'Head of the Committee'. In VIII(4) sentence will be added – Follow up action on the report of the Committee shall be taken by the Monitoring Cell of the Commission.

Chapter III

IX. Powers and Responsibilities of the Chairperson

(1) and (2). Under this heading, M(K.S.R.) pointed out that the wordings should be MS as "the head of the Secretariat of the Commission" will work under the supervision of the Chairperson. M(S.M.) stated that the term "exigency" should be defined as that "in case of emergent situation/incident". M(K.S.R.) was of the opinion that the word "all powers of the Commission" should be deleted. Emergency case should only be in cases of complaints/from the Complaints Cell. M(SM)

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suggested that Members also have to face emergent situations. The decisions taken in such emergency situation should be placed for rectification/decision and not for information of the Commission, as given in the draft procedure. M(SM) further stated that for Members also there should be provision for dealing with emergent situation. CP said that incidents and issues both should be included in the emergency. M(SR) reiterated that the word 'power' should be substituted by the word 'decision' and emergency should be only in the case of complaints in a particular case. M(AU), M(NH) and M(BRM) supported the view of the CP that on both issues/incidents, power should be with CP in emergent situation. M(SM) was also of the opinion that power should be with CP. However, she wanted that exigency should be defined. M(SR) observed that there should be the word that the decision taken in the emergent situation by CP should come for rectification, instead for information. She was of the opinion that giving all powers to the CP is against democracy. An emergent situation meeting should be immediately held. M(NH) stated that this power does not involve financial power. M(BRM) suggested that information should be given to the available members in headquarters. M(SM) said that similar power should also be given to the members. CP said that members should seek prior approval in case of leave or tour. CP remains in touch with her office. Members can contact her through her office.

Regarding clause IX(5), M(SM) said that there should be provision for ex-post-facto approval for all the tours undertaken by the Members in emergency. She desires to know whether approval be sought from senior most Member when CP is not available in the Commission. CP was of the opinion that prior approval of CP for the tour is a must in order to maintain discipline in the Commission. IX(5) was retained without any change.

Regarding IX(6) M(SR) said that when the Parliamentary Committee invites CP, CP in turn should not depute any other Member. CP explained that there can be two situations – one the entire Commission is invited, then there is no problem. The other situation will be where only CP is invited, then CP can, if the situation so demands, nominate any Member. All other Members other than M(SR) agreed.

Item IX(7) agreed and retained without any change.

IX(4). M(SM) asked how the financial powers were being exercised before issue of the O.M. dated 25th September, 2002. M(SR) said that

financial powers should not be with the person who are nominate on a tenure basis but with Secretary, who should work with approval of the Chairperson. She also asked how the orders on the delegation of financial powers have come from the Deptt. of Women & Child Development. Background of the issue of the orders is not in the knowledge of the Commission. She wanted to know why the Members were not informed before hand. CP pointed out that it is the duty of the head of the organisation to set right when wrong things are being done. The Commission agreed to include one clause as 9(8) "Financial Powers vest in the Chairperson. These may be delegated to any officer not below the rank of the Under Secretary".

M(SM) queried whether MS can use the financial powers without the approval of CP. CP said that in the recent past this had happened. CP said that decentralisation of power is a must. In every Commission, Secretary is Head of Department and Under Secretary is Head of Office.

X. Powers and Responsibilities of the Members

X(1). Under the powers and responsibilities of the Members, the word Presiding Officer be substituted as Head of the Committee. In the third line of X(1) after the minutes the word 'proceedings' be added.

In X(2) after functional allocation the word 'of work' be added.

X(3) should start with 'Identify problems/issues of local nature' and the word 'intensify' be added before the word 'intensify'.

X(4) The word 'of' be substituted by 'towards'.

X(5) The word 'these' be replaced by 'the'.

X(6) After material '/brief/notes' be added.

X(7) Seven days be replaced by 10 days. M(SR) suggested that in a year, a Member may be allowed to go on tour for not more than three occasions without prior approval of the CP and post-facto approval for three tours for one Member be granted afterwards. CP disagreed stating that in case it is admitted then there will be eighteen unapproved tours in a year. M(SR) observed that 90% of the powers are being given

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should be obtained four days in advance and should be submitted within ten days of the completion of the tours. M(AU), M(NH), M(BRM), M(SM) agreed. CP clarified that only in an emergency prior oral approval over the phone must be taken from the CP and this practice must be followed. Further, it was stated by CP that this is not a question of the powers or dignity of the Members but the discipline of the Commission. CP stated that two days before the tours, tour programme should be circulated to all Members and officers.

