

**Minutes of the meeting of the Commission held on
15.12.1999**

Date 15th December, 1999

Time: 10.00 A.M

Venue: Chairperson's Chamber

Present in the meeting were:-

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

At the outset CP welcomed all present.

A special welcome was accorded to Member (Poornima Advani) for her new social status after marriage.

Agenda Item No.1

**Confirmation of the minutes of the preceding meeting held on
13-14th October, 1999**

- (a) Regarding Agenda Item No.5 the persons In-charge of each of the activities for celebration of International Women's Day/Women's Week were identified and are to be added as follows : -
 - (ii) A Programme named 'Kal Aaj Aur Kal' could be held - Member (V.Daksh) to be in-charge.
 - (iii) NGOs interface with MPs on dowry laws could be organised -- Member (P.Advani) to be in-charge. (However, Member(P.Advani) said that this programme may not be possible in March, 2000)
 - (iv) Report on status of minority women would be released - Member (S.S.Hameed) to be in-charge.

In Home

- (b) In agenda Item No. 16, the third line would read "the Commission did not favour an independent body of **Commissioner** for Women Rights".
- (c) In Agenda Item No.20, the second sentence would read as "The report would be prepared and adopted by circulation".

Agenda Item No.2

Proposal for a Collaborative Research Study with the UGC on poverty alleviation and their impact on prevention and rehabilitation of prostitutes.

It was decided that two meetings would be fixed on 5.1.2000

- (a) A meeting of the Core Group in the forenoon to discuss the proposal for the _____ collaborative study. CP and all Members of the NCW would be present.
- (b) In the forenoon a meeting would be held with the Members of the Standing Committee of UGC to discuss the revival of funding by UGC for the Women's Development Studies Centre.

Agenda Item No:3

Status report from the Govt.of Madhya Pradesh on the Jhabua Rape Case - Action on such ATRs.

The Commission felt that such ATRs/feed back should be received in respect of all NCW reports. This could be taken up in the proposed interactive session to be held with women MPs on 18th December, 1999.

hsan It was also decided that a copy of each of NCW Inquiry Reports should be kept in the library and all Members should mark a copy to the Library. Year-wise volumes (calender year-wise) would be maintained by the library for reference.

Agenda Item No.4

National Workshop for gender sensitization of Police Officers at New Delhi.

It was felt that the work of gender sensitization involved two phases – Phase I- to prepare a new module for which the workshop was proposed and Phase II- for sensitization at the cutting edge level.

MS pointed out that this workshop for preparation of a module for gender sensitization was a follow up of the CBI workshop. Since the Commission did not have the means for carrying out Phase II, the Commission could seek proposals from training institutes which could be funded by NCW after the module was finalised. It was decided that a two day workshop would be held on 13-14th March or 14-15th March, 2000. Minister of Home Affairs could be requested to inaugurate and the Minister for HRD could be the Chief Guest for the Valediction . The names for chairing the Valedictory Session were proposed as CP,NHRC, Smt.Rama Devi, Governor of Karnataka, Smt. Sujata Manohar, Chief Justice, Supreme Court.

Agenda Item No.5

Amendment of criminal laws and co-related Notifications /Orders /recommendations-Part (2) Immoral Traffic Prevention Act.

Formal approval was accorded to the proposal forwarded by Member (P.Advani). The time frame for completing the various state level workshops was 1.1.2000 -- 15.2.2000.

Member (S.S.Hameed) opined that the new State Commissions which were left out in the list should be added.

Agenda Item No.6

Amendment of criminal laws and co-related Notification/orders/recommendations- Part (3) Dowry Prohibition Act.

Formal approval was accorded to the proposal forwarded by Member (P.Advani). The time frame for completing the various state level workshops was 1.1.2000 -- 15.2.2000.

MS

It was also pointed out by Joint Secretary that the minutes of the meeting held on 4th November, 1999 included in the Agenda papers were not circulated earlier creating an ambiguity about the role of officers in that meeting. It was clarified by CP that the meeting involved complete participation by all present in the meeting.

Member (P. Advani) had also clarified that the minutes had not been circulated to anyone and were seen only at the Commission's meeting.

Agenda Item No.7

Establishment of a focal point on human rights with focus on the Issue of trafficking in women

It was decided that since the NCW is the existing focal point on the issue of trafficking in women and the Commission is also being consulted by the Central Government including in drafting the SAARC Convention, NHRC should nominate a Member for the core group to be headed by NCW. Further the NHRC should be asked to furnish details of the points/issues raised in the meeting on the subject held at NHRC.

Agenda Item No.8

Health check up for the NCW family by the Indian Cancer Society

The proposal to have a health check up for cancer detection for the NCW employees was approved. Tentative dates on which the check ups could be held were 28th and 31st December, 1999.

Agenda Item No.9

Amendment in the Pre-natal Diagnostic Techniques (Regulation & Prevention of Misuse) Act, 1994.

The suggestions of the Cabinet note were approved by the Commission.

The Commission felt that strengthening of the vigilance machinery was necessary and the only way out was not by further amendments to the law but by (a) the ethics of doctors and (b) bringing about social awareness which would be a long term solution.

Advani

A brief workshop with persons who are working on this issue, like Smt.Meera Shiva, Dr.Sharda Jain, Smt.Abha Bhaiyya were suggested which would be held by Member Dr.Poornima Advani so that amendments/suggestions, if any, to the existing law could be discussed. A reply to the DWCD would be sent thereafter.

Agenda Item No.10

Draft National Policy on Disability Rehabilitation

The comments of Member Secretary were approved for forwarding to the Cabinet. CP added that the education system should have a proper method of evaluation for the disabled in the context of their disability.

