

MINUTES OF THE COMMISSION'S MEETING HELD ON 18TH
APRIL, 2002.

Present in the meeting were:

- | | | | |
|----|-----------------------|---|------------------|
| 1. | Dr. Poornima Advani | : | Chairperson |
| 2. | Kum. Anusuiya Uike | : | Member |
| 3. | Smt. Nafisa Hussain | : | Member |
| 4. | Smt. Baby Rani Maurya | : | Member |
| 5. | Smt. Reva Nayyar | : | Member Secretary |
| 6. | Smt. Nita Kapoor | : | Joint Secretary |
| 7. | Kum. R. Bhama | : | Deputy Secretary |

Agenda Item No.1

Leave of Absence.

Member (K.S. Reddy) was granted leave of absence by Chairperson.

Agenda Item No.2

Confirmation of Minutes of the preceding meeting held on 14th February, 2002.

The Minutes of the preceding meeting held on 14th February, 2002 were approved.

Bhama

Minutes of the meetings of Members held on 28th February, 4th March, 18th March, 4th April and 9th April 2002 – Taking on record.

Minutes of the meeting of Members held on 9th April, 2002 were circulated in the course of the meeting. The Commission approved the minutes of the meetings held on 28th February, 4th March, 18th March, 4 April and 9th April, 2002.

Agenda item No.4

Presentation by Chairperson, Members and Member Secretary.

Presentations were made on their work by Member (A.Uike), Member (N.Hussain), Member (B.R.Maurya) and Member Secretary. Members would submit their written presentations.

It was decided that, in future written presentations should also be submitted.

Agenda Item No.5

Proposals relating to Special Studies/Seminars/Workshops/Public Hearings approved by the Screening Committee on 19th February and 4th April, 2002.

The list of proposals approved by the Screening Committee on 19th February, 2002 was inadvertently not included in the agenda notes, the list was circulated during the meeting.

The proposals approved by the Screening Committee in its meeting held on 19th February and 4th April, 2002 were noted by the Commission.

Sharma

Agenda Item No.6

Economy in expenditure – on domestic travel/on telephone bills/on petrol (mileage).

It was decided that the matters of expenditure on various items need not be brought before the Commission. When any Member exceeds the limit prescribed under any head, the matter may be brought up on file before Chairperson. If any major issue is to be brought to the attention of the Commission, the same may be put up before Chairperson.

Agenda Item No.7

Monthly recoveries from CP/Members provided with computers, peripherals and software at their residence.

The Commission did not agree to any deposit of amounts (to be deducted from salaries) as a security deposit towards computers, peripherals, softwares etc. provided to Members at their residence.

However, it was decided

- (a) Members would individually sign the receipts for all items including software provided at the residence. The signature would be of the Member and not of their PS.
- (b) One month before the end of the term of the Member, the Member may either choose to return the asset or alternatively one month's salary would be withheld till the return of the items.

l. B. Hans

Development.

An estimated budget of Rs.9.65 lakhs for the workshop was also circulated separately in the additional agenda papers.

The subject matter of the workshop was approved as also the tentative budget. It was decided that

- (a) The role of women in civil services in economic empowerment would be included, in the list of issues
- (b) Senior and junior level officials at all levels in all cadres should be invited to the workshop.
- (c) A maximum of 8 to 10 NGOs dealing with sexual harassment complaints would be invited from each State.
- (d) There would be no payment of TA/DA etc. on xerox copies of the NCW's invitation. A letter being sent would specify that unless the letter, in original, is brought, no TA/DA would be paid.

Agenda Item No.9

Proposed NCW Publication on Successful cases Handled by the Complaint Cell.

The proposal to bring out the volume of successful cases handled by the NCW at a sum of Rs.25,000/- was approved. The person to prepare the volume would be identified.

Bhawa

Agenda Item No.10

Telecasting of 6-8 spots on Domestic Violence produced by International Centre for Research on Women (ICRW).

The proposal to include NCW in the list of organizations on the network of ICRW was approved with the condition that it should be clearly stated that NCW would only look into cases of grave and serious nature.

Agenda Item No.11

Construction of office building for NCW at Jasola Institutional Area.

The Commission noted the expenditure on the construction of the office building and payment of Rs.3,92,963/- to HUDCO as consultancy fee.

Agenda Item No.12

The Constitution (Ninety Third Amendment) Bill, 2001.

The petition against gender discrimination in the Ninety Third Amendment Bill presented to the NCW by NGOs including FORCES, Bharat Jan Vigyan Jatha, Women's Coalition for Peace and Development etc. dated 18th February, 2002 would be forwarded to the Department of Education for their comments as the NCW, in principle, agreed with the issues raised therein. It was decided that the Commission would write to Shri S.K. Tripathi, Secretary, Department of Education to present his views to the NCW as the Bill has already been placed before the Parliament, though not yet passed. It should also be made clear that, under Section 16 of the NCW Act on every major policy matter affecting women, the Central Government is bound to consult the Commission, which has not been done in this case.