M(SR) wanted that the financial powers upto Rs.20,000/- in a year may be given to Members. JS clarified that as per rule position it is not possible to give financial powers in such a manner.

X(8) Be added as 'Earlier decisions of the Commission in the year 2002 shall be followed where these rules are silent'.

Powers and Responsibilities of the Member Secretary

XI(1) will be substituted as under:

The Member Secretary as in-charge of Administration shall discharge her responsibilities for the smooth functioning of the Commission under the overall supervision of Chairperson. The work amongst officers/staff in the Commission shall be the responsibility of the Member Secretary. She will keep the Chairperson and Members informed about such allocations and any of the subsequent changes in such allocations.

XI(2)(a). Kept in abeyance and to be linked to Chapter II(III)(4).

XI(2)(b). Will be as under:

Record, or cause to be recorded, minutes of all meetings of the Commission and, submit the same to the Chairperson for approval. The minutes will then be circulated to all concerned.

in XI(2)(c) the last word 'Chairperson' to be replaced by 'Commission'.

XI(2)(d), (2)(e), (2)(f), (2)(g) : No change was suggested.

In XI(2)(h) the word 'well in time' to be replaced with 'priority basis'.

XI(2)(i). No change was suggested.

XI(3) may be read as "All important matters not mentioned covered by these Regulations shall be dealt with by the Member Secretary in consultation with the Chairperson."

Chapter IV

XII. Complaints Procedure

The procedure for dealing with complaints will be as decided by the Commission in its meeting held in November, 2002 and as per this decision the Complaints Procedure is incorporated in this chapter.

Chapter V

XIII. Procedure for Tours

XIII(1). The words 'the light of' to be replaced by 'according to'. The words 'subject to her responsibilities' will be deleted.

XIII(2) was approved without any changes.

XIII(3) will be as under:

Tour reports shall be circulated by Private Secretary to Member/Chairperson/Private Secretary to Member/Chairperson amongst the Chairperson, Members/Member Secretary at the succeeding Commission meeting. The Commission may direct the Monitoring Cell to take follow up action on points emerging from the tour reports to whom a copy of the report will also be endorsed to the concerned Private Secretary.

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Chapter VI

V. Newsletter of the Commission

Approved without any change.

VI. Information to Press

One sentence to be added at the end. "who shall then convey the official stand of Commission on the subject."

VII. Legal Cell

XVI(1) approved without any changes.

XVI(2) Deleted.

XVI(3) will now become XVI(2). The word 'administrative' will be read as 'other'.

XVI(4) will now become XVI(3) without any changes.

XVI(5) will now become XVI(4) without any changes.

XVI(6) and (7). Deleted.

VIII. Research and Studies Cell

XVII(1) will be without any changes.

XVII(2) and (3) of the draft procedure, will be deleted and replaced by XVII(2) as under:

"Subjects of Research/Studies will be approved by the Commission".

IX. Monitoring Cell

XVIII(1) approved without changes.

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XVIII(2). The word 'Commission' in the last sentence will be replaced by 'Monitoring Cell'.

Note below para XVIII(2) deleted.

XIX. Library of the Commission

XIX(1) will be deleted and replaced as "Library Information Assistant shall be in-charge of the Library of the Commission."

XIX(2). No changes.

XIX(3) will be deleted and substituted as "The Chairperson, Members, Member Secretary and officers will be entitled to borrow books and periodicals on their own signatures or of members of their personal staff authorised by them in writing, for the return of which the borrower will be responsible. The retention of any book beyond one month, or periodical beyond a week, will require authorisation either from the Chairperson or from the Member Secretary. Cost of book will be recovered at the time of demitting office in respect of non-return of books.

XIX(4). In the last sentence the word 'by the Library Committee' be added.

Chapter VII

XX. Procedure for evaluating the progress of development of women in different States and Union Territories.

In the note under XX(d) the word 'vigilance cell' shall be replaced by 'PR Cell'.

XXI. Procedure for inspection of jails, remand homes, women's institutions etc.

No changes.

XXII. Procedure for funding litigation involving issues affecting a large body of women.

No changes.

The meeting ended with Vote of Thanks to the Chair.

National Commission for Women (Procedure) Regulations, 2002 as approved by the Commission is given at Annexure I of the Minutes.

