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MINUTES OF THE ELEVENTH MEETING OF THE NATIONAL COMMISSION FOR WOMEN HELD ON THE 22nd FEBRUARY, 1994

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The eleventh meeting of the National Commission for Women was held at New Delhi on the 22nd February, 1994 under the Chairpersonship of Ms. Jayanti Patnaik. The following were present:

- 1. Ms. Jayanti Patnaik Chairperson
- 2. Ms. Padma Seth Member
- 3. Ms. B Senapati Member
- 4. Ms. Annie Prasad Member Secretary

Shri P S Ravindra, Consultant, was present in the meeting for the limited purpose of recording the minutes of the meeting.

After Chairperson's introductory remarks, the agenda items were taken up for discussions:

- Item No. 1 : Confirmation of Minutes of the 10th Meeting of the NCW held on the 13th December, 1993 at 12.30 PM

The minutes of the tenth meeting of the National Commission for Women were confirmed.

- Item No. 2 : Visits to States

After some discussions it was decided that before a tour is undertaken of the States concerned, an advance briefing session of the visiting team should be held wherein an analysis of the situation prevailing in the various sectors in the States should be made on the basis of the replies to the questionnaire received from the States to be visited. After the visit to the States concerned a report on the evaluation of the status of Women in the States visited should be prepared by the Commission for inclusion in the Annual Report incorporating also the reports prepared by those states. It was also suggested that a letter from Chairperson should be sent to Chief Minister, Government of Tamil Nadu, complementing her for her vehement opposition to the social evil of " Dowry " and a copy of the same to be placed before the Commission in its next meeting. It was also decided that regarding the

State Governments of Tamil Nadu and Pondicherry reports on the progress of women in the various should prepared with help of local experts and the Annual Report (1993-94) of the Commission.

The proposed Convention of North-Eastern to be held at Guwahati on 15-16 February, 1994 as the Prime Minister has called all the Chief an urgent meeting at New Delhi. Member (BS) with Shri Hiteswar Saikia, Chief Minister of Assam expressed his desire to have the Convention in of April, 1994. Member (BS) may accordingly prepare detailed programme and submit to C.P.

Item No.2 of the 11th Meeting of the Commission taken on the decisions of the 10th Meeting of the Commission held on the 13th De

- (i) Leave Rules applicable to the Members and Decisions on individual cases.

Chairperson enquired about the disparity decision recorded in the previous meeting to repretation of leave rules of the Members and Chairperson the Government and the view taken by Member Secretary subsequently on the relevant file.. Member Secretary that earlier decision was taken in certain circumstances the question was whether in such matters the Commission involve the Government; and if the Commission involve the Government should decide such matters, reference made accordingly. Member (PS) felt that reference may not be called for. Member Secretary suggested rest of the term of the Commission if no particular is anticipated, the matter need not be pursued. agreed to.

- (ii) Complaint from Smt. Mohini, a divorcee, that her former husband, Shri Kiran Mandar returned her stridhan articles

The Commission noted that the case had been closed with the approval of Chairperson.

- (iii) Smt. Poonam Baluja's case.

The Commission noted the present position as explained in the "Action Taken" report.

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- (iv) The incident of atrocity committed against Smt. Usha Bhiman, resident of Nawagaon, Saharanpur District, Uttar Pradesh.

The position is explained under the Agenda No. 6 on the same subject.

- (v) Complaints from young widows forwarded by "Indian Housewives Federation".

It was decided that all the cases of widow should be submitted to Chairperson by the 15th March, '94.

- (vi) TA/DA and Conveyance Allowance to the Social Workers and Consultants to investigate cases of child rape-submission of the periodical reports of these Social Workers before the Commission.

After some discussion it was decided that it should be left to the Member to decide about the periodicity of submission of the reports to the Commission.

- (vii) The Concept of social marketing of family planning devices (NORPLANT).

The Commission noted that an interim reply was received from the Minister for Health & Family Welfare.

- (viii) Updating of the report of the Committee on the Status of Women in India, 1975.