Sharma

Filing of PIL in Supreme Court for implementation of Family Court Act by all States and UTs.

The Commission approved that NCW may file a PIL for implementation of the provisions of the Family Courts Act in all States and UTs.

Agenda Item No.14

Proposed allotment of fifty two 30 minutes slots by AIR Chhindwara for women's issues.

The proposal to allot 52 slots of 30 minutes each by All India Radio Chhindwara to broadcast awareness programmes for the welfare of women at Rs.16,588/- @ Rs.319/- per programme for 52 weeks was considered very good. However, the programme should be coordinated by an NCW Member. The NCW Member in charge of the State would be ultimately responsible for the broadcast. The actual content of the programme would need to be first approved by NCW Member (A.Uike) who had proposed this. It was requested to identify an NGO, who could coordinate the programme. The amount sanctioned for the programme would be paid to the identified NGO.

Agenda Item No.15

Proposal to hold one more regional workshop in North Eastern Region – on the subject of Women in Agricultural and Allied Enterprises.

It was decided that a decision would be taken after receipt of all reports of the four regional workshops, vetting the same and assimilating the recommendations. The proposal was approved in principle. The matter would be discussed subsequently.

In view of the fact that Dr. P.S.K. Menon was not able to prepare report of the earlier constituted Task Force on the Empowerment

P. S. K. Menon

Agenda Item No.16

Workshops on the problems and prospects for development of Tribal Women – Change of region – from South India to Himachal Pradesh (Shimla).

The Commission approved the change of region of the workshop from South India to Himachal Pradesh.

Agenda Item No.17

Report of the Inquiry Committee to inquire into the allegations of atrocities against women in Baloda Bazar, District Raipur, Chhatisgarh.

The draft report had been discussed by Members in the meeting held on 9th April, 2002. The revised report incorporating the changes suggested in the recommendations was circulated in the meeting of 18th April, 2002. The revised report was approved and adopted, subject to obtaining the signature of Shri O.P. Singh, Member of the Inquiry Committee on the report placed before the Commission. (The report was signed by the other Members of the Committee, Viz. Ms. Anusuiya Uike and Mr. P.M. Nair).

Agenda Item No.18

Report on Panchayat Raj Training for Tribal Women Chairpersons, Sarpanches in Nellore and Mehboobnagar District, A.P. – Adoption/approval by the Commission in the meeting to be held on 12.4.2002.

The report was approved and adopted.

Deham

Agenda Item No.19

Report of the Regional Workshop held at Ranchi (Jharkhand) 20 December, 2001 on Empowerment of Tribal Women : Problem Prospects – for adoption/approval by the Commission.

The report was approved and adopted.

Agenda Item No.20

Report of the Regional Workshop held at Nasik on 3-4 January, on Empowerment of Tribal Women : Problems and Prospects - adoption/approval by the Commission.

The report was approved and adopted.

Agenda Item No.21

Report of the Workshop held at Dharwad, Karnataka on February, 2002 on Challenges, Opportunities and Constraints faced by Women in Agriculture and Allied Industries – adoption/approval by the Commission.

Since Members had not read the report, it was decided that Members would read it and it would be adopted in circulation.

Agenda Item No.22

Report of the Regional Workshop held at Ludhiana on 4th March 2002 on Challenges, Opportunities and Constraints faced by Women in Agriculture and Allied Industries – For adoption/approval by Commission.

Since Members had not read the report, it was decided that Members would read it and it would be adopted in circulation.

R. Sharma

**Report of the Workshop held at Jaipur on 1-2 February, 2002 on
Holistic Approach for the Development of Adolescent Girls in
Rajasthan – For adoption/approval by the Commission.**

The report was approved and adopted. However, details of the Adolescent Girls Charter and of the Task Force to be formed, which points are included in the recommendations, should be called for.

Agenda Item No.24

**XXIV Biennial Conference, Golden Jubilee Celebration, Homi
Science Association of India, Lady Irwin College, New Delhi on 3-
October, 2001 – Issues and concerns related to Education of Children
especially the Girl Child – for adoption/approval by the Commission.**

Since this was only a brief report, a complete detailed report should be asked for, which can be then considered for approval and adoption.

Agenda Item No.25

**Proposals relating to Legal Awareness Programmes approved by the
Screening Committee.**

The list of proposals approved by the Screening Committee in its meeting held on 5.4.2002 was noted by the Commission.

The Commission was informed that Dr.(Smt.) Sudha Malaiya, who was shortly joining as Member, NCW was running an organisation called 'Ojaswani' from Bhopal to which organisation a legal awareness programme had been sanctioned. The Commission decided that the sanction would be withdrawn if it is confirmed that a Member, NCW is managing the organisation.

R. Sharma

Proposal for National/Regional Workshops on Status of Muslim Women.

The proposal for national/regional workshops on Status of Muslim Women as a follow up of the NCW publication 'Voice of the Voiceless' was approved in principle.