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**THE NATIONAL COMMISSION FOR WOMEN
(PROCEDURE) REGULATIONS, 2002**

In exercise of the powers conferred by sub-section (2) of Section 9 of the National Commission for Women Act, 1990 (Act 20 of 1990), the National Commission for Women hereby makes and adopts on this 8th day of November, 2002, the following regulations for carrying out effectively the functions of the Commission.

All previous regulations adopted, from time to time, shall stand superseded with the adoption of the present regulations.

CHAPTER 1

PRELIMINARY

I. *Short title, commencement and application*

- (1) These Regulations may be called "The National Commission for Women (Procedure) Regulations, 2002".
- (2) They shall come into force with immediate effect.
- (3) They shall apply to the Chairperson, Members, Member-Secretary and other officers and employees of the Commission as well as the Committees framed under the Act.

II. *Definitions*

In these Regulations, unless the context otherwise requires:

- (1) "Act" means the National Commission for Women Act, 1990 (20 of 1990) as amended from time to time.
- (2) "Cell" means and includes the Complaints Cell, Research Cell, Legal Cell, Monitoring Cell or any other Cell that may be formed for facilitating the functions of the Commission.
- (3) "Chairperson" means the Chairperson of the Commission.
- (4) "Commission" means the National Commission for Women.

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under Section 8 of the Act.

"Complaint" means any written petition, grievance, communication etc. received in the Commission or by the Chairperson, any Member, Member Secretary from an aggrieved woman or on her behalf from any individual or organization.

"Complainant" means an aggrieved woman or a group of women who have made a complaint personally or any individual or organization who has made a complaint on behalf of an aggrieved woman or a group of women.

"Member" means a Member of the Commission.

"Member-Secretary" means the Member-Secretary of the Commission.

"Officer" means and includes all officers of the Commission as appointed to assist the Commission.

"Prescribed" means as laid down in the Act or by the Rules framed there under or by these regulations.

CHAPTER II PROCEDURE FOR THE CONDUCT OF MEETINGS OF THE COMMISSION AND THE COMMITTEES FORMED BY IT

Meetings of the Commission

Every meeting of the Commission shall, as far as possible, be attended by the Chairperson, all the Members and the Member-secretary.

Meetings of the Commission shall be held as far as possible at least once a month.

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- (3) The Chairperson by herself or at the instance of one or more Members may direct a special sitting of the Commission to be convened to consider any matter of emergency. At such a meeting only the specific agenda for which that meeting has been convened shall be considered.
- (4) The Member-Secretary shall with the approval of the Chairperson, prepare or cause to be prepared, the agenda for the meeting of the Commission. The agenda shall be circulated to all the Members so as to reach them at least three clear working days before the scheduled date of every meeting.

Provided, however, that in case any Member desires to suggest the inclusion of any matter in the agenda of any scheduled meeting, the Member shall intimate her proposals in writing to the Chairperson at least ten days before the scheduled date of the meeting. The decision of the Chairperson on the inclusion or otherwise of the matter in the agenda shall be final.

Note: III(4) deferred and will be placed before the Commission after studying the legal position on the issue laid down in the procedure of other Commissions.

IV. *Presiding over meetings*

All meetings of the Commission shall be presided over by the Chairperson and in absence of the Chairperson, by the Member so authorized by the Chairperson.

V. *Decisions of the Commission*

In case the Commission is not unanimous on a particular issue, the decision of the majority, present and voting, shall be deemed to be the Commission's decision. In case of equality of votes, Chairperson shall have the casting vote.

Note: This item was deferred and will be placed before the Commission after confirming the position with regard to casting vote

VI. *Conduct of Meetings*

- (1) Every meeting of the Commission shall be conducted in accordance with the following agenda:
- (a) Adoption of the minutes of the previous Meetings and Special Meetings, if any, held during the intervening period.

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Business not transacted at the previous meeting.

The reports of tours undertaken by the Chairperson/Members/Member-Secretary since the last meeting.

Other matters included in the agenda.

Any other matter with the permission of the Chair.

Minutes of the Meetings.

Minutes of each meeting of the Commission shall be recorded during the meeting itself or immediately thereafter by the Member Secretary or by any other officer so directed by her. Such minutes shall be submitted to the Chairperson for her approval within one week of such meeting and, upon approval be authenticated by the Member Secretary and circulated to all the Members of the Commission. Such authenticated minutes shall be preserved/pasted in the minutes book and shall form part of the permanent record of the Commission.

The decision of the Commission on every matter taken by it shall be recorded in the minutes. Dissenting opinions, if given, shall also form part of and be kept on record. Action shall be taken on the basis of the majority opinion where there be any difference.