After detailed discussion it was decided not to pursue the matter.

- (ix) Interpretation of Section 10 of the National Commission for Women Act, 1990.

(a) It was noted in the meeting that the question of amendment of the NCW Act, 1990, would be discussed in the next meeting of the Committee on Justice Delivery System to be held at Bangalore (exact date to be fixed), sometime in the third week of March, 1994.

(b) It was noted that Member (PS) would suggest suitable amendments to the NCW Act, 1990, according to the advice of the experts.

- (c) Preparation of UNICEF slides, short film documentaries etc. for showing them in the villages with a view to educating women Panchayati Raj Members and also creating social awareness among them.

The preparation of request of workshop on Panchayat held on 18-19 Oct, '93 was discussed. It was decided

that the NCW should prepare the report with the professionals and publish the report.

(xi) Progress of preparatory work in connection with the Fourth World Conference on Women, Beijing

After some discussion, it was decided to complete the work on the chapter on "National Policies and Impact of SAP on women" of the Commission to be presented in the Conference, the Commission to prepare a detailed document with the help of the professionals for publication.

The Chapter on "Women and Law" and Legal Services it was suggested that Member (PS) would submit a report prepared for publication.

Item No.3: Budget Estimates for the year 1994-95 and Revised Estimates 1993-94.

After some clarifications made in the meeting, the Budget Estimates for the year 1994-95 and the revised estimates for 1993-94 were approved in toto. The Audit Report of NCW for the years 1991-92 and 1992-93 together with the accounts Certificate was also approved.

Item No. 4: Draft Annual Report of the Commission for the year 1992-93

It was decided to consider the draft Annual Report for 1992-93 at a Special Meeting of the Commission on the 4th March, 1994.

Item No.:5 : Complaint from Smt. M Saini, PGT, Smt. P Khanna, PET, Ramjas Girls Secondary School, against Smt. S. S. Experience Teacher, alleging mental harassment and harassment caused to them by her.

As the case does not fall within the jurisdiction of Section 10 (1)(f) of the NCW Act, 1990, it was decided to close this case.

Item No.:6 : The incident of atrocity committed against Smt. Usha Dhiman, resident of Nawabganj, Saharanpur District, Uttar Pradesh.

It was agreed that at present no further action is to be taken by NCW as the matter was subjudice.

Item No. 7 : Project proposals under consideration of the Commission.

After a brief discussion it was decided that proposals falling broadly under Section 10 (1)(h) of the Act might be taken on hand and scrutinised by a Committee in which Consultants like Smt. Widge, Dr Menon, Shri Kutty and Smt. Nag should be included. After scrutiny each proposal should be submitted for approval. Although the NCW is not to implement any "Scheme" for women's development, the Commission can support or take up experimental/innovative/pilot projects for the advancement of women.

Item No.:8 : Follow-up action on the I.L.O.-NCW Workshop.

Note for consideration of this item was discussed. It was decided that the NCW should take follow-up action on the recommendations of NCW-ILO workshop on its own (without collaborating with ILO). To facilitate follow-up action, and an Expert Committee on Women and Economic Policies should be set up on the lines of other existing Expert Committees of the NCW.

Item No.:9 : Views of the Commission on the proposal of the Government to set up the office of the Commissioner for Women's Right.

Draft reply prepared by Member Secretary was considered. Member Secretary explained the scheme envisaged by the Government under the Department of Women & Child Development's letter of August, 1993. After discussions it was decided that the matter should be considered in the special meeting to be held on the 4th March, 1994.

Supplementary Agenda Items

Item No. 1: Gang rape of Smt. Bhanwari Bhai in Bhatari, Rajasthan - proposal for funding the litigation in respect of the case of -.

After some discussion the Commission gave approval to fund the litigation as a special case in the case of gang rape of Smt. Bhawari Devi. The amount is to be paid to one lawyer, who is on the prosecution side on behalf of Smt. Bhanwari Devi. An amount of Rs.10,000/- is to be sanctioned.

