

National Commission for Women
4, Deen Dayal Upadhyaya Marg
New Delhi

No.1-6/2009-NCW (Commission Meeting)

Dated 15th May, 2010.

Subject:- Minutes of the Commission Meeting held on 23rd April, 2010 at 10.00 hrs in the conference hall of the National Commission for Women.

The minutes of the Commission Meeting held on 23rd April 2010 at 10.00 hrs. in the conference hall of the Commission are enclosed for information and necessary action.

It is requested that the action taken report, if any, on the decision taken in the above meeting may please be furnished to the undersigned at the earliest.

Sd/-
(Yogesh Mehta)
Law Officer

PS to CP, PS to M (YA), PS to M(W.S) ,
PS to MS, PS to JS, U.S/ LO, SRO, PRO/PAO
S.O.

Shri Atul Sinha, Programmer for uploading in the NCW Website.

Minutes of the Commission Meeting held on -23.4.2010 at 10.00 hrs. in the Conference Hall of the National Commission for Women.

The following attended the meeting:-

- | | |
|-------------------------|------------------|
| 1. Dr. Girija Vyas | Chairperson |
| 2. Mrs. Yasmeen Abrar | Member |
| 3. Mrs. Wansuk Syeim | Member |
| 4. Mrs. Zohra Chatterji | Member Secretary |

In attendance were:-

- | | |
|----------------------|-----------------|
| 1. Mrs. S.S. Pujari | Joint Secretary |
| 2. Shri Yogesh Mehta | Law Officer |
| 3. Shri S.C. Kaushik | SRO |
| 4. Shri H. C. Bharti | Coordinator |

The Chairperson welcomed all the Members and Officials of the Commission. She welcomed the Member Secretary and Joint Secretary to the commission in their first meeting of the Commission and expressed her confidence that with their experience, the Commission would greatly benefit.

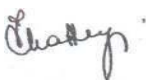
Agenda Item No.1

Leave of absence

Nil

Agenda Item No.2 & 3 : Confirmation of the minutes of the Commission meeting held on 12.02.2010.

Confirmed



Agenda Item No. 4 **Action Taken Report.**

In pursuance of the Agenda item no. 12, Inquiry Committee reports in regard to the following have been received for placing before the Commission:-

1. Incident of alleged mysterious deaths of Adivasi Girls who were taken from Southern Rajasthan (Udaipur and Dungarpur district) to Banaskantha and Sabarkantha districts in Gujarat.
2. Sexual Harassment and Abuse by the tour operators, Siliguri Women's College.
3. Kidnapping of Girls in Azamgarh district,(UP).

These reports have been considered separately.

Agenda Item No.5:-The Procedure for closure of Complaints.

The draft procedure for closure of complaint cases was taken up. Considering the sensitivities involved, amendments and changes were suggested by Chairperson and Members. Hence, with the changes and amendments, the procedure was adopted. Same is enclosed as Annexure-A. The adopted changes are shown in "bold & italics."

Chairperson directed that the procedure of dealing with the complaints as adopted by the NHRC, New Delhi may also be studied, in addition.

It was also decided that the State Women Commissions may also be asked to investigate the complaints/ cases forwarded to them.

(Action: C&I Cell)

It was also decided that the State Commissions for Women may be approached and impressed upon to take up the work of Mediation under the Section 125.

(Action: Legal Cell)

Agenda Item No.6 :- Inquiry Committee Report about incident of alleged mysterious deaths of Adivasi girls who were taken for work from Southern Rajasthan (Udaipur and Dungarpur District) to Banaskantha and Sabarkantha district in Gujarat

The commission has noted the Preliminary Report submitted by the Inquiry Committee and decided that the recommendations

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contained in the report should be sent to the concerned state Governments for taking appropriate action.

(Action: C&I)

Agenda Item No.7:- Proposal for Internship programme

Approved .

The matter may be taken up with the renowned Law Schools for sponsoring students to the NCW and placed on the website also.

(Action: Administrations)

Agenda Item No.8:- Construction of Office Complex of NCW at Jasola.

