

Minutes of the Commission's meeting held on 18th August, 1999

Date: 18th August, 1999

Time : 10.30 A.M.

Venue: Chairperson's Chamber

At the outset Chairperson welcomed all present.

Before the agenda items were then taken up, Commission put on record the following:-

- (a) Leave of absence to Member (I.Basavaraj), Member (P.Advani)
- (b) felicitation to Member (I.Basavaraj) for her daughter's wedding which is to be held on 30th August, 1999.
- (c) best wishes for the quick recovery of Member (P.Advani).

Agenda items were then taken up.

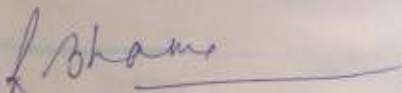
Agenda Item No.1

Confirmation of the minutes of the preceding meeting of the Commission held 14-15th July, 1999

The minutes were confirmed with the following modifications:-

- a) With regards to Agenda Item No.2- State visits of the Commission to Karnataka and Orissa in the 4th line from the bottom it may be mentioned

“details of the State visit would be decided in consultation with Member (S.Oram) and officials in Orissa”.



- (b) With regard to Agenda Item No.6 ,the first line would read as
“the Commission ratified/ sanctioned the proposal as below”.
- (c) The first line with regard to agenda item No.17 would read as
“similar queries as in Agenda Items No. 15 and 16 were raised”.
- (d) On page 12 under Agenda Item No.19 - suggestions on the Medical Reimbursement system - the minutes would read as
“discussion was deferred”.
- (e) With regard to Agenda Item No.15 in the last 2 paras references to Dr. P.S.K.Mcnon would read as
“references to Smt.Padma Seth”.
- (f) At page 17 regarding Agenda Item No.19 - suggestions on the Medical Reimbursement system,second and third lines would read as follows:-
“She said that since NCW is an autonomous body perhaps the suggestions which are a deviation from a dated system could be considered. This would also add to the convenience of the NCW users and also ease the work of administration”.

The last line would read as “ however, she said that it may be considered if it is to be implemented only for Class IV employees but not for Commission Members”

R Shams

(g) In Agenda Item No.24 - workshop on women issues under the auspices of NCW and Indian Law Institute - issue No.3 suggestion by CP would read as

“rights of women including minority women in respect of adoption”.

(h) At page 21 under Agenda Item No.26- any other items with the permission of the chair, the 2nd para first line would read as follows:-

“MS(I/c) informed the Commission that no payment have been made.....”

(i) Member (S.Oram) pointed out the omission of one item discussed in “any other item with the permission of the chair” which would be incorporated as follows:-

“Member (S.Oram) suggested the consideration of the proposal on the study of women in mines received from Utkal University, Orissa”. Members agreed to the sanction in principle and left it to CP ‘s decision on the details of the sanction, including amount to be sanctioned”.

Before other Agenda Items were taken up Chairperson placed on record

(a) the Commission’s thanks to Member (S.Oram) for successfully planning the Orissa State visit. She also suggested that letter of thanks be sent to Secretary, WCD, Orissa for the efforts put in to make the State visit a success.

(b) CP also said she was glad that two Members who had declined to be part of the State visit had changed their mind and had finally taken part in the state visit.

L. Bhamra

Agenda Item No.2

Report of the Inquiry Committee in case of Sexual Harassment at Delhi Public School, Faridabad - (a) Ratification of the report, (b) Presentation of the Report before the Parliament and State Assembly under Sections 10(2) and 10(3) of the NCW Act.

The reports of the Inquiry Committee in the case of Sexual Harassment at Delhi Public School, Faridabad was ratified by the Commission. Further it was decided that the Government should be asked to table the report before the Parliament and State Assembly under Section 10 1(b) read with Sections 10(2) and 10(3) of the NCW Act.

Agenda Item No.3

Constitution of Sexual Harassment Committee under Section 8 of the NCW Act.

CP desired that the purpose of setting up the Committee needs to be specified. Decision on the Agenda Item was deferred. However, on an academic plane Member (S.S.Hameed) suggested that instead of a Psychiatrist we could have a media person on the Sexual Harassment Committee and suggested the name of Ms.Usha Rai. CP suggested that although the CP and all Members would be ex-officio Members, the Core group may be of the same persons as were in the DPS Inquiry Committee namely, CP, Member (S.S.Hameed) and Smt.Leena Mehendale.

“Decision was deferred”.

