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MINUTES OF THE THIRTEENTH MEETING OF THE NATIONAL
COMMISSION FOR WOMEN HELD ON AUGUST 16, 1994

The 13th meeting of the National Commission for Women was held on August 16, 1994 under the chairmanship of Mrs. Jayanti Patnaik. The following were present:

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| 1. | Ms. Jayanti Patnaik | Chairperson |
| 2. | Ms. Padma Seth | Member |
| 3. | Ms. Monika Das
(could not attend the after-
noon session as she had to
proceed on tour). | Member |
| 4. | Ms. Bonoj Senapati | Member |

2. As the agenda for the meeting was heavy, the Commission met both in the forenoon and afternoon. While Shri M.L. Kaushal, Pay & Accounts Officer and Consultant, Shri P.S. Ravindra were in attendance in both the sessions, some of the Consultants concerned with various projects, were also present in the afternoon session.

3. After brief introductory remarks by the Chairperson, the items on the agenda were taken up for discussion.

Item No.1: Confirmation of the minutes of the 12th meeting
of the Commission held on May 27, 1994

(i) Visit to States

4.1 It had been stated in the minutes that:

"Member(PS) stated that she had already written to the Minister concerned, congratulating Tamil Nadu Government on opposing the social evil of dowry. It is to be verified, however, whether a letter from Chairperson to the Chief Minister, Tamil Nadu, has already been sent. If not, the matter may be dropped".

4.2 It was decided that the last sentence should be deleted.

(ii) National Economic Policy and Imp
Structural Adjustment Programme on Wome

4.3 The minutes as originally worded were as foll

"It was decided that the material prepare Chapter on (i) Impact of SAP on Women and Law and Legal Literacy should be edited with experts and after adding suitable annexures a material, these may be published in a book : NCW".

4.4 It was decided that the words "Country Paper added at the beginning of the heading and the foll inserted at the end: "and Women, Law and Legal Lit was also decided that words "Country Paper" should in place of "Chapter" in the 2nd line of the minute

(iii) Suggestion to incorporate Sec. 498A
list of offences under Sec. 320 of the

4.5 It was decided to reword the minutes as follo

"The three experts who were consulted (Prof.P Dr.Vashudha Dhagamwar and Smt.Shyamala P unanimously of the opinion that the offence made compoundable and that Sec.498A IPC incorporated in Sec.320 of Cr.P.C. in th offences. However, Dr. Dhagamwar was of that women often wish to compound the offr sheer helplessness. Therefore, she sugges (a) social workers must be authorised to couple to ensure that the woman is rea peacefully and that they should make a rep court at specified period,and(a)the case sho closed and if there is repetition and cruelty past conduct of complainant must be taken in Dr.Dhagamwar has been requested to clarify a fit in her above suggestions under Sec. 320 C

(iv) Inclusion of Chairperson/Members of
official delegation and accreditio
Commission by UN System and In
Organisations.

4.6 Chairperson pointed out that no minutes recorded under this item. It was decided that th minutes should be recorded :

"The Commission unanimously decided that the and the Members should be treated as part an the Governmental delegation to UN & global n World Conference of Women in Beijing".

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(v) Holding of Conference on Panchayati Raj.

4.7 Only minor changes were suggested. After amendments, the minutes would be as follows :

"It was decided that the Chairperson might seek an appointment with the Prime Minister and request PM to inaugurate the proposed Conference on Women Panchayat Pramukhs/members from all the States in the country. The Conference may be held on the 2nd of October, 1994 at Vigyan Bhavan. Ten representatives from each States may be invited and they may be accommodated in the respective Bhavans of the State Government. For this purpose letters may be sent to the Chief Secretaries, Resident Commissioners etc. From Delhi alone 140 persons may be invited for the Conference. The State Governments may be advised to meet TA/DA of the Pramukhs from their own budget. We may also approach the Ministry of Rural Development to help us with information and resources. The Institute of Social Studies, which is to take up study of "Empowerment of Women through Panchayati Raj" should also be invited to assist in furnishing data and information relating to women Pramukhs. ~~AWARE can provide information regarding women of SC & ST communities~~".

4.8 Subject to the amendments as mentioned in paras 4.2, 4.4, 4.5, 4.6 & 4.7 above, the minutes of the 12th meeting of the Commission held on 27.5.1994 were confirmed.