Unless specifically authorized by the Chairperson no action shall be taken by the Secretariat of the Commission on the minutes of the meetings until the same are approved by the Chairperson.

MEETINGS OF THE COMMITTEES

Meetings of the Committees

The Committees appointed under Section 8 of the Act for dealing with special issues, shall consist of the Chairperson or at least one Member of the Commission who shall be the Presiding

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Officer of the Committee. The Chairperson shall constitute the committees in consultation with the Members and nominate the Presiding Officer thereof.

- (2) While remitting a special issue to a Committee, the Chairperson shall specify a time schedule, within which the Committee shall present its report to the Commission:

Provided that where, for unavoidable reasons, it is not possible for the Committee to finalize and present its report within the time allotted to it, the Presiding Officer thereof shall before the scheduled date make a written proposal to the Chairperson for extension of time with supporting reasons.

- (3) While considering a special issue, if the Presiding Officer or any other Member of the Committee feels that any other related issue requires consideration or may well be considered by the Committee, the Presiding Officer shall seek prior approval of the Chairperson for the same.
- (4) The Chairperson or any Member may attend any Meeting(s) of any Committees.

CHAPTER III

RESPONSIBILITIES AND ALLOCATION OF FUNCTIONS

9. *Powers and Responsibilities of the Chairperson*

The Chairperson, as the Head of the Commission, shall exercise supervision and control over the Secretariat of the Commission. She may delegate any of the powers to the Member Secretary and/or any other officer of the Secretariat.

In cases of any exigency, the Chairperson shall exercise all powers of the Commission, if it is not in session. Such decisions shall be placed for information in the subsequent meetings of the Commission.

In addition to the aforementioned general powers of the Chairperson, she shall:

Chairperson

2. Allocate states/subjects and/or responsibilities, to the Members/Member Secretary;
3. oversee finalisation of Annual Report of the Commission;
4. provide general guidance on any matter suo moto or on a matter referred to her by any Member/Member-Secretary;
5. approve tour programmes of the Members/Member Secretary/Officers;
6. attend meetings of the Parliamentary Committees or nominate any Member or the Member Secretary so to do;
7. oversee the comments of the Commission, or any material or information supplied by it on all major policy matters concerning women referred to it by the Government under Section 16 of the Act.

Powers and Responsibilities of the Members

In addition to participating in all the meetings of the Commission and sharing the collective responsibility of the Commission, a Member shall:

preside over the meetings of the Committees of which she has been nominated as Presiding Officer and prepare, or cause to be prepared, minutes of the meeting held by such Committees;

attend to all subjects as per her Functional Allocation;

intensify field work in the States/Union Territories to which the Act extends, and more specifically in the States allocated to her as per the Geographic allocation;

discharge responsibility of specific subjects entrusted to her;

deal with complaints in accordance with the procedures laid down in these Regulations;

prepare relevant material in respect of subjects dealt with by her, in time for its inclusion in the Monthly Statement and Annual Report of the Commission;

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11. Powers and Responsibilities of the Member-Secretary

- (1) Subject to the general control of the Chairperson, the Member-Secretary shall head the Secretariat of the Commission and shall be responsible to the Commission for smooth functioning of the Secretariat.

Member Secretary shall keep the Chairperson/Members informed of the work allocation between officers and employees of the Commission and circulate any changes made by her from time to time.

- (2) In addition to the above, the Member-Secretary shall –
 - (a) prepare or cause to be prepared agenda for the Meetings of the Commission with the approval of the Chairperson and circulate the same to the Chairperson and Members as hereinabove provided;
 - (b) record, or cause to be recorded, minutes of all meetings of the Commission and, after their approval by the Chairperson, circulate authenticated copy thereof amongst Members as hereinabove provided;
 - (c) oversee the receipt of grants from the Government under Section 11 of the Act, and allocate the grants to different heads with the approval of the Chairperson;
 - (d) oversee the maintenance of accounts and records, arrange audit of such accounts, place audited accounts in time before the Commission for approval and adoption and thereafter forward the same to the Government;
 - (e) prepare, or cause to be prepared, Annual Report in consultation with Chairperson and place it before the Commission, and after the approval of the Commission, forward the same to the Government;
 - (f) authenticate and communicate orders or decisions of the Commission to appropriate authorities.