The issues to be taken up in the workshops needed to be drawn up. However, they should include the following common issues in each of the five workshops, viz. (a) Economic Empowerment (b) Personal Laws, especially those relating to property. The issue of marriage of Indian Muslim women to foreign nationals, which may amount to trafficking of women may also be taken up. After discussion in the Expert Committee meeting, the issues may be drawn up and submitted.

The Commission was also informed that this proposal had been placed by former Member Dr. Syeda S. Hameed, through an NGO, the proposal had been approved by the Commission. However, Dr. Hameed had subsequently got the project approved from UNIFEM. Some of the workshops had already been completed. The Commission decided that report may be obtained from UNIFEM and slates taken up in the proposal funded by UNIFEM would not be repeated by NCW. In all the five workshops, participants would be invited from the neighbouring States.

Agenda Item No.27

Method of Pre-Sex determination in the Biology Text Book Standard XI.

It was decided that the errors in the Biology Text Books published by the Gujarat State School Text Book Board, pointed out by CHETI would be taken up with the Secretary, Education, Government of Gujarat for necessary action. The Gujarat Government would also be requested to send a confirmation after the changes are effected.

Dr. Hameed

Reference received from NHRC regarding marriage of Indian Muslim Women to foreign nationals – Trafficking of Women.

The Commission decided that a reply would be sent to DWCD stating that marriage of a minor should be prevented by Civil Law under the Child Marriage Restraint Act and Muslim Personal Law should be overridden to this extent.

Agenda Item No.29

Report of one-day public hearing on Child Marriage held at Pune on 10th March, 2002 – Adoption/Approval by the Commission.

Since Members had not read the report, it was decided that Member would read it and it would be adopted in circulation.

Agenda Item No.30

Report of the Public Hearing on Factions in five districts of Andhra Pradesh held on 19.12.2001.

Since Members had not read the report, it was decided that Member would read it and it would be adopted in circulation.

Agenda Item No.31

Proposal for broadcasting of sponsored programmes for development of women by AIR, Balaghat (MP).

The proposal to allot fifty two slots of 30 minutes each by All India Radio, Chhindwara to broadcast awareness programmes for the welfare of women at Rs.16,588/- @ Rs.319/- per programme for fifty two weeks was considered very good. However, the programme should be coordinated by an NGO. The NCW Member in charge of the State would be ultimately responsible for the broadcast. The actual content of the programme would

Sham

pogramme. Finance would be paid to the NGO.

Agenda Item No.32

Any other item with the permission of the Chair.

Agenda Item No.32(1)

Details of expenditure incurred during the financial year 2001-2001.

The Commission noted the headwise expenditure incurred during the financial year 2001-2001 totaling Rs.443.24 lacs.

Agenda Item No.32(2)

Letter from Smt. G. Chaudhuri regarding obscene advertisement belittling women.

A letter was received in the Commission regarding an advertisement issued by Hercules Healthcare Products Pvt. Ltd., Gurgaon in leading magazines which was offensive in its suggestion. The Commission agreed that the advertisement was offensive and the Commission would (a) refer the advertisement to Advertising Standards Council of India. (b) Seek an explanation from the advertisers.

Agenda Item No.32(3)

Inquiry Committee on the alleged rape of Smt. Premvati, D village, PS Masuri, Ghaziabad District, U.P.

The investigation was carried out by Member (B.R.Maurya) and Vasudha Dhagamvar, Executive Director, MARG. The report of investigation submitted by Dr. Dhagamvar was approved and adopted.

D Sharma

Resolutions passed by the All India Women's Conference in a seminar on "Women and Social Justice at Home and at the Work Place" letter received from AIWC.

The letter dated 9th April, 2002 received from All India Women's Conference enclosing the resolutions passed in the above said seminar for consideration by the NCW was noted by the Commission. A reply would be sent acknowledging receipt of the letter and saying the Commission has noted the suggestions.

Agenda Item No.32(5)

Procedure for conduct of business in important areas.

The Commission decided that the following procedure would be followed:-

(1) Tour programmes of Members

- (a) Members are to submit their tour programmes for the approval of the Chairperson at least 4 days in advance of the date of departure to enable the Chairperson to examine the proposed programme.
- (b) At any point of time at least two Members should remain at headquarters to take care of any sudden events on which the Commission may need to act or respond.

(2) Members to obtain station leave

- (a) Members should invariably seek Chairperson's approval for leaving headquarters whether on leave or tour and even in cases when they propose to leave station during weekends or other holidays. This may be ensured, since in the event that Chairperson needs to consult Members on any emergent issues, meetings could be called/consultations could be held at short notice.

(3) Permission to take staff cars outside headquarters

L. Bhanu

Rules. Under the Rules, staff cars can be taken out of headquarters only with the permission of the Secretary to the Government of India. In the case of NCW, permission would have to be sought from the Chairperson, NCW invariably. The Staff Car Rules would be followed.