Agenda Item No.4

Jharkhand - a Forgotten Chapter - Jharkhand Tour Report prepared by Member (S.S.Hameed) - follow up regarding.

The Commission noted that the report prepared by Member (S.S.Hameed) was very good as all her other reports. The members of the Network in Ranchi for the Jharkhand mooted by Member (S.S.Hameed) were approved. The network would consist of

(1) Prof. Malanchu Ghosh

S.S.Hameed

- (2) Prof. Rose Kirketta
- (3) Ms. Vasvi
- (4) Ms. Dayamani Burla

Details of the earlier networks formed by former CP (Mrs. Mohini Giri) were discussed. Member (S. Oram) said that attempts were earlier made to include 3 NGOs at every block/district level for networking. It was felt that this was a good idea. However, a word of caution was expressed that Member should be very sure of the network Members so that misuse of NCW's name /logo etc. is avoided. Over geographical allocation/functional allocation CP also desired that distinction may be maintained between letters sent on behalf of the Commission and individually on the Members' behalf.

Member (S.S. Hameed) proposed 3 action points

- (i) follow up action to be done by Counsellors;
- (ii) Having an Awareness raising evening of Jharkhand in which MPs/Social activists could be invited. Films could be screened. Member (S.S. Hameed) herself had two films on the subject - Budha weeps in Jadugoda and a film on Netrahart field firing range,
- (iii) set up a team for survey of health related issues of the people of villages affected by radioactivity in the Jharkhand area (reference was made to letters of JOAR and JOHAR)

The above were approved in principle. For (b) and (c) detailed proposals would be necessary.

Member (S.S. Hameed) also mentioned that UNIFEM was interested in raising awareness on the "DAIN issue" on which NCW could join hands. An organisation called FLAC has already been sanctioned about Rs. 77,000 for an awareness campaign, she wanted to know the status of the action taken by FLAC. MS(I/c) suggested the name of Shri Narendra Dabholkar, a famous activist in Maharashtra working on the theme of Anhashradha Nirmoolan. She suggested that he may be asked to associate with our survey work in

L. Bhamra

Jharkhand . The Commission agreed that he may be asked for a survey to be carried out in the Maharashtra, Orissa, Madhya Pradesh, Bihar, Hills of UP/belt on the Dian issue. The findings of the Dian Prohibition Act could also be considered by the study. It was suggested that MS(I/c) may write to Shri Dabholkar for submitting a proposal, if so agreed by him . The same would then be considered by the Commission.

Agenda Item No.5

Setting up of a network in Darbhanga Distt., in Bihar

Member (S.S.Hameed) was requested to circulate a note giving names of persons/organisation who would form the network in Darbhanga,

Agenda Item No.6

All Major expenditure to be approved by the Commission

Member (V.Daksh) referred to the detailed statement of expenditure of Rs.58 lakhs incurred by the Commission in April- May,1999 and commented on specific items of expenditure which in her opinion needed to be looked into.

Items

Comments by Member (V.Daksh)

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| (a) Purchase of computer table | Accessories are provided free with the computers by the company from whom the computers are purchased. Therefore tables should have been provided by the computer agency. |
| (b) expenditure on computer training | The company, selling computers provides 5 days free-training to the computer purchaser. This needs to be examined. |
| (c) Expenditure on Printing of Identity Cards | Details are required. |

- (d) Furniture/Fixture-
purchase of ceiling
fans . Local brands have been purchased
which are cheaper than the rates
quoted in the bills.
- (e) Cupboard in CP and
Member (P.Advani)'s
rooms . Expenditure is on higher side
- (f) Purchase of revolving chairs rates quoted are on higher side
- (g) Purchase of voltage
stabilizers rates quoted are on higher side
- (h) Purchase of Ambassador chairs rates quoted are on higher side

Member (V.Daksh) also sought clarification on the powers of Members for incurring expenditure and referred to the bill of the photographer who was asked by Member (S.S.Hamced) and Member (V.Daksh) to take photographs of the furniture lying on the terrace of the office building. CP commented that the proper way of doing things should have been followed.

Agenda Item No.7

Release of grant to NCW

The information submitted in the agenda note on the release of grants of NCW was noted by the Commission.

Agenda Item No.8

Project on Rape Laws- expenditure incurred.

The expenditure of Rs.1,05,686/- incurred as listed in the Agenda Note was approved. ex-post-facto by the Commission.