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- g) Prepare, or cause to be prepared, with the approval of the Chairperson, material in respect of all matters concerning Parliamentary work;
- h) Submit all files/papers pertaining to the meetings of the Parliamentary Committees well in time to the Chairperson;

Deal with all files/papers pertaining to matters referred to the Commission by the Government under Section 16 of the Act in consultation with the Chairperson.

All matters of importance that may not have been mentioned in or covered by these Regulations shall be dealt with by the Member Secretary in consultation with the Chairperson as far as possible.

CHAPTER IV

PROCEDURE FOR DEALING WITH COMPLAINTS

Complaints Procedure

All the cases received by the Commission shall first be sent to the Complaints Cell supervised by a Section in-Charge who shall register the same and allot it a case number and category and shall, subject to the overall superintendence of the Chairperson, allot it to a counsellor and a Member. The allocation of the complaints to the Members shall be based on following criteria:

- a) A complaint received in the Commission shall be allocated to a counsellor and a Member whose responsibility it shall be to deal with the complaint expeditiously and judiciously.
- b) Provided that as far as possible, complaints shall be allotted to the Members as per their geographical allocation, if any.

The complaints shall initially be examined by the counsellors who shall recommend action in a particular case to the concerned Member.

The member to whom a complaint is allotted shall fix the next date for the case to be put up to her.

Member may suggest an action including any of the following:

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- (a) To issue a letter to the complainant calling for better particulars.
 - (b) To issue notice to the opposite party calling for the necessary explanation. This shall be issued in Form No.I.
 - (c) To issue notice to the opposite party for personal appearance. This shall be issued in Form No.II.
 - (d) To issue summons to the opposite party to appear in person. This shall be issued on Form No.III. If felt necessary, assistance of the local police may be taken.
 - (e) To issue a letter of request to an officer/department/individual calling for information which shall aid and assist the Commission for proper disposal of the complaint.
- (5) Notings of every counselling/hearing shall be made by the Counsellor and signed by both the counsellor and the concerned Member. Follow up action shall be carried out by the counsellor upon the direction of the concerned Member.
 - (6) If a compromise is reached in any case, an agreement enlisting terms and conditions shall be drawn up and signed by the parties concerned in the presence of two witnesses who shall also sign the same in the presence of a Member.
 - (7) The counsellor may consult the Law Officer on any issue which she/he and things has a legal implication.
 - (8) Summons in Form No.III shall be issued by the Legal Cell. The letter including notice in Form No.I & II, shall be issued by the counsellor.
 - (9) The counsellor shall be responsible for bringing to the notice of the concerned Member, from time to time, the action being taken on the complaint. When the said Member is satisfied that no further action is required on the complaint, the complaint shall be closed under the specific orders of the Member and thereafter the file shall be sent by the counsellor to the registration section to be consigned to the record room.
 - (10) The counsellors shall keep a daily diary for posting future hearings and counselling and note down the cases dealt with by them during the day.

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register for noting down the complaint received by the members before forwarding them to the complaint cell for disposal.

- (11) The Section-in-Charge shall be responsible for maintenance of statistics in the Complaint Cell in the format prescribed.

CHAPTER VI

TOURS

Procedure for tours

- 1) The Chairperson, and Members, may undertake tours of any State or Union Territory, to which this Act extends, in the light of the inter se functional/geographical allocation made by the Chairperson.

Provided that the Member Secretary may also undertake tours in special cases subject to her responsibilities as the in-charge of Secretariat.

- 2) A Member of the Secretarial Unit not below the rank of the Under Secretary shall be assigned the task of facilitating the tours of the Chairperson/Members, Member-Secretary. This shall include the arrangements, maintaining the profile of the Commission in the areas being visited, and providing any specific information regarding the State/area being covered.

Provided that the Members/Member-Secretary shall take prior approval of their tour schedules from the Chairperson. The Chairperson may send copies of her tour schedules to all Members/Member-Secretary for information.

- 3) Tour reports shall be forwarded by Member/Member-Secretary to the Administrative Section wherefrom the same shall be circulated amongst the Chairperson, Members/Member-Secretary and then placed in the succeeding Commission meeting. The Commission may also direct the Secretariat to take follow-up action on points emerging from the tour reports.

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Provided further that if any Member/Member-Secretary is unable to forward her report well before the immediate succeeding Commission meeting, she shall explain the reasons thereof and forward the same soon thereafter for placement in the next succeeding meeting of the Commission.

Provided also that the Chairperson/Members/Member-Secretary may, in special cases, instruct the Secretariat of the Commission to take follow up action immediately after her return from a tour even before the report is brought up in the Commission meeting.