The Ministry of WCD had asked the Commission if the offices of Central Adoption Resources Agency, Rashtriya Mahila Kosh, National Child Commission etc; can also be accommodated in Jasola. It was decided that the requirement of space by the concerned agencies should first be ascertained from the MWCD to take a view in the matter.. Presently NCW occupies 14,226 sq. ft. and needs more space for proper seating arrangement. The Commission may shift to Jasola as it will be a big building and its construction may take at least 2 to 3 years. In the mean time, Human Rights Commission may also be approached for exploring the possibilities to occupy the building vacated by them.

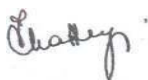
(Action:Administration)

Agenda Item No 9:- Approval of the report on “Women in Panchayats in district Almora, Uttarakhand state, release of balance payment of Rs 43,890/- and printing of the report.

Recommendations of the Report were approved but it was not considered necessary to print it.. Balance amount other than for printing may be released.

(Action:R&SCell.)

Agenda Item No.10:- Approval of the report on the Research Study on “ Present status of Single Woman in Shimla district, Himachal Pradesh: Numeral Indexing and Highlighting Major Issues and Release of the Balance payment of Rs.52,080/- of the sanctioned amount of Rs. 2,60,400/-



Approved.

(Action: R&S Cell)

Agenda Item No.11:- To consider the Inquiry Committee Report of Sexual Harassment and abuse of the students of Siliguri Women's College by the tour operators, Siliguri.

Inquiry report of Sexual Harassment and abuse of the students of Siliguri Women's College has been noted. As the Commission had already taken up the matter with the state government by sending the recommendations of the report for appropriate action, action taken report may be asked from the concerned authorities

(Action: C&I Cell)

Agenda Item No. 12 :- Kidnapping of Girls in Azamgarh , (UP) – Report.

Inquiry Report on Kidnapping of Girls in Azamgarh , (UP) has been noted. As the Commission had already taken up the matter with the state government and concerned organizations by sending the recommendations of the report to them for appropriate action.

Approved. The current status may be called for from the concerned authorities.

(Action:C&ICell)

Agenda item No.13:- A Report on “ Regional Level Conference on Women's Right held at Shillong on 18th February, 2010. for consideration of the Commission.

A Report on “ Regional Level Conference on Women's Right “ held at Shillong has been noted. While appreciating the report , it was decided that the reports on the programmes organized by NCW should be prepared on the same format.

(Action :R&SCell/ Legal Cell)

Agenda Item No. 14:- Approval of the Commission is sought to conduct an in house Research Study on Women Prisoners in Jails.

Approved with the condition that the Research Study on Women Prisoners in Jail should be conducted by the experts in the

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line under the supervision of NCW. All the modalities and specific check points may be worked out. Case Study of prisoners over the age of 65 years may be done to ascertain why they have not been bailed or the case reached finality.

Besides , the following programmes should be organized immediately:-

1. Workshop on “to save family to save Home”.
2. Workshop on Trafficking with UNIFEM.
3. Training Programme for Self- Help Groups along with training of self defense personnel, Police Personnel and NGOs.

(Action:R&SCell)

Agenda Item No. 15:- Modification in Guidelines for the approval of the Research Study.

The Guidelines were approved (Annexure- B). It was decided to identify 25 specific topics for Research Study. Before taking up any study, it should be ascertained as to where the study will be useful i.e. department, particular strata of people, rural, urban etc; The Commission should develop liaison with the National Crimes Record Bureau and regularly collect data on various crimes etc ;for the benefit of the commission and a study of the data should also be included.

(Action: R&S cell)

Agenda Item No.16:- Administrative approval of formation of NCW schemes.

The following schemes were approved for submission to the Ministry for budget sanction:-

1. ***Scheme for Generation of Public Awareness on Women Rights and Laws through electronic and print media***
2. ***Scheme for establishment of a call centre/ helpline of NCW with the help of NGOs***
3. ***Computerization of records of NCW.***

(Action; R&S cell)

Agenda Item No 17:- Administrative Matters

M(YA) Suggested that Commission Meeting should be held every month.