Item No.2 Action Taken Statement on the Minutes of the Commission's Meeting held on May 27, 1994

5.1 Chairperson expressed her dissatisfaction with the manner in which the Action Taken Statement had been prepared. Not only that the action taken had not been indicated in the same order in which the minutes had been given, there was a lot of duplication of information in a number of cases. Moreover, mention of 'Items', 'Supplementary Items', etc. made the whole statement confusing. She desired that in future Action Taken Statement and Notes on other items should be got approved by MS, and in her absence, as was the case on this occasion, by Chairperson. In fact,

(at least 5 days) so as to enable them modifications, if any.

5.2 While taking note of the action taken some of the items, the Commission discussed a detail. These are mentioned in the succeeding part.

(i) Interpretation of Section 10 of Commission for Women Act, 1990.

5.3 The Commission took note of the information matter was discussed at the meeting of the Expert Justice Delivery System held on 7-8 August, 1994. Chairperson and M(PS) had attended the meeting. It was decided that many of the provisions in the Protection of Women from Sexual Harassment Act, 1993 can be incorporated in the rule N.C.W. Act, 1990, except the immunity clause that was included as an amendment to the Act.

(ii) Expert Committee on Women and Economic

5.4(a) It was decided that as the remaining part of the Commission was very short, the question of setting up an Expert Committee may be left to be examined by the Commission.

(b) The Chairperson raised a query about the matter regarding setting up of a Computer Cell. Consultant who was specially called for the meeting, pointed out that a Committee had been set up to process the case, and a NIC had given its feasibility report on the types of computers required and the category of software to be purchased, keeping in view the functions of the Commission. The Chairperson further mentioned that as advised by N.I.C., quotations for the purchase of Computers were invited.

private firms. On the first occasion out of 12 parties, only 4 parties sent quotations. On the second occasion, out of the 7 firms from whom the quotations were invited, only 2 firms responded. Thus, 6 quotations will now be processed for selecting one of them. The aforesaid Committee will process the quotations in a meeting to be held shortly. It was decided that the Pay & Accounts Officer should also be associated with the Committee.

(iii) Visit to Andhra Pradesh.

5.5 It was noted that the visit to Andhra Pradesh had to be postponed at the instance of the State Government. It was agreed that M(PS) would again contact the State Government to finalise the date(s) of the proposed visit.

(iv) Preparation of films etc. on Panchayati Raj by UNICEF.

5.6 The Commission took note of the information that the film on Panchayati Raj would be completed by the end of October, 1994 and that the UNICEF would be happy to supply to the Commission any other video films on health and education to sensitise Panchayat Members. It was decided that the concerned Consultant should obtain a list of all such films available with UNICEF and also urgently procure some of these, to enable the Commission to select appropriate films for screening them. It was also decided that the possibility of NCW collaborating with UNICEF in the production of films concerning women's welfare and development should be explored.

(v) Monitoring of Special Studies/Projects etc.

5.7 Chairperson and the Members emphasised the importance of streamlining the procedure.

5.8 It was decided that :

- (a) as it was now proposed to consider term projects, there was no need for screening committee;
- (b) Consultant (Shri DKD Chowdhry) will in-charge of all proposals projects/studies/seminars, etc. proposals on legal matter which handled by Legal Unit). All proposals marked to Shri Chowdhry who will refer to the concerned Consultant for e The Consultants would in turn e proposals and route their files thr for submission to MS/concerne Chairperson, without in any way Administration which did not have th expertise.
- (c) It would be appropriate to consu Section for knowing the availabili etc. before the files are submitte authorities. Accounts Section normally go into the merits or other proposal unless, of course, they serious objections. Raising minor unnecessarily delayed sanction of p at times resulted in delayed Accounts Section should send the within 2-3 days;
- (d) Differences between Accounts Secti Consultants should be resolve discussions rather than by writi notes and counter-notes, as had be on a file recently;
- (e) C(DKD) will closely monitor the projects every fortnight and keep (Members/MS informed.

(6) Statement regarding progress of Studies

6.1 The Chairperson and Members highly appr efforts made by C(DKD) and C(Mrs.Widge). The every project was examined in detail.

- (i) Study on facilities for education, and rehabilitation of women in pris

It was noted that the TISS had su report and that it was under examination. It

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that the Member concerned would submit her specific suggestions regarding action to be taken on the recommendations contained in the report, by the end of September, 1994.

- (ii) Compendium of S&T Projects for Women in Agriculture by NISTADS, Delhi.