CHAPTER VI

OTHER MATTERS

14. Newsletter of the Commission

The official newsletter of the Commission entitled "Rashtra Mahila" shall be published at such periodic intervals as directed by the Chairperson. In any case, there shall be at least six issues every year. This shall be prepared and edited in the Commission under the supervision of the Administrative Section.

The Administrative Section shall be responsible for its publication, printing and distribution.

The newsletter shall contain information, news and views regarding women's safeguards, planning schemes of the Union and the State Governments and other authorities relating to women and shall also contain the news about the working of the Commission.

15. Information to Press

The Chairperson shall be the spokesperson of the Commission. She may, however, on specific occasion authorize a Member/Member Secretary to represent the Commission in a press meet.

16. Legal Cell

- (1) There shall be a Legal Cell of the Commission whose principal function would be to render legal opinion on such matters as

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may be referred to it by other organs/functionaries of the Commission.

- (2) The legal Cell shall be staffed by such number of officers as may be approved from time to time by the Commission.
- (3) The functions of the Legal Cell shall include but not be limited to the evaluation and review of the Constitutional provisions, provisions in the Central and State laws and Government policies and administrative schemes in so far as these relate to women. The Legal Cell shall be responsible for suggesting to the Commission appropriate legal and administrative measures that should be undertaken by the Central or the State Governments with respect to women.
- (4) The Legal Cell shall keep abreast of the existing and proposed legislation, the decisions of the Supreme Court and the various High Courts, current controversies and opinions on matters of relevance to whom and the legal and Constitutional validity of any action affecting the interests of women. As a corollary to these functions and upon such an evaluation of the existing and contemplated legislation and administrative and executive decisions, it shall be the responsibility of the Legal Cell to suggest to the Commission amendments to such legislation or policies.
- (5) The Commission may, in its discretion, assign any specific study or evaluation, which in its opinion, cannot be undertaken by it with the help of expertise viable in the Legal Cell, to any outside agency or individual on such terms and conditions as the Commission may determine.
- (6) In cases where any specific study or evaluation is proposed to be conducted by the Legal Cell jointly with an outside agency, the Legal Cell and shall place such a proposal before the Chairperson who, after evaluation of the financial aspect of the proposal with the assistance of the Member Secretary, shall approve the proposal with such changes and conditions as she may deem fit and appropriate.
- (7) The subjects and matters on which the Legal Cell shall undertake detailed study shall be indicated to it by the chairperson from time to time. The progress report of work of the Legal Cell shall be submitted to the Commission at least monthly.

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17. Research Cell

- (1) There shall be a Research Cell of the Commission whose principal function would be to undertake research in areas forming part of the mandate and functions of the Commission as prescribed under Section of the Act.
- (2) The Research Cell shall be staffed by such number of researchers and officers as may be approved from time to time by the commission.
- (3) In cases where special studies, research or investigation into specific problems concerning women are proposed to be conducted by the Research Cell jointly with an outside agency, the Research Cell shall place such a proposal before the Chairperson who, after evaluation of the financial aspect of the proposal with the assistance of the Member Secretary, shall approve the proposal with such conditions as she may deem fit and appropriate.

18. Monitoring Cell

- (1) There shall be a Monitoring Cell of the Commission whose principal function would be to keep a detailed track record of the recommendations/suggestions made by the Commission to appropriate authorities as part of its mandate to uphold the interest of women in all matters of public policy. The Monitoring Cell shall give regular Action Taken Reports to the Commission on such recommendations/suggestions.
- (2) Upon receipt of the Action Taken Report from the Monitoring Cell the Commission shall review the recommendations/suggestions not accepted in full or in part or rejected outright need to be reprocessed with necessary amendments/changes. The Commission shall thereafter take follow-up action on the said recommendation/suggestion.

The Monitoring Cell shall be staffed by such number of officers as may be approved from time to time by the Commission.

XXV. *Library of the Commission*

- (1) A librarian will be appointed by the Member Secretary with the approval of the Chairperson.

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or periodical will be issued without the signature of the person receiving the book or the periodical. The borrower will be responsible for its return. No book or periodical will be issued to an outsider without authorisation by either the Chairperson or the Member Secretary.

The Chairperson, Members, Member-Secretary will be entitled to borrow books and periodicals on their own signatures or of members of their personal staff authorised by them in writing, for the return of which the borrower will be responsible. The retention of any book beyond one month, or periodical beyond a week, will require authorisation either from the Chairperson or from the Member Secretary.