Approved

(Action:Administration)

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Agenda Item No. 18:- Repair of Old Car and purchase of new cars.

M(YA) informed that the car provided to her by the Commission is not in order and requires immediate repairs. Due to this she is facing a lot of difficulty. The repair of her car should be done expeditiously and on priority basis.

M(YA) impressed upon the need for purchasing of new cars in the Commission as per the decision taken in the earlier meetings.

It was decided that the new cars be purchased expeditiously. Also pending TA Bills and payments to NGOs need to be expedited.

(Action:Administration/Accounts)

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



Member Secretary



Chairperson

Item No. : 05

File No. 8/4(33)/C & I Cell/NCW/2010

Commission Meeting To Be Held On : 20.04.2010

Subject : Approval of Suggested Procedure for Closure of Complaints After the Receipt of Action Taken Reports (ATRs).

PROCEDURE FOR CLOSURE OF COMPLAINTS
(COMPLAINTS AND INVESTIGATION CELL)

1. OBJECTIVE :

The high pendency of complaints with the Complaint & Investigation Cell has been a major concern in the past years. This fact has repetitively been noticed with great concern by our parent Ministry i. e., the Ministry of Women & Child Development, and the Parliament of India as well, as the various reports / feedbacks / inputs furnished by NCW tend to hint towards voluminous pendency of complaints. There are complaints which are pending since past many years despite of the receipt of Action Taken Reports from the concerned authorities. The sole objective of this part is to facilitate the closure of complaints after the receipt of Action Taken Reports

(Here-in-after referred to as “ATRs”) through a simple and unambiguous procedure. This procedure shall be called as **“Procedure for Closure of Complaints, (Complaints & Investigation Cell)”** and the same has been issued in exercise of powers vested with the Commission U/s 9 of the National Commission for Women Act, 1990.

2. APPLICABILITY :

This procedure shall be applicable to all the complaints (Which also includes matters in which the Commission has taken suo moto cognizance in exercise of its powers U/s 10 (1) of the National Commission for Women Act, 1990, Press Monitor Cases, etc.) wherein the Commission is in receipt of ATRs from the concerned authorities.

3. PROCEDURE FOR CLOSURE OF COMPLAINTS :

The following shall be the procedure for the closure of complaints after the receipt of ATRs :

- (i). That, all the Action Taken Reports (ATRs) thus received at the Commission from the various authorities in complaints wherein ATRs had been sought, shall be entered into at the Registration Desk of the Complaint and Investigation Cell, in the manner & format here-in-below prescribed :

Sr. No.	Case No.	Name of the Official from whom ATR is Received	ATR Dated

The Registration Desk of the Complaint & Investigation Cell, shall maintain a year-wise database of complaints in which ATRs have been received that shall be readily available for reference of the Commission as and when required. After the ATRs are entered into, the same shall be forwarded to the concerned Counsellor without any further delay whatsoever ;

- (ii). That, after the concerned Counsellor receives the ATRs, it shall be linked to the corresponding files / complaints so that the same may be processed further. It shall be the responsibility of the Counselor to link ATRs to their respective parent files within two days of the receipt of ATRs ;
- (iii). That, after the ATRs are linked to their corresponding files, the Counsellor shall prepare the ATR Transmission

Form (Here-in-after referred to as “ATRT Form”) clearly mentioning the particulars therein along with a brief gist of the ATRs as regards the action taken / outcome in the matter. The format of the ATR Transmission Form shall be in the prescribed format appended herein as **Annexure : A 1**. The Counsellor shall also categorically state the further course of action to be taken in the matter along with the reasons to be recorded in writing by her / him ;

- (iv). That, the Counsellor shall process the filled in ATRT Form along with relevant files to the Co-ordinator, Complaint & Investigation Cell, who shall after recording her / his comments in writing, shall forward the files to the Joint Secretary / Deputy Secretary, NCW ;
- (v). That, the Joint Secretary / Deputy Secretary, NCW, (Here-in-after referred to as “JS / DS”) shall examine the ATRT Form, the report submitted thereof and the complaint / grievances of the complainant where after she / he shall decide upon the further course of action to be taken in a particular case along with the reasons thereof to be recorded in writing by her / him. ***The JS / DS through Members*** shall be the final and the Competent Authority to decide upon the further course of action. ***The Members are free to seek further legal opinion or to over-rule the recommendations of JS / DS ;***