It was decided that the concerned Consultant would constantly pursue the matter so as to ensure that the report is received by the due date (i.e. end of November, 1994).

- (iii) Situational analysis of violence against women in Orissa by the Institute for Development and Habitat Project, Bhubaneswar.

The Chairperson felt unhappy over the fact that although the draft report had been sent by the Institute to the Commission for comments in January 1994, the 2nd instalment was released without examining the report. It was decided that Administration Section would immediately transfer the file to C(Mrs. R. Varghese) for examining the report.

- (iv) Employment opportunities for women in export sector of industries by the Council for Social Development, Delhi.

The Commission noted with concern that as CSD had delayed submission of the report, a reminder should be sent to Shri Muchkund Dube, Hony. Director of CSD.

- (v) Study of psychological profile of women prisoners in Tihar Jail.

Since Dr. Mohan of AIIMS had not received the cheque for advance payment, the study to be undertaken by him was dropped. Instead, the project was now proposed to be assigned to NIMHANS, Bangalore. It was decided that it

should be ensured that the report is received by Nov.'94).

- (vi) Study regarding Gender Bias in Court Lawyers Collective, Delhi.

The Commission noted with concern that progress report had been received. It was decided that M(PS) would write to Ms. Indira Jaisingh, request her to expedite the report.

- (vii) Study of Employment of Women, sectoral level, by Jai Shankar Memorial Centre, Delhi.

The Commission noted with satisfaction that the Centre had promised to send the report by the end of August, 1994.*

- (viii) Action Plan-cum-Training Module for Durable Employment Generation for the Slums in Calcutta by Associated Development Authority.

The Commission noted with concern that progress report had been received although it was due in July. It was decided that the matter should be pursued with the organisation to send the report without delay.

- (ix) Study on Data Base on Women in special reference to four Southern States: Ethiraj College, Madras.

It was noted that progress report and utilisation Certificate had been received in the first instalment, the second instalment had been released, and that the third instalment was expected to be received anytime during September to November, 1994.

- (x) Preparation of a Directory of Lady Colleges and Universities in Maharashtra: Pradhyapika Parishad, Pune.

It was noted that the report is due in January. It was decided that Consultant (Ms. Nag) would be assigned to complete the project.

* The report was received in the Commission in the

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- (xi) Working Women and their family perspective -
Manpower Management Centre, Delhi.

It was noted that the field survey had started. It was decided that the Centre should be asked to submit ~~the report~~ latest by the end of November, 1994.

- (xii) Mangalam Project on Delivery of Gender Justice to
Rural Women in Pondicherry.

The meeting was informed that the Mangalam Project is an experimental pilot project in justice delivery system to women and that the Co-ordination Committee has not only organised exposure training in social mobilisation but also prepared a report and sent to NCW.

- (xiii) People's Perceptions: Obscenity and Violence on
the Small Screen

- (xiv) Monitoring of news or information relating to
programmes broadcast/telecast on radio & T.V.

It was decided that the concerned Consultant should expedite action. in respect of both the studies.

- (xv) Study of women's empowerment in Etawah and Jaunpur
Districts of U.P. - Strategy for Social Mobilisation

It was decided that the Centre for Social Research should be reminded to send their report before the end of November, 1994.

- (xvi) Awareness Campaign in rural areas as an Innovative
Project : Stree Shakti Pratishthan, Delhi.

It was decided that the matter should be constantly pursued with the Organisation so as to ensure that they stick to the due date (November-December, 1994).

- (xvii) Project on awareness raising and inculcating self-
reliance among rural women in 20 villages of
Periyar District, Tamil Nadu, Kasturba Gandhi
National Memorial Trust, Madras.

It was pointed out that the draft report would be available by the end of December, 1994. It was decided that the Trust should be asked to send the report by the end of November, 1994.

- (xvii) Creation of mother friendly work-place
Department of Pediatrics, LTMG Hospital
and LTMM College, Bombay.

It was pointed out that the project was to be completed for a period of 3 months and that the report was expected by the end of September, 1994. It was decided that the Commission would monitor the project.

- (xviii) Initiative in the rescue and rehabilitation of women in prostitution in UP, MP, Rajasthan, Delhi:
Dr.(Ms.) Sanobar Shekhar
Bombay.

It was decided that the Researchers were asked to send the report by the end of November instead of December.

- (xix) Impact of SAP on employment of women in garment processing industries in UP: G.R. Singh
Archaeological Society, Allahabad.