Books will be purchased by the librarian only on the orders of the Member Secretary from a list approved by the Chairperson to whom all recommendations for additions to the library must be made.

CHAPTER V PROCEDURE FOR PERFORMANCE OF THE FUNCTIONS OF THE COMMISSION

Procedure for evaluating the progress of development of women in different States and Union Territories

Under the mandate prescribed by sub-section (1) of Section 10 of the Act, the Commission shall evaluate the progress of women in light of constitutional guarantees of equality before law and specific policies and notifications issued by various governments under article 15 of the Constitution for benefit of women. In so doing, the Commission shall take, *inter alia*, the following tasks:-

Suggest amendments to statutes/government rules/regulations/notifications/orders and guidelines, relating to improvement in the condition of women in general and curbing the atrocities against them in particular and further improving their participation in work fields of all categories.

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- (b) Follow the activities of non-governmental and voluntary organizations and other activists working for socio-economic, cultural and educational rights of women.
- (c) Review action taken reports on tour of the Chairperson/Members and the Member-Secretary vis-à-vis development of women in the States visited.
- (d) Take cognizance of media reports giving any information atrocities committed against women and/or on the progress or deterioration of condition of women in any sphere in any State or Union Territory.

Provided that for this purpose the vigilance Cell shall collect original clippings/materials etc. and submit the copies thereof to Chairperson/Members/Member-Secretary, promptly and regularly.

20. *Procedure for inspection of jails, remand homes, women's institutions etc.*

- (1) The Chairperson, Members and the Member-Secretary shall, at regular intervals, inspect or cause to be inspected, jails, remand homes, women's institutions or any other places where women are held as prisoners or kept in custody, situated in the State/Union Territories within their geographical allocation by pre-planned visits or through surprise visits to evaluate the condition of women in such places.

Provided that the Chairperson/Members/Member-Secretary visiting any State or Union Territory outside her specific geographical allocation in performance of their functional duties may visit such places under prior intimation to the Chairperson/Member concerned and the Member-Secretary.

Provided further that the inspection report and proposals for action to be taken shall in all such cases be processed, as far as possible, for placement in the next following Commission meeting.

Provided also that the Monitoring Cell shall be responsible for the follow up action to be recommended to the concerned authorities and keep the Chairperson/Member concerned/Member-Secretary posted regularly with the progress report.

21. *Procedure for funding litigation involving issues affecting a large body of women.*

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Whenever the Chairperson/Member/Member-Secretary, upon application received or otherwise, is of the view that a particular issue needs to be agitated before a court or a tribunal, and that the project needs to be funded by NCW, she shall make a report containing a proposal therefor to the Chairperson. The Chairperson shall, as far as possible, take up the issue on a priority basis and place it before the Commission in its next succeeding meeting for consideration.

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MINUTES OF THE COMMISSION'S MEETING HELD ON
13TH NOVEMBER, 2002

Present in the meeting were:

- | | | | |
|-----|-----------------------|---|-------------------------|
| (1) | Smt. Poornima Advani | : | Chairperson |
| (2) | Smt. K.Santha Reddy | : | Member |
| (3) | Kum Anusuiya Uike | : | Member |
| (4) | Smt. Nafisa Hussain | : | Member |
| (5) | Smt. Baby Rani Maurya | : | Member |
| (6) | Smt. Nita Kapoor | : | Joint Secretary |
| (7) | Smt. Romi Sharma | : | Under Secretary-cum-PRO |
| (8) | Shri S.M. Imran Ali | : | Law Officer |
| (9) | Shri T.N. Sabharwal | : | Consultant |

At the outset CP welcomed all present and stated that the timings for such meetings should be adhered by one and all. Further, the time for the meeting was fixed at 10.00 A.M. but could start only at 10.20 A.M.

Agenda Item No.1

Leave of Absence.

Leave of absence was granted to Member (S.Malaiya).

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Agenda Item No.2

Confirmation of the minutes of the preceding meeting held on 4th, 13th, 19th September and 1st November, 2002.

The Minutes of the preceding meetings held on 4th, 13th and 19th September and 1st November, 2002 were approved and adopted by the Commission. With reference to minutes of Agenda Item No.17 of the meeting of 19th September, 2002, Member (K.S.Reddy) clarified that she had not mentioned to provide the note on the subject but suggested that the Commission may collect the information from Ministry of Rural Development and Rashtriya Mahila Kosh. In view of the same the minutes stand modified accordingly.

Agenda Item No.3

Presentation by Chairperson and Members.