- (vi). That, the JS while deciding upon the complaints forwarded to her / his office in the manner here-in-above prescribed, shall take into consideration the following guidelines for the closure of complaints :
- (a). The complaints wherein the ATRs depicts that the matter has already been charge-sheeted / presented before the concerned Court, the same shall be **ordinarily** closed as being subjudice before a Court (Reason to be recorded in writing). The closure of such complaints **shall** not be communicated to the complainants ;
- (b). In complaints related to the alleged commission of heinous crimes on women like that of rape, gang rape, dowry death, acid attacks, etc., the ATRs received should be examined in detail and if necessary, further status reports be sought from the concerned authorities. Such matters shall necessarily be monitored till they are presented before the concerned Court. Regardless of any fact whatsoever, the decision in such cases shall also be necessarily communicated to the complainants for her / his view within **90** days of the receipt of ATRs. If no communication is received back from them in

within the prescribed period, the complaint will be closed ;

- (c). The complaints wherein the ATRs depicts that the allegations leveled in the complaint could not be not substantiated on investigation, or that the complaint was of frivolous or like nature, vague, etc., such complaints ***shall be closed under intimation to the complainants ;***

- (vii). That, all such complaints which are closed in the manner here-in-above prescribed, shall be sent back to the Co-ordinator, Complaint & Investigation Cell, who shall in turn get such complaints entered into the database of the Complaints & Investigation Cell and also into excel sheets which she / he shall necessarily maintain in this regard for keeping a record of the complaints closed. The Co-ordinator, Complaint & Investigation Cell, shall also ensure that all such closed complaints are properly sent to the Record Room and shall also supervise their proper upkeep. All such complaints closed in the manner here-in-above prescribed shall be weeded-out after 5 years of the closure of complaint automatically and recorded in database as such ;

- (ix). That, a Monthly Report containing a list of all such complaints closed in a particular month in the manner

here-in-above prescribed, shall be necessarily placed before the Commission in its meeting for information. The Monthly Report shall be in the following format :

**MONTHLY REPORT
FOR CLOSURE OF COMPLAINTS
(To Be Placed Before The Commission)**

Sr. No.	Registration No. of Complaints Closed	Reasons for Closing	Remarks, If Any
1.			
2.			
3.			
4.			
	Total Nos. of Complaints Closed =		

Research & Studies Cell

Agenda Item No.

Sub.: Modification in guidelines for the approval of the research study.

1. Research Study Cell will identify specific latest topics on women issues for Research studies which includes formation of primary data which can be used as per requirement.
2. Applicant will specifically mention in his/her application of the research proposal as to what is the expected outcome of the research and which government department can use this out-come of the study.
3. The applicant will enclose the endorsement of the concerned department that the study would be useful to them.
4. Government departments will also be directly approached to suggest topics that would be of use to them.
5. Application may be called through advertisement/announcement on the website and called for online.
6. Applications may also be entertained in special circumstances with the approval of the Chairperson.
7. The proposals of research studies will be scrutinized in a preliminary meeting of the Screening Committee. The sort-list NGOs may then be

called to give their presentation about the study before the screening committee for final selection based on merits.

8. Many NGOs have not submitted their reports of the research studies even after receipt of the Ist & IInd installment of the approved amount. O/o CAG has taken a serious note of it and advised recovery from defaulters. To avoid any such objections in future it is proposed that the selected NGO's may be ask to submit a bank guarantee of the sanctioned amount before release of the funds. So that in case of default/delay the same may be en-cashed.
9. NGOs who have defaulted/delayed in submission of study/utilization certificate may be blacklisted and debarred from receiving future studies after giving them notice and opportunity to submit the same within one month.
10. Pending applications for which financial assistance has not yet been released may be re-evaluated for sanction in 2010-11 in the light of the above revised guidelines.

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