(4) Correspondence/communication with authorities

As per the present practice, Members of the Commission do not correspond individually with various authorities; be it Ministers, Ministers (Central or State) and Government functionaries at the Central or State level.

Under Section 9(3) of the NCW Act, 1990 all orders and decisions of the Commission are required to be authenticated by the Member Secretary or any other officer authorised by the Member Secretary. Therefore, all communications with the officers especially instances where the Commission's decisions are to be communicated would invariably be issued by the Member Secretary. Wherever, letters to issue to Government functionaries who are not Ministers (Ministers, Judges etc.) the same may be issued by Member Secretary with prior approval of Chairperson, NCW.

(5) Meeting with the Press

For any meetings/interviews with the Press, prior permission of the Chairperson should be taken. At times, Members may be attending some workshops, seminars or programmes, where members of the Press may be present and may ask them some questions. On such occasions Members may interact with the Press, however, prior permission of the Chairperson would be necessary to attend such meetings.

f. B. Khanna

For all meetings with Members of Parliament/MLAs or political parties, prior approval of the Chairperson should be taken.

(7) Suggestion of names for various Committees of the Commission

When the Commission is to constitute any Committee, i.e. Inquiry Committees, Expert Committees, etc. Members are requested to send suggestions for names. While sending names, Members would be required to indicate in brief the field of work/experience of the persons suggested.

Agenda Item No.32(6)

Provision of lift in the ICCW Building

The ICCW had requested the Commission to share 50% of the expenditure on initial cost and installation of lift in the building. The approximate cost of the lift would be Rs.7.5 lacs out of which Rs.3.75 lacs was sought from NCW.

It was decided that while NCW is in favour of the operationalisation of the lift, in view of the fact that NCW cannot invest in an asset belonging to some other entity, a reference may be made to DWCD for relaxation of these rules.

Agenda Item No.32(7)

Bal Vivah Virodh Abhiyan.

Members were requested to detail their plans for the Abhiyan.

Member (A.Uike) said the districts selected for the Abhiyan in Madhya Pradesh were Rajgarh, Guña, Ujjain, Ratlam and Mandsaur. The Abhiyan would be carried out from 9th to 15th May, 2002.

Member (B.R.Maurya) , who was in charge of the Abhiyan in Ujjain said a meeting was being held by Secretary, WCD on 18.4.2002 and details would be communicated to Member by 19.4.2002. The programme would

Signature

Member (N.Hussain) said a meeting has been scheduled 19.4.2002 with the State Government and the Rajasthan State Commission. She would be informing the details subsequently.

Agenda Item No.32(8)

Tours by Members.

Chairperson asked the Members to include jail visit, visit to place of custody, meeting with NGOs and promotion of Mangalam and PMJ during their tours.

In the proforma circulated for the tour programme, the time of departure and arrival was inadvertently missed out. While submitting the tour programmes to Chairperson, Members may kindly include this. The statement of district wise activities of the Commission would be circulated to Members as per their geographical allocation of States. Chairperson asked Members not to repeat visits in the districts already covered earlier. Further, Legal Awareness Camps and social awareness camps should be sanctioned for uncovered districts.

Agenda Item No.32(9)

Bill on Prevention of Domestic Violence.

A meeting to discuss the Bill placed before Parliament on Prevention of Domestic Violence to be held with selected Members of Parliament and NGOs was approved by the Commission. The draft Bill was understood, had been sent to the Select Committee, hence a need was felt to make clear the NCW's views on the draft Bill to Members of Parliament.

N. Hussain

Draft Bill on Sexual Harassment at Workplace.

It was decided that in order to finalise the draft Bill, a meet would be held with the NGOs, academics and lawyers, who had attended the last meeting on the Bill (on 10th December 2001), very quickly.

Agenda Item No.32(11)

Workshop on Sex Tourism.

In view of the announcement of the National Tourism Policy, the Chairperson proposed to hold a brain storming consultative workshop on the "Impact of Sex Tourism on Women" in India International Centre. The Commission had sanctioned two studies on the subject to EQUATION and PRERANA. These reports should be obtained prior to the workshop and would form the background papers for discussion.

Agenda Item No.32(12)

Film Spot on Prevention of Child Marriage.

The Film Institute of India at Pune had been asked by the Commission to produce ten 30 seconds spot on various subjects including one on Child Marriage. The spot on Child Marriage selected by the Commission was sent to Doordharshan. However, the same has been returned since the Doordharshan felt that the spot was such as would not be understood by the general public.

The meeting ended with a Vote of Thanks to the Chair.

Note: The Minutes of the meetings with Members held on 28th February, 4th March, 18th March, 4th April and 9th April, 2002 are annexed and will form part of the Minutes of the Commission's meeting held on 18th April 2002.

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Chairperson held a meeting with Members (A Uike, N.Hussain, B.R.Maurya), and Member Secretary on 28th February, 2002 and 4th March, 2002. Present in the meeting were also Joint Secretary and Deputy Secretary. The following were discussed and decided:

I. Celebration of International Women's Day

It was decided that there would be no separate function of the Commission on 8th March, 2002.

