

MINUTES OF THE SIXTEENTH MEETING OF THE NATIONAL
COMMISSION FOR WOMEN HELD ON THE 31ST JULY, 1995

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The Sixteenth Meeting of the National Commission for Women was held on the 31st July, 1995, under the Chairmanship of Ms. Mohini Giri, Chairperson. The following were present :-

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| 1. Ms. Mohini Giri | : | Chairperson |
| 2. Ms. Ganga Potai | : | Member |
| 3. Ms. Kokila Vyas | : | Member |
| 4. Ms. Kailashpati | : | Member |
| 5. Ms. Manorama Singh | : | Member |
| 6. Ms. Annie Prasad | : | Member Secretary |

Shri K.K. Kirty, Deputy Secretary, Shri B.K. Samaddar, Consultant and Shri P.S. Ravindra, Consultant were present in the meeting to render assistance as and when called for from them.

In her introductory remarks Chairperson exhorted that the activities of the Commission should be meaningful and result oriented. She desired that all the Members of the Commission should work in a coordinated manner and consensual decisions should be taken in matters taken up by the Commission.

The Agenda of the Meeting were taken up for consideration as narrated below :-

ITEM NO. 1 : Confirmation of the minutes of the 15th meeting of the Commission held on the 26th December, 1994 :

At the outset the Member Secretary pointed out that the last meeting of the Commission which was scheduled to be held on the 30th January, 1995 could not be held as the then Chairperson was away on tour. Subsequently, the tenure of the Chairperson and four other Members expired on the 30th January, 1995. Therefore, the minutes of the 15th Meeting of the Commission thus remained to be confirmed by the Commission although the draft of the

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minutes of the said Meeting was approved by the then Chairperson. The Member Secretary therefore sought technical confirmation of the minutes of the 15th Meeting.

The following items of the 15th Meeting were, however, discussed before the Commission could give its confirmation of the minutes of the meeting :-

Item No. 3 of the 15th Meeting : Two-day National Conference on "Women in Panchayati Raj" to be Organised by NCW.

While taking note of this item the Commission decided that before a conference is organised information should be compiled about the States which have not conducted elections to the Panchayat Action C (MKM)

Item No. 4 of the 15th Meeting : Approval of the Draft Report on "Development of Female Education among Tribal Communities".

It was noted in the meeting that 500 copies of the approved report were got printed and circulated to all the concerned authorities for necessary action.

Item No. 6 : Finalisation of the legislation proposed at the recently concluded fifth meeting of the Expert Committee on Law : Submission of the Bills by Legal Unit for formal approval of the Central Government as recommendation of the Commission as a whole..

It was mentioned in the meeting that in pursuance of the decision of the Commission, the following draft Bills were forwarded to the Government (Ministry of Human Resource Development) as recommendations of the Commission :-

- [i] The Marriage Bill, 1994 (forwarded to Government on 14.12.1994).
- [ii] The Domestic Violence to Women (Prevention) Bill, 1994. (forwarded on 14.12.1994).

- [iii] The Criminal Law (Amendment) Bill, 1994 (forwarded on 19/24.01.1995).
- [iv] The Orphan and Destitute Children (Adoption) Bill, 1994 (forwarded to Govt. on 19/24.01.1995).

The Commission noted that the reference to the Orphan and Destitute Children, Adoption Bill, 1994 has been omitted inadvertently and in its place, the reference to the Women and Female Children Welfare Fund Bill, 1994 was wrongly mentioned. The Commission, therefore, adopted this item subject to the modification that for item (iv), the following shall be substituted, namely :-

" (iv). The Orphan and Destitute Children (Adoption) Bill, 1994".

Chairperson desired that the Minister for Human Resource Development should be requested to expedite introduction of the afore-said Bills in the Parliament as early as possible. With regard to the Marriage Bill, 1994 in particular, it was pointed out in the meeting that certain Members of Parliament belonging to muslim community have expressed reservations about this Bill. After some discussions it was decided that a Workshop on "Gender Justice" would be organised sometime in the month of October, 1995 in Hyderabad to consider all aspects of the demand to have uniform civil code for all communities in the country. Experts from different communities may be invited to participate in the proposed workshop, which may be held for two days in Hyderabad. Ms. Roda Mistry prominent woman activist, should be requested to assist the Commission in organising the workshop.

Regularisation of Daily Wage Typists/Staff Drivers/ Peons, who have rendered more than a year's service and appointed through Employment Exchange.

It was mentioned in the meeting that Commission had no powers to regularise the appointment of Daily wager Typists/Staff Car Drivers/Clerks/Peons who had rendered more than a year's service and been recruited through Employment Exchange. However, the Peons and other Class IV could be regularised with the approval of the Central Government, not the Department of Women & Child Development. It was decided that a full-fledged Hindi Section headed by a Hindi Officer and with more posts of Hindi Typists should be set up in the Commission expeditiously.