CP observed that expenditure on items at Sl.No.4,5, and 6 on the workshop at Vigyan Bhawan had to be incurred. However, she questioned why 2000 invitation cards were printed. As a consequence of the fall of the Government the Commission had no alternative but to postpone the workshop.

Agenda Item No.9

Sanction of 3 months Maternity leave for employees working in LIC - for adopted children.

The Commission decided that a suitable recommendation would be sent to the Government suggesting 135 days maternity leave (as per revised maternity rules) for all women employees for adopted children. The said maternity leave should be applicable upto a limit of two children.

Agenda Item No.10

Scheme of panels in every state for immediate intervention on behalf of NCW.

The proposal to set up panels in every state was considered good. Member (S.Oram) pointed out that Member Secretary (Smt.Binoo Sen) had suggested setting up of Samadhan Cells which have been set up in Distt. Keonjhar, Orissa. This cell comprises lawyers, social workers and works under the supervision of the Collector.

The Commission felt that in addition to such cells, which may be formally ... up by the Distt.administration, the Commission could have dormant panels which could be activated as and when required. The panelist could be from NGOs, retired/serving judges, police prosecutors, bureaucrats, police officers, department of law, Rural Development or Sociology, journalists, active Members of the State Commission Centres for women development studies, women sarpanches and eminent members of the public. Expenditure on remuneration needed to be worked out.

R. Bhanu

Agenda Item No.11

Functioning of Screening Committee

The CP's order of 23.7.99 was discussed. It was decided in the Screening Committee for scrutinising proposals on legal literacy/legal awareness programmes, the name of MS would be replaced by DS.

In the Screening Committee for scrutinising proposals for PMLAs, the name of MS would be replaced by US and in the absence of US, PAO would be a part of the Screening Committee.

Initial screenings for the Legal Literacy and PMLA proposals would be done by Law Officer who will be assisted by Ms. Veena Bhardwaj and Ms. P. V. N. Laxmi.

With regard to the Screening Committee for scrutinising all project proposals, studies, seminars, workshops, conferences, the services of Sh. P. S. Ravindra could be taken on adhoc basis on payment of conveyance.

Two Members namely Dr. Indira Basavaraj and Member (P. Advani) are presently on long leave. The concerned Screening Committees would continue in their absence. Wherever necessary another Member could be co-opted by the other Members of the concerned Screening Committee.

After the proposals are screened by the Screening Committee, a Committee would send the recommended cases, through administration, to CP for final sanction. A list of sanctions will be made available to the Commission at the following Commission meeting.

Agenda Item No.12

Revised Eve Teasing Bill

Member (SSH) referred to the Delhi state Eve Teasing Bill of 1984 which was placed before Delhi State Assembly.

that (a) status report on Eve teasing Bill could be obtained from Secretary, WCD of each state and (b) preparation could be started for brain storming on the subject.

Agenda Item No.13

Any other items with the permission of chair

(a) Provision of furniture for maintenance of Office at residence - raising of limit.

Member (VD) said that the Commission had taken a decision in 1993 to provide furniture to the limit of Rs.10,000 per Member and the limit should be increased.

It was decided that a note would be provided, containing the following (a) details of the Commission's earlier decision (b) what would be the present value of Rs,10,000 according to the 5th Pay Commission formula.

Also, CP desired to have a list of furniture purchased for all past & present Members so far containing details of items/date of purchase, cost, particulars of those items, present cost of Government approved depreciation rates, present location of the said furniture

(b) House building advance for women

MS(I/c) said that in accordance with the existing House Building Advance Rules, if both husband and wife are Central Govt. Employees, House Building Advance shall be admissible to only one of them. However, while calculating the cost ceiling of the House where both husband and wife are Govt. employees, pay of both shall be taken into account for determining the cost ceiling.

She proposed that the HBA should be admissible to both the husband and wife so that they may construct houses independently according to their choice. The Commission agreed with this view and it was decided to take it up with the Govt.

(c) Leave Travel Concession for Home Town (HTC)

MS (I/c) said that in accordance with the HTC Rules, if both husband and wife are Govt. employees they have the option to declare separate home towns independently. Both of them may claim HTC in respect of their home town subject to the condition that within a given block of years only one of them can avail of IITC but not both. Similarly, the children shall be eligible for only one benefit in one particular block year as members of the family of one of the parents only, but not of both.

From the position stated above it is seen that both husband and wife can visit their respective home town separately but the children and the dependent members can visit only either of the places.