On 20th March, the Commission would hold a workshop on 'The Working of Family Courts' with its inauguration by Shri Arun Jaitley, Minister and presided over by Shri Kamal Pande, Secretary, MHA.

On 21st March, 2002 a workshop would be held on 'Strategies for Economic Empowerment of Women'. It was decided that :

- (a) Copy of the programme would be circulated to Members
- (b) Members would indicate names of ten NGOs to be invited, five for the Family Courts workshop and five for the workshop on Economic Empowerment.
- (c) State Commissions for Women would be invited but no TA/DA would be paid.

II. Bal Vivah Virodh Abhiyan

It was decided to have the Abhiyan in some selected states. The names of the States tentatively selected with names of Members who would coordinate the programmes in the respective States were decided as follows:

M.P.	- Member (A. Uike)
Bihar	- Member (N. Hussain)
Rajasthan	- Member (B.R. Maurya)
Orissa	- Member Secretary
A.P.	- Member (K.S.R. Reddy)
Gujarat	- Chairperson

A copy of the strategy/Action Plan worked out by a group of NGOs in Jaipur would be circulated.

police training schools (for operationalisation of the NCW course curricula for gender sensitisation).

PSs to CP/Members/Officers should immediately submit a report (within 48 hours of the return of Member from tour), a brief report in format, which would be circulated. This report would be attached to the claim. TA claim shall also, thus, be submitted within 2 days of return to headquarters.

Detailed tour report would be submitted within a week or 10 days.

IV Jail Visits

It was decided to prepare a standardised format for all Jail visits. Members were requested to send their suggestions for the same.

V. Coordinators

It was decided that the Commission would not have individual Coordinators for programmes. All coordinators engaged would work full time for the entire Commission and they would be available for use by all the Commission. Seating arrangements for them would be made on the 2nd Floor. The already appointed coordinators would also be available for all.

VI. Hearing of Complaints by Members

Members would hear complaints, when the nature of the complaint was such that Members should hear the case. It was decided that Members would be available on the following days of the week to take up hearings:

Mondays & Tuesdays : N.Hussain, and B.R. Maurya

Thursdays & Fridays : A.Uike and K.S.Reddy

(Consent of Member S.R.Reddy would be taken, as she was not present at the meeting)

VII Visit to Bihar on Mahasivaratri

It was decided that Member B.R. Maurya and Ms Vasudha Dhagamvar would visit Bihar on Mahasivaratri as it was reported that many child marriages are solemnized on this day. Assistance of the local police would be taken by them wherever necessary.

VIII Geographical Allocation of States

It was decided that the CP/Members/MS would look after the work of the following States :

Member N.Hussain : Maharashtra, Goa, Rajasthan

Member B.R.Maurya : Uttar Pradesh, Bihar

Member Secretary : Orissa

Allocation in respect of Member K.S.Reddy would be decided on her return from tour.

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Sub: Gist of the Proceedings of the meeting of the Members held on 18th March 2002.

A meeting was held by Chairperson in her chamber on 18th March, 2002
Present in the meeting were:

- i) Member (K.S. Reddy)
- ii) Member (Anusuiya Uike)
- iii) Member (N. Hussain)
- iv) Member (B.R. Maurya)
- v) Member Secretary

Also present were Joint Secretary and Deputy Secretary. The following were discussed/decided :-

(1) Defamatory article in 'Rashtriya Sahara'.

It was strongly felt that a letter to be written to the Editor, Rashtriya Sahara demanding the basis on which the article is based including the evidence since the contents was defamatory for the Commission and its Members.

(2) Thirty second Film Spots made by the National Film Institute, Pune.

The NCW had sanctioned 30 second spot on 10 issues to be made by the National Film Institute for a sum of Rs.5 lacs had been discussed. Out of this a sum of Rs.2.5 lacs had been released. The Film Institute had sent draft spots on 7 subjects with 5 variations in each. Since Shri Mohan Agashe, Director, Film Institute has now resigned, it would be preferable to finalise the spots by selection. Members were requested to view the spots on the cassette sent by the Film Institute and send their comments.

(3) Prevention of Domestic Violence Bill introduced in Parliament.

The letter received from Lawyers Collective on the Minimum Non-Negotiable in the above said Bill introduced in Parliament were circulated to Members to decide on the course of action to be followed by NCW. Suggested course of action in the letter of Lawyers Collective were :-

- The NCW should be contacted to call a national meeting of Members of Parliament, women's groups and lawyers to discuss the issue;

R. Sharma

- A Joint memorandum should be drafted after the NCW meeting and signed by all the participants;
- This memorandum can form the press release at a Press Conference called after the NCW meeting;
- A delegation to go and meet the Law Minister and the Human Resource and Development Minister;
- In the meanwhile, Ms. Alva will write to the Law Minister on behalf of the Women's Empowerment Committee, asking him not to introduce the Bill before it is reviewed.