Item No.2: Suggestion to amend Section 3 of Criminal Procedure 1973 with offences under Section 498-A of Penal Code comoundable.

The Commission agreed to the proposal legal experts like Ms. Vasudha Dhagamwar and women Advocates like Ms. Shyamala Pappu be reply is sent to the Government.

Item No.3: Inclusion of Chairperson/Member Official delegations and accreditation Commission by U N System and International Organisations.

The letter from Chairperson to the Ministry of Resources Development regarding the inclusion of Chairperson and Members in official delegations abroad and recognition of NCW by the UN System dated 10.2.94 from HRM were discussed in detail. Chairperson pointed out that if the status of NCW was only that of an NGO and not as the official or apex body for women, the mandatory provision 16 of the Act requiring the Government to consult all major policy matters affecting women could not have been included. In fact it was emphasised in the letter from Chairperson that NCW would not seek recognition in the slot meant for NGOs since the Commission is not an NGO. However, in the HRM's reply it is stated that if the NCW consider it appropriate to seek consultative status as an NGO the Ministry could discuss the matter with the PMI at New York. The Commission does not desire accreditation as an NGO and therefore the accreditation on the lines suggested would not be necessary. A concern raised by NCW was that they should be included in official delegations and should be recognised as an official body being part of the National Machinery for Women. It was recalled that National Human Rights Commission in fact representing the country in various international decisions were taken:-

- (a) to send a reply to the HRM on the lines suggested above; and
- (b) to include this item in the list of items for discussion by the Chairperson (who is

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ficio Member of NHRC) during the proposed meeting of Chairperson and Members of NHRC with the Prime Minister.

Item No. 10 : Any other item with the permission of Chairperson.

Project proposed for Rupees two lakhs for Stree Shakti Pratishthan for Awareness Campaigns for Women.

The Project proposal from Km. Nirmala Deshpande, resident of the Organisation for allotment of Rs.2 lakhs to the organisation for innovative awareness campaigns for S C Women was considered. It was agreed to sanction Rs. two lakhs provided that the project be modified to include innovative ideas of political empowerment of rural women through Panchayati Raj institutions.

I. Chairperson'S visit to BOMBAY and AHMEDABAD.

(i) Visit to Bombay:

The Commission was informed that the Chairperson was on official visit to Bombay from 12-16 February, 1994 where she addressed the Fourth National Meet organised by the Forum for Women in Public Sector (WIPS). She also addressed the Bombay Oriya Women's Association and visited "Annapurna", a women's organisation.

(ii) Visit to Ahmedabad.

Chairperson visited Ahmedabad on 16th February, '93 and addressed the "Workshop on Mahanagar Palika and Nagar Palika: 33% reservation for Women" organised by the Gujarat State Social Welfare Advisory Board. She also inaugurated the services of Nirman Community Clinic in jails. She addressed a Press Conference and had discussions with the office bearers of " Action Group", an NGO regarding "Justice Delivery System at Doorstep".

III. Member(BS) stated that she had taken up with the Appropriate Authorities of the Government of Uttar Pradesh the incident of stripping a woman naked and forcing her to parade at Dauna village in Allahabad District on January 21. Subsequently, three police officers were suspended. The Members of Parliament and the Journalists, who enquired about this case, were also apprised of the action taken in the matter.

Member (BS) informed in the meeting that Level Commissions had been formed in Tripura it was in the process of being set up in Me

Member (BS) also informed that she was to the undermentioned programmed in the ens

- (i) Training of Superintendents of J sometime in the month of May, 19
- (ii) Conference of the I.Gs of Prison Bhopal; the date has not yet been
- (iii) A Scheme will be drawn up for dev Harijan women in all sectors and to their problems. To begin with Consultant, would collect the req to facilitate formulation of the Menon will be assisted by a clerk work.

IV. Member (PS) reported on the programmes tours implemented and/or undertaken by her during period ended January, 1994 vide Annexure.

The meeting ended with vote of thanks Chairperson.