It was decided that the organization was asked to send the report by the end of November instead of December, 1994.

- (7) Statement showing details of Conferences/Seminars/Workshops organised/co-sponsored/assisted by NCW and follow-up-action.

6.2 The Commission took note of the information contained in the statement, and decided that a Committee should be immediately set up in pursuance of the recommendations taken in a meeting taken by Chairperson on July 1993 for scrutinising the recommendations contained in the reports of Conferences, etc. On CP's request, M(B) was asked to chair this Committee. [Item No.4 of the agenda refers]. However, decisions were taken in the following specific cases:

- (a) Conference on NCW and Women's Crime Cell
on 30.6.1993-(Ref. Item 9 of the state

It was decided that the recommendations were circulated.

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- (b) National Workshop on Women in Panchayati Raj organised by NCW on 17-18 October, 1993 (Ref. Item No.10 of the statement).

It was pointed out by the concerned Consultant that the report would be submitted within a fortnight.

- (c) Conference on Women's Studies Centres organised by NCW on 10.12.93 (Ref. Item 11 of the statement).

The Commission noted with concern that the report had not been prepared and that in fact, the file was not traceable. Chairperson directed that the file be traced immediately and report furnished.

- (d) Convention of NE States and Conference of NCW (Ref. Items 19 & 20 of the statement).

Chairperson desired that the report should be submitted positively by the end of September, 1994.

Item No.3 : National Seminar on Forces Generating Changes in Women's Status - Proposal of the Centre for Women's Studies, University of Rajasthan.

7. The Commission felt that the agenda note had not been properly prepared, as it had not been indicated as to what action had been taken by the Office after the Centre's letter was received in April, 1994.

Item No.4 : Committee to scrutinise recommendations of Seminars etc.

8. Reference is invited to para 6.2 of the minutes at page 10.

Item No.5 : The petition filed before the Supreme Court against the landmark judgement of the Allahabad High Court Judgement on Fatwa/Talaq.

9. It was noted that the NCW held consultations with women's non-governmental organisations located in Delhi on 11 August, 1994 on many important issues affecting the interests of women including this item. Encouraged by the

support offered by the NGOs the Commission decided to file an application in the Supreme Court to intervene in the case.

Item No.6: To protect and safeguard 33% reservation provided to women in Panchayats and Gram Panchayat bodies guaranteed under 73rd Constitutional amendments: the Commission's intention to oppose the case in Supreme Court challenging such reservations.

10. At the meeting on August 11, 1994, the Commission welcomed the Commission's decision to file an application in the Supreme Court as an intervenor.

Item No.7 : Report on working of Sub-Committee on the cases of child rape submitted by

11.1 The Commission took note of the report submitted by Member (MD) on the performance of the Sub-Committee set up to probe into the cases of rape of girls. The Commission gave its consent to Member's proposal to: (a) drop the State of Maharashtra from the purview of study; (b) to decrease the strength of social workers undertaking study in Andhra Pradesh from 7 to one; and (c) to allow 4 out of the 7 social workers to continue with their study for another four months from 30.9.1994.*

11.2 The Commission did not, however, agree to the proposal for grant of incentive, in the form of monthly pay, to the Consultant, who is looking after the child rape cases in addition to scrutinising the work of social workers appointed in the Sub-Committee.

* It was later brought to CP's notice that no payment had been made for the months of June, July and August, 1994 and will also not be made for September, 1994 and the period of 4 months should start from October, 1994 to January, 1995. CP has agreed to the suggestion.

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11.3 Chairperson desired that Member(MD) should give a brief report on the working of Sub-Committee for inclusion in the Annual Report.

Item No.8: Organising discussions/talks/lectures in NCW by Experts on different subjects.

12. It was noted that although decision to hold a function every month was taken on 13.7.1994, no function had so far been held. Chairperson urged the Members to organise a few functions before 31 January, 1995.

SUPPLEMENTARY AGENDA ITEMS (1-4)*

Item No.9 : Remuneration of Consultants who have served the Commission for one year or more.

13.1 Chairperson stated that it was not the question of remuneration but giving additional amount of Rs.500/- per month to meet conveyance charges, etc. Hence, the heading given was wrong. The decision had already been taken in the Commission's meeting to give this benefit. She did not, however, agree to the suggestion in the note that the benefit be given w.e.f. 1.3.94 as she felt that there could be an audit objection. It was accordingly decided that the benefit should be given only from 27.5.1994, the date on which the decision was taken. It was also made clear that in view of this decision to give additional Rs.500/- per month for conveyance, Consultants would not be entitled to claim any other local conveyance/TA. The use of staff cars would also be permissible only in rare emergent situations.