The Commission decided that a letter would be sent by NCW reiterating its existing stand.

(4) *Bal Vivah Virodh Abhiyan.*

The draft action plan sent by NGOs of Rajasthan were circulated. Since time was short, it was decided that a detailed discussion on the strategies of NCW would be held on 22nd March, 2002.

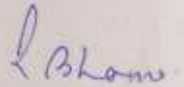
(5) *Construction of office building for the National Commission for Women at Jasola Institutional Area.*

A note on the above was circulated indicating the current status. It was decided that consultancy fee of Rs.3,92,962.50 may be released (including service tax applicable). Further, it was also decided that Administration should go ahead and do whatever is necessary.

J. Sharma

(6) *Setting up of an Expert Committee to examine the working of NCW in terms of its mandate under Section 10 – clause wise.*

Chairperson indicated that an Expert Committee comprising Smt. Syeda Hameed, former Member, Smt. Vasudha Dagambar and Smt. Kirti Singh had been set up to examine how far NCW had achieved its mandate under Section 10 of the Act. The analysis would be clause wise – Under each clause of Section 10(1) of the NCW Act. A coordinator would be appointed to prepare the report. The Members of the Commission felt that there is no need to appoint a coordinator. The work could as well be done by the Law Officer of the Commission.



(R. BHAMA)

DEPUTY SECRETARY

21.03.2002

PS to CP

All Members

Member Secretary

Joint Secretary

- A Joint memorandum should be drafted after the NCW meeting and signed by all the participants;
- This memorandum can form the press release at a Press Conference called after the NCW meeting;
- A delegation to go and meet the Law Minister and the Human Resource and Development Minister;
- In the meanwhile, Ms. Alva will write to the Law Minister on behalf of the Women's Empowerment Committee, asking him not to introduce the Bill before it is reviewed.

The Commission decided that a letter would be sent by NCW reiterating its existing stand.

(4) *Bal Vivah Virodh Abhiyan.*

The draft action plan sent by NGOs of Rajasthan were circulated. Since time was short, it was decided that a detailed discussion on the strategies of NCW would be held on 22nd March, 2002.

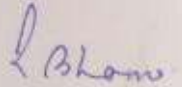
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Sharma

(v) *Setting up of an Expert Committee to examine the working of NCW in terms of its mandate under Section 10 – clause wise.*

Chairperson indicated that an Expert Committee comprising Smt. Syeda Hameed, former Member, Smt. Vasudha Dagambar and Smt. Kirti Singh had been set up to examine how far NCW had achieved its mandate under Section 10 of the Act. The analysis would be clause wise – Under each clause of Section 10(1) of the NCW Act. A coordinator would be appointed to prepare the report. The Members of the Commission felt that there is no need to appoint a coordinator. The work could as well be done by the Law Officer of the Commission.



(R. BHAMA)
DEPUTY SECRETARY
21.03.2002

PS to CP

All Members

Member Secretary

Joint Secretary

Sub: Record of proceedings of the meeting with Members held on 04.04.2002

Chairperson held a meeting with Members (K.S. Reddy, A. Uike, N. B.R. Maurya) and Member Secretary on 4th April, 2002. Present in the meeting were also Joint Secretary and Deputy Secretary. The following were discussed and decided.

I. Visit of NCW delegation to Gujarat on the subject of the Women due to Communal Riots

The visit of an NCW delegation to Gujarat was approved by the Commission in its meeting held on 4th April, 2002.

- (a) Besides NCW representatives, the team would comprise
- Eminent women activists
 - Retired Judge
 - Police Officer (preferably women officer)
 - Lawyer-cum-social activists
 - Representative of Gujarat Minority Commission.
 - Local NGOs.

Members were requested to suggest names to CP.

- (b) The team would look into the issue from the point of view of
- Inquiry
 - Rehabilitation
 - Ongoing monitoring of Government's efforts (this would be done subsequently by local local NGOs)
- (c) Report of NHRC has been received and would be circulated.
- (d) Report of NCM would need to be obtained.
- (e) After the team is decided upon, a brief preliminary meeting would be held before departure.

II. Bal Vivah Virodh Abhiyan

It was decided that some reallocations of States would be done. The campaign in Rajasthan would be coordinated by Member (N. Hussain) and the campaign in U.P. would be carried out in U.P. under the control of Member (B.R. Maurya). Bihar would also be included.

N. Hussain

Letters had been written to the State Governments seeking information on districts with the maximum incidence of child marriages to be targeted for the campaign. A summary of the replies (Annexed) was circulated to Members. It was decided that each Member would consult the State Commissions (wherever constituted) and the Secretary (WCD) and identify districts along with names of NGOs for the campaign. The campaign may be held in one district, but participants should be invited from the neighbouring districts also. The main campaign would be held on 15th May, perhaps, in the State capital.

The campaign would concentrate on prevention and involve

- (a) Prevention of Bal Vivah
- (b) If the marriage has taken place, prevention of 'gauna'
- (c) Compulsory registration of marriage
- (d) Rehabilitation of victims of child marriage.