It was proposed that the matter relating to the eligibility of children and dependent members to visit both the home places with both of them separately may be taken up with the Govt. so for making suitable amendment in the HTC Rules. This is needed particularly to ensure emotional support to the old parents on both sides of the family. Especially now when we are worried about more nuclear families and less care to old age people. This step would go a long way to provide better emotional support and bonding with grand children.

The Commission agreed that this recommendation should be sent to the Government

(d) Declaration of Dependents - Parents and Parents-in- Laws

The proposal was mooted by MS (I/c) she said that as per the existing Govt. Rules, there is no provision to include/declare both parents and parents-in- law as dependent members to avail various facilities like Leave Travel Concession, CGHS Medical facilities and transfer TA etc.

(Signature)

For the same reason as in the earlier agenda point, the matter for inclusion of both parents and parents-in-law can be taken up with the Govt. for making provisions in this regard.

The Commission agreed that the definition of dependent should be modified to include parents-in-law and that the same may be followed up with the Government.

(e) House Rent Allowance

Chairperson mooted this item. As per Govt. Service Rules only one spouse can claim house rent allowance. CP proposed that if both spouses are contributing equally by way of work, in Govt and paying income tax independently, both should be entitled for HRA. The Commission agreed that this recommendation be sent to the Government.

(f) Enhancement of remuneration to Ms. Seema Bhatia

MS(I/c) mooted the proposal. She explained that Ms. Seema Bhatia, Typist and Ms. Chandra were engaged by the Commission on daily wage basis and subsequently their services were converted into contract with effect from July, 1997 and 24th November, 1997 respectively. In the 39th meeting of the Commission an increase in the emoluments /fees of the Consultants/Counsellors was approved by the Commission with effect from 1.12.97. Subsequently, the emoluments of Shri Jaya Prakash, Ms. Uma Varshney, Ms. Reeta Sharma, Ms. B.V.N. Laxmi and Ms. Alpana Gupta were also enhanced by the Commission (by circulation). Ms. Chandra has since left the Commission. The question of enhancement of contract fee in respect of Ms. Seema Bhatia from Rs. 2300/- to Rs. 3450/- per month (50% of the existing contract fee) was placed before the Commission. It was also proposed that the enhancement be effected from 1.12.1997, from which dates arrears be paid. The Commission was also informed that Ms. Seema Bhatia along with some others has filed a writ petition on an entirely unconnected issue of retrenching all daily wage staff, and the Delhi High Court had

Accordingly, reference has been made to Shri Rakesh Prasad, Advocate on retainership for NCW seeking his opinion on whether the issue of enhancement of Ms. Seema Bhatia should be considered keeping in mind its impact on the writ petition. The reply of Shri Rakesh Prasad is awaited.

The Commission decided to wait till the response of Shri Rakesh Prasad., and authorised CP to clear the file if response was positive. In case of negative response, it was not necessary to treat it as final but to reconsider the issue again in the Commission.

(g) Assistance for culling information on issue of Political Empowerment of Women

Member (S.S.Hameed) said that she needed assistance for culling out names of women candidates who are proposing to contest in the forthcoming elections. It was agreed that she may take the assistance of an outsider on the payment of Rs.200/- per day by way of conveyance. CP suggested that her office has maintained the bio-data of a number of applicants which could be referred to if needed.

(h) Civil Writ Petition filed in respect of the Khargone Inquiry instituted by the NCW

The Commission was informed that NCW has been impleaded as a Respondent by some of the victims of Khargone, MP. The Petitioners have pleaded that the recommendations of the NCW's inquiry report should be implemented and if found unjust and uncredit worthy, the court may give suitable directions. The Commission was informed that Shri Rakesh Prasad, Advocate has been asked to file a reply in this case on 18.8.99 (the date of next hearing) Shri Prasad has also been asked to get in touch with a local advocate who could represent the case on behalf of NCW as this would save considerable time in response and expenditure otherwise to be incurred on the tour

and air travel of Shri Rakish Prasad as the case is before the Indore Bench of the MP. High Court.

The meeting ended with vote of thanks to the Chair.

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List of those present at the Commission meeting held on 18th August, 1999

Smt. Vibha Parthasarathi	:	In the Chair
Smt. Vijay Daksh	:	Member, NCW
Dr(Mrs.) Syeda S. Hameed	:	Member, NCW
Km. Sukeshi Oram	:	Member, NCW
Ms. Leena Mehendale	:	MS(I/c)
Ms. R. Bhama	:	Deputy Secretary