* Although these items were mentioned as "Supplementary Items" in the Agenda Notes, these were actually new items and have been renumbered as Nos. 9, 10, 11 and 12.

13.2 As regards part-time Consultants, it was stated that those Consultants who had completed one year of Commission, would be paid Rs.250/- p.m.

13.3 While the Commission's gesture in deciding Rs.500/- as conveyance charges, in a reimbursement for telephones, and EL/HPL was appreciated, many, one member of the staff stated that (under Ministry of HRD) was giving better conditions to their Consultants. Chairperson requested full information be obtained from NIPCCD, and details be submitted to her.

13.4 A point was raised that, ^{while} the question of benefits to Consultants was being debated, no objection being taken against those who were making extensive use of staff cars, and STD facilities, both in the office and residence, whereas these facilities were not even available to Members. The Chairperson assured that she would look into the matter inquired into.

Item No.10: Study/Research Projects/Proposals, Conferences/Workshops etc.

13.1 The projects mentioned under Item I had been discussed during the discussions over the minutes. Statement (projects mentioned at (ii), (iv), (xvii) to (xx) on pages 7, 9-10 of these minutes.

13.2 The following proposed projects were not discussed:

- (a) Empowerment of Rural Women in Panaji, submitted by Padmavati Mabuta Yalayam, Tirupati.
- (b) Assistance of any kind for women projects - Research Academy Enrichment (RARE), Orissa.

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- (c) Five of the six projects submitted by Jigyasu Tribal Research Centre.
- (d) Study of factors including employment of rural women and measures to improve their IAMR.
- (e) Impact of SAP on Women - NCAER.

14.3 The Commission approved the request of the Jigyasu Tribal Research Centre for grant of Rs.25,000/- for seminar on tribal health.

14.4 The Commission also approved the following proposals :

- (i) Action and Public Hearing in unorganised sector in Tamil Nadu - Centre for Labour Education Development, Madras.
- (ii) Impact of Maintenance Laws on divorced women in Kerala - undertaken by Mrs. Susheela R.Bhatt, Advocate, High Court of Kerala.
- (iii) A study of the existing Family courts Rules in order to prepare Model Rules to be forwarded to the State Governments.
- (iv) A study of the gender component in various Commission's Reports other than the Law Commission Reports - National Law School.
- (v) Study of the Law Commission's Reports on gender justice, by Shri S. Ramaiah.
- (vi) Working of the Panchayati Raj - the West Bengal Experience - a survey by an M.Phil Scholar of National Law School.

14.5 The Commission also approved the following proposals :

- (i) to hold a Conference of Trade Unions in September, 1994.
- (ii) to hold a Conference on Family Courts (date to be decided).

Item No.11 : Allowing Sundays as paid holidays for Casual Workers after putting in continuous work during a week.

15. Chairperson felt that the information submitted was inadequate. Pay & Accounts Officer explained that the same was being followed in other Ministries/Departments in accordance with the latest guidelines issued by the Department of Public Works. After discussions, it was decided that the guidelines issued by DOP should be followed.

Item No.12 : Regarding purchase of Encyclopaedia of Indian Women.

16. The Commission took note of the information regarding the purchase of the Encyclopaedias.

ADDITIONAL ITEMS WITH THE PERMISSION OF THE

17.1 M(PS) proposed that Shri S. Ramaiah, Secretary, Legislative Department, Ministry of Justice be appointed as Hon'y. Adviser (Legal) in place of Smt. Rama Devi, on similar terms and conditions.

17.2 After discussion, the Commission agreed to the proposal regarding appointment of Shri S. Ramaiah as Hon'y. Adviser (Legal) to the Commission.

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

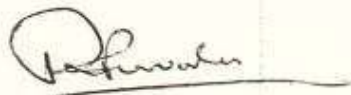
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I have approved the minutes
of the Commission's special meeting held
25.8.94. Please circulate this to
members, A-S & all concerned

J. Madan
12/9/94

OSD

As directed by CP, a copy of the minutes of the
Commission's special meeting held on 25.8.1994 is circulated
herewith.



(R.P. MADAN)
13-9-1994

All Members

M.S.

D.S.

All Consultants

PAAO

S.O.