The campaign would be a rural based campaign with involvement of women at Panchayats, PRI, SHGs, ANMs, Anganwadi workers, school teachers (including Navodaya Vidyalaya and Rajiv Gandhi Pathshalas) and Nehru Yuvak Kendras. Assistance may also be taken from the Directorate of Education and the support available under the Kishori Balika Yojana.

A total budget of Rs.15 lacs for 6 States was approved to be used as per requirement. On an average, the regional campaign would be at Rs.30,000/- per State Abhiyan. The final campaign on 15th May at State capitals may not exceed Rs.50,000/-.

Members would be requested to finalise their proposed campaign in the States allocated to them by 12th April, 2002 and not later than 15th April, 2002. These proposals would be submitted to Chairperson.

III. Bill on Prevention of Domestic Violence

It was decided that since the Bill was not yet passed and even the Government is having this, perhaps, re-thinking on the provisions of the Bill, a meeting may be held with selected Members of Parliament (including all women Parliamentarians) and social activists to discuss on the changes required in the Bill. Member (K.S. Reddy) dissented from this view and felt that a meeting with MPs was not necessary. Only NCW's views may be sent in writing to all Members of Parliament.

d. Blama

IV. Focus of NCW on a general umbrella issue

It was felt that the Commission may focus on one umbrella issue throughout the year, which may be linked to all group issue being taken up by the Commission and brought up in every forum. The following suggestions were given by Members

- (a) Family Courts
- (b) Schemes for economic empowerment with sub themes on awareness, implementation, accountability.
- (c) Economic Empowerment
- (d) Reservation including reservation in political posts, in funding, in jobs and employment, in economic empowerment schemes and in I Adalats.

Members were requested to give suggestions along with linkages by 5.4.20

P. B. Sharma

COMMISSION FOR WOMEN

Sub: Record of Proceedings of the Meeting with Members held on 09.04.200

Chairperson held a meeting with Members (A.Uike, N.Hussain, B.R.Maur and Member Secretary on 9th April, 2002. Present in the meeting were also Joint Secretary and Deputy Secretary. The following were discussed and decided:-

- (1) *Visit of NCW delegation to Gujarat on the subject of the Women's Plight due to Communal Riots.*

The visit of an NCW delegation to Gujarat was approved by the Commission in its meeting held on 4th April, 2002. The constitution of the Committee was decided as follows:

- i) Chairperson
- ii) Member (N.Hussain)
- iii) Member Secretary
- iv) Shri Rammohan, former DG, BSF
- v) Shri Anees Ahmed, Advocate, Supreme Court
- vi) Ms. Pinky Anand, Advocate, Supreme Court
- vii) Ms. Pam Rajput from Mahila Dakshita Samiti
- viii) Ms. Vasudha Dhagamvar from MARG

Local NGOs and others would be co-opted later. Names suggested were those of SEWA, Ahmedabad, CHETNA (Ms. Indu Capoor), Ms. Annie Prasad, and representative of the local Minority Commission of Gujarat. It was also suggested that the questionnaire would be sent, to be filled by (a) officials (b) NGOs and (c) victims.

NCW would also receive any complaints which may be sent by victims in Gujarat.

- (2) *Report of the NCW Enquiry Committee into the atrocities against women at Baloda, District Raipur, Chhatisgarh – For approval/adoption.*

Member (A.Uike) placed before the Commission the report of the above said inquiry for approval.

Bhama

It was decided that the recommendations needed to be strengthened. Based on the preliminary report, a letter would be written to Chief Minister, Chhatisgarh for immediate action.

It was also decided that it would be the responsibility of the NCW Members who are on any Inquiry team to furnish their file containing all the original documents and papers of any inquiry to Member Secretary immediately after the finalisation of the report in order that the file could be maintained properly for the future reference.

(3) ***Focus of NCW on a general umbrella issue***

In the Commission's meeting held on 4th April, 2002 it was decided that the Commission may focus on one umbrella issue and Members were asked to send suggestions. In the Commission's meeting the Commission approved the subject theme of "*Economic Empowerment of Women*" as the focal point. It was decided that an Expert Committee would be constituted to draw up the modalities for the Commission's action, the first meeting of the Committee may be held on 22nd April 2002 in the IIC Committee Room. Members were requested to send suggestions and names to be included in the Expert Committee by 10th April, 2002.

(4) ***Bal Vivah Virodh Abhiyan***

Members were requested to give a specific Plan of Action to the Chairperson latest by 15th April 2002. They would discuss the modality with the Government and finalise the Plan of Action. A letter would be written to the Secretaries of five selected States to coordinate the efforts between Department of Women & Child Development, Home Department and the State Commission for Women.

(5) ***Planning of Tours***

Members were requested to submit their tour programmes seven days in advance for the approval of the Chairperson. They were also requested to plan tours in districts where NCW had not done much work earlier. District wise details of NCW's activities would be circulated shortly. Emphasis may also be laid on tours in the North East.