Agenda Item No.11

Intervention of Indian Systems of Medicines in Family Welfare and Health Policies and Government Schemes

The proposal for undertaking interventions was welcomed. It was decided to consult Dr.Shanta Shastri (former Secretary, ISM) in order to concretize what could be done by the Commission.

Agenda Item No.12

Proposal for conducting a programme on women's issues in March,2000 - proposal of C.I.I

The proposal was welcomed. It was felt that the subject could be Economic Empowerment of Women and Corporate intervention on the issue. It was decided to invite the C.I.I and Smt.Laxmi Devi for concretizing the action points.

Agenda Item No.13

Income Tax relief for contribution of income to the spouse and mother/mother-in-law

Joint Secretary proposed a tax deduction for investment by a person in FDRs for a minimum of 3 years in the name of his wife. It was decided that Joint Secretary would circulate the proposal which could be approved in circulation.

L. Shome

Agenda Item No. 14

Announcement by Chief Minister, Haryana for exemption from registration fee for transfer of land by sister to brothers. - issue of protest by NCW.

It was decided to send a letter to Shri O.P.Chautala the Chief Minister of Haryana which could be shared with the media. Before that the status of the Chief Minister's proposal should be ascertained, a copy of the administrative order be obtained from MARG. An NGO could also be asked to go to court. The draft protest sent by MARG was supported by NCW.

Agenda Item No.15

Empowerment of women through joint title to husband and wife in all developmental activities involving transfer of assets.

It was decided that the reference received from DWCD would be circulated and the Commission would send its comments in circulation.

Agenda Item No.16

Devadasi Pratha - initiation of girls as Devadasis at the time of pooja in January 2000.

The Commission took note of the material placed before the Commission in the Agenda papers.

Agenda Item No.17.

Propos 1 for holding programmes in colleges for building awareness and preparing the women for tomorrow.

The proposal was approved. Members/Officers were asked for their suggestions and to participate in the preparation of the modules.

Shame

Agenda Item No.18

Regional meeting of State Commission and NGOs at Calcutta and Chennai.

The proposal was approved. However, in respect of travel in the North Eastern states, economy air fare may have to be given.

The Commission would visit the North East States between 13th to 20th January, 2000. Regional meeting would be held with NGOs and State Commissions. The NCW could divide itself into smaller teams, and Tripura, Sikkim, Nagaland, Manipur and Meghalaya could be visited by different teams. A visit to Ganga Sagar was also proposed and approved.

The State visit to Southern states would be held from 1st to 6th February, 2000. This would include a meeting with State Commissions of the Southern States and a regional meeting of NGOs. The NCW could visit Pondicherry to see the Mangalam project in operation.

MS would work out the detailed schedule.

Agenda Item No.19

UN Convention on the Rights of the Child (CRC) implementation regarding - comments of NCW.

It was decided a note prepared by Dr. Menon, Consultant, would be circulated and comments/approval of the Commission would be obtained in circulation.

Agenda Item No.20

Effective implementation of the Price and Purchase Preference Policy of the Central Government

The preference policy for purchases was noted by the Commission.

Menon

Agenda Item No.21

List of Studies, Conferences, Seminars and Awareness programmes sanctioned with the approval of CP,NCW

The proposals for which sanctions have been approved with CP's approval were noted by the Commission.

Agenda Item No.22

Policy and law on Juvenile Justice

The draft circulated by Law Officer would be approved in circulation. Comments would be sent to the Deputy Secretary by 20.12.1999 in order that an early response could be sent to the Government.

Agenda Item No.23

Maintenance of Muslim Women after divorce under the Muslim women (Protection of Rights on Divorce) Act,1986- funding of litigation by NCW under Section 10(1)(i) of NCW Act,1990.

The Commission approved interventions in the case. However, for deciding the modus of intervention the files in respect of earlier cases like Ram Shree and Sathins needed to be seen. Consultation would also be held with Shri Anees Ahmed and Shri Rakesh Prasad

Agenda Item No.24

Cr.C.R.W.J.C 120 of 1998 @- Gulam Sarwar Vs.Union of India - applicability of Section 6(3)(A) of Dowry Prohibition Act.

It was decided that a note regarding the background of the case and issues raised therein needed to be prepared by L.O. and circulated, and thereafter the Commission would send its comments in circulation to enable a response to be sent to the Government.

Shame

Agenda Item No.25

Amendment in Legal Services Authorities Act,1987 proposed by the Kerala Women's Commission to strengthen Lok Adalats

The proposal of the Kerala Women's Commission was supported by NCW. Further, NCW would write to the Chief Justice supporting the Kerala Commission's position.

Agenda Item No.26

Representation from Dr.M.K.,Srivastava, Himalayan Institute of Medical Sciences Dehradun – ref.from DWCD.

The Commission did not approve handing over the investigation to the judicial officer in the matter of Dowry death. The Commission approved video recording of the post-mortem in dowry and rape cases as it involves greater transparency.

Agenda Item No.27

Any other item with the permission of the Chair

(a) Para 6 of the SIU report

The DWCD had asked NCW for its comments on the methods of engagement of staff as mentioned in para 6 of the SIU report. The recommendation of the SIU report was accepted by the Commission.

(b) Appointment of Counsellors

J.S. expressed the view that since appointment of full time counsellors as recommended by SIU will take quite some time, we should appoint more part - time Counsellors and preferably by advertising. The work of Complaint Cell is in bad shape as present Counsellors are not quite up to the mark. Member(S.S. Hameed) agreed that lot of improvement is needed and we need more/better Counsellors. However, the discussion remained inconclusive.

The Commission's meeting continued after a brief meeting of C.P., Members and M.S. with Minister for Human Resource Development.

Hameed

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Member(V. Daksh) raised the issue of allotment of cars to Members and that all cars should have same fittings. This was noted.

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

-
B. Sharma