Presentation were made on their work by the Chairperson and Member (K.S.Reddy), Member (A.Uike), Member (N.Hussain), Member (B.R.Maurya). A copy of the presentation of Member (N.Hussain) and Member (B.R.Maurya) are enclosed. The presentations from Member (K.S.Reddy) and Member (A.Uike) are awaited.

Agenda Item No.4

Formal adoption of Sati Report.

The report was approved and adopted.

Agenda Item No.5

Adoption of the Report of the Mumbai Rape Case.

The report was approved and adopted. However, it was observed that constitution of the Committee as per Section 8 of the NCW Act must be mentioned and interviews of the victim taken by Member (N.Hussain) should also be incorporated in the report. It was also suggested that the name of the Member (N.Hussain) should be mentioned in the report as a Member of the team.

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Agenda Item No.6

Adoption of complaint procedure.

Kept in abeyance.

Agenda Item No.7

**Interim Report of the visit of the Commission on 13th August, 2002
National Law Institute University, Bhopal(Madhya Pradesh).**

Due to absence of Member (S.Malaiya), the agenda item was kept
abeyance.

Agenda Item No.8

Consultation meeting on Personal Laws.

The proposal was approved. It was suggested that all the Women
Study Centres would be asked to share their reports of the study, if any
conducted on the subject. Background papers would be prepared for the
State workshops. Organizations without political leanings would be asked
to conduct the State workshops on behalf of the Commission. (Action
Legal Cell)

Agenda Item No.9

State-wise work done by the Commission – Compilation thereof.

Approved. (Action: Research Cell)

Agenda Item No.10

Parivarik Mahila Lok Adalat.

It was suggested to send a letter to the Chief Justice of India and
Chief Justice of all the High Courts requesting them to give necessary
directions to the district level judicial officers to extend their assistance in
organising PMLAs. In addition, it was also observed that letter may be
sent from the CP to Chairmen of State Legal Services Authorities and to

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Members, NCW. It was observed that a letter may be sent to the Government asking them to include the cases related to women in the Fast Track Courts. (Action: Legal Cell)

Agenda Item No.11

Realisation of Members Meeting.

Approved and adopted. However, it was observed that a meeting with the Chairperson of State Commission for Women and Secretary, WCD should be organised by the Commission. M(K.S.Reddy) suggested that a format should be developed for sending complaints to the State Commissions. (Action: Complaints Cell)

Agenda Item No.12

Renovation of Conference Hall and Library.

The Commission authorised the Administration/Head of Department to take necessary steps/decisions to renovate the Conference Hall and Library. The Library would be renovated as the Research Cell. (Action: Admin. Section)

Agenda Item No.13

Introduction of new security system in NCW.

The Commission authorised the Head of the Department to look into the matter and decide on the issue. The Commission should be informed of the decision in the subsequent meeting. (Action Admn. Section)

Agenda Item No.14

Under Budgeting – A project proposal.

Proposal approved. Member (K.S.Reddy) observed that the financial implication in the project may be brought to the Commission for review. (Action: Research Cell)

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Agenda Item No.15

Need to have State-wise compilation of the working of National Commission for Women in the last 10 years – A project proposal.

The proposal was approved. (Action: Research Cell)

Agenda Item No.16

Strengthening NGO-NCW partnership in taking CEDAW to the Grass Root and its Monitoring – A project proposal.

The proposal was approved. However, it was observed that the project may be completed by December, 2003. In case of necessity, it may be extended upto March, 2004. (Action: Research Cell)

Agenda Item No.16(A)

Background leading to the delegation of Financial Powers.

In the post lunch session, the Chairperson briefed the Commission on the background leading to the order of Delegation of Financial Powers to the National Commission for Women by the President of India. The following points were outlined:

- That the order dated 20th September, 2002 issued by DWCD was in consonance with the orders issued for all other Commissions including the National Minorities Commission, National Commission for Scheduled Castes and Scheduled Tribes, National Commission for Backward Classes as also the National Human Rights Commission, at the very inception of the Commission.
- The expenditures of the Commission upto that date was being incurred on the basis of a document called Rules of Procedure 1995, which had no authenticity as the same had neither been authenticated by the then Chairperson nor adopted by the Commission. Letters from Mrs. Mohini Giri (then Chairperson of the Commission) and Mrs. Padma Seth (then Legal Adviser) confirming this position were read out before the Commission. A noting of 21st May, 2001 in the file concerning exercise of financial powers stated that every expenditure, even of

Chairperson