(6) ***Promotion of PMLAs***

It was decided that the Commission needs to encourage holding of PMLA. A letter would issue from CP to State Commissions. The State Commission for Women may act as nodal agencies and hold meetings with Legal Aid Board in the States.

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It was decided that Members would start hearing complaints from 1st May, 2002 in accordance with the days of the week scheduled (orders issued already). Members would organise their tours accordingly in order that they remain in headquarters on the days on which they are to hear complaints.

(8) *Spots prepared by National Film Institute, Pune*

Members had seen and approved the spot on Child Marriage. Film Institute would be requested to send the spot in the Master Beta Format. The NCW had commissioned ten spots within which only five were prepared (including on 'Child Marriage'). The Commission would need to approve the remaining five spots. Since 50% of the payment had already been released the Commission decided that a decision on the remaining 5 topics would be taken after discussion with the successor of Shri Mohan Agashe, head of the Film Institute, who has since resigned.

(9) *Workshop on Women in Civil Service – Role in National Development.*

The Commission was informed that a detailed note for the proposed workshop has been included in the formal agenda for the Commission's meeting scheduled for 12th April, 2002. While discussing this agenda item in the meeting, Members may make their suggestions. It was also proposed to hold a preliminary meeting of the Delhi based officers.

(10) *Inquiry into the rape incident at Ghaziabad*

Member (B.M.Maurya) briefed the Commission about the enquiry into the above incident undertaken by her alongwith Smt. Vasudha Dhagamvar (from MARG). A detailed report would be submitted to the Commission.

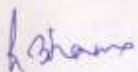
(11) *Calling of meetings of MPs*

It was decided that any meeting with Members of Parliament will not be called by any Member of the Commission without the prior permission of the Chairperson.

(12) *Recovery of air fare incurred by the Commission for unapproved tours of Members.*

Member Secretary explained the following position:-

Smt. Vijay Daksh, ex-Member and Dr. Poornima Advani, ex-Member (now Chairperson), NCW undertook tours during the period of January 1999 to July 1999



without approval of the then Chairperson. At the instance of the then decided to recover the requisite amount of Rs.31,882/- and Rs.1,30,524/- from Smt. Vijay Daksh and Dr. Poornima Advani. As per the decision note was issued requesting the Members to refund the amount. Pending the salary and CPF were not released.

Smt. Vijay Daksh has requested the Commission to release her CP vide her letter dated 4.12.2001.

Dr. Poornima Advani, had in her note set out the grounds on which she objected to the impugned tours needed to be waived and the matter referred to the Commission. Broadly, her arguments rested on the following points:-

- (a) Since the Commission was without a CP from July 1998 to July 1999, Members were proceeding on official tours without the approval of the Chairperson.
- (b) After the joining of the CP, the same position continued with all the Members until an office order dated 6th June, 1999 issued by the then Joint Secretary of the Commission. Tours undertaken prior to the date should not be held under objection as that was the prevailing practice.
- (c) Tours undertaken by the other three Members of the Commission, Dr. Indira Basavaraj, Ms. Sukeshi Oram and Dr. Syeda Haniffa, under precisely similar conditions during the same period were regularised by the then CP by means of post-facto sanction.
- (d) The Members continued in office till December 2001 but no provision for such reimbursement was made. The said demand has been made two years after the date of the last unapproved tour by an order dated 10.12.2001 just about 17 days before the term was to come to an end.
- (e) The relevant tour reports have been circulated and accepted by the Commission and various action points initiated thereon. The reports based on the work done during those tours were subsequently published by the Commission.

Pending the Demand note, it was decided to seek the valuable opinion of the Controller General of Accounts, CGA vide their D.O. No.10(1)/2002-TA dated 28.3.2002 (copy enclosed) clarified that :-

R. Sharma

- (i) CPF amount cannot be adjusted against any over-payment etc. to the Government servant, and
- (ii) Recovery from salary can be made only up to the limit of 1/3rd of the pay provided necessary office orders were issued to that effect by obtaining orders from the Chairperson. It is also stated that the Chairperson can regularise the tours by according ex-post facto approval for the tour.

In this case recovery orders were issued to the ex-Members with the approval of then Chairperson.

The Commission felt that all Members should be subjected to equal treatment and since the tours of three former Members had been regularised to the extent that prior sanction had not been obtained and cost of travel was paid by NCW, the same position may be taken in respect of Smt. Vijay Daksh and Dr. Poornima Advani and the tours be approved ex-post facto.

During discussion on this item Chairperson, Dr. Poornima Advani was not present.

(13) Use of official staff cars

Members were informed that in terms of the Government of India rules, recoveries for personal use of staff cars was enhanced to Rs.700/- Members were also requested to sign the log books themselves at the end of each day noting the time of release of the driver and the reading on the milo meter. Cars should also be parked in the NCW office premises.

The meeting ended with the Vote of Thanks to the Chair.