(Action D.S)

- [c] D.O. letter dated the 2nd December, 1994, addressed to Chairperson, for the settlement of his outstanding Bill for payment of Rs. 5000, to him.

It was noted that the payment had been made.

Subject to the aforementioned discussion, the minutes of the 15th meeting of the Commission were confirmed by the Commission without any amendment thereto.

(CONTINUED : DISCUSSIONS ON THE AGENDA ITEM
THE SIXTEENTH MEETING OF THE COMMISSION)

ITEM NO. 2: Revision of the Rules of Procedure of the National Commission for Women :

Member Secretary briefly explained the object of making amendments to the existing Rules of Procedure of the National Commission for Women, which was adopted in the first meeting of the Commission held on the

February, 1992. It was decided that the revised rules of Procedure of the Commission would be adopted after considering the proposed changes, in the next meeting.

3.: Consideration of the ongoing activities of the Commission in the context of Beijing Conference :

- a) Advertisement given through DAVP inviting entries for Essay Competition on "Status of Women in Emerging India".

It was noted that till 31st July, 1995, 60 essays in Hindi and 70 in English had been received in the Commission. Separate folders are also being opened for essay in organised languages. The proposal for the award of Rs. 1000/- for first prize, Rs. 3000/- each for two second prizes and Rs. 2000/- each for two third prizes and Rs. 500/- each for ten consolation prizes was approved in the meeting.

- b) Seminar on "Gender issues and Indian publications" to be held on 17th August at Pragati Auditorium, Pragati Maidan :

This was noted and approved in the meeting. The meeting was also informed that the Minister of State for Women & Child Development had agreed to inaugurate the seminar.

- c) Putting up a stall by the Commission in Delhi Book Fair to be held at Pragati Maidan from 12th to 20th August, 1995 :

The Commission gave its approval to the hiring (on rent) of 2 small Stalls in Delhi Book Fair to be held at Pragati Maidan from the 12th to 20th August, 1995 in which publications of the Commission as well as those of Women's Studies and Development Centres of Undertakings will be displayed.

(8)

(d) Organising a Symposium of "Perspectives of Youth on Women : Equality, Development and Peace" with the help of Centres of Women Studies and Development Centre, Delhi University :

The Commission gave formal approval to organising a symposium on "Perspectives of Youth on Women : Equality, Development and Peace" with the help of Women's Studies and Development Centre, Delhi University. The Commission noted that the symposium will be held in four colleges (area wise) between 14th to 25th August, 1995. The prize distribution function will be held in Delhi University probably on the 29th August, 1995 when students securing the first, second and third positions will be given awards and certificates.

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M NO. 4. : Setting up of a new Unit in the Commission to facilitate coordination with the NGOs :

It was pointed out in the meeting that the NGOs have high expectations from the Commission and the Commission, in turn, could benefit immensely from consultation and networking with the NGOs. The Chairperson desired that in every State the Commission should have a Liaison Officer for networking with the NGOs as well as the State Governments. She suggested that for this purpose a selected list of NGOs from all over the country should be obtained for entrusting the task. After a short discussion it was suggested that the Central Social Welfare Board might be asked to give the details of NGOs and the Members of the Commission could then give the names of certain NGOs about whom they have some knowledge.

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ITEM NO. 5. : Setting up of Counselling Cell in NCW :

At the outset Chairperson mentioned that many aggrieved women visit the Commission but feel shy of freely narrating their problems to the male Consultants in the Complaints Cell. After a short discussion a proposal to set up a Counselling Cell with lady Counsellors, was approved.

(Action D.S.)

ITEM NO. 6. : Direction by the Supreme Court to frame scheme for providing compensation and rehabilitation to the victims of rape and sexual assault :

The Commission took note of the action taken in this regard. After a short discussion it was decided that the present Commission should study the Scheme and if need be a senior Advocate should be consulted about the scheme

(Action Legal Unit)

ITEM NO. 7. : Reappointment of Hony. Legal Advisor :

Member Secretary explained briefly how the need arose for appointment Prof. P.M. Bakshi, former Secretary, Law Commission, as an Honorary Legal Advisor to the N.C.W. Thereafter the Commission gave its ex-poss facto approval to the appointment of Prof. P.M. Bakshi as Hony. Legal Advisor on the terms and conditions as stated in the agenda note.

ITEM NO. 8. : Implementation of the 146th Report of the Law Commission on "Sale of Women and Children" : Inclusion of a new Section 373 A in the Indian Penal Code :

The objective of the inclusion of a new Section 373 A in the IPC was explained in the meeting. It was mentioned that the Law Commission had recommended in its 146th Report that a new Section 373 A should be included in the Indian Penal Code so as to make the sale or purchase of a woman or minor person as a punishable

The Law Commission's recommendations were the Legal Unit of the NCW and it was felt with insertion of a new Section 373 A in the d be necessary to insert a new Section 362 A lso Sections 359, 361, 363 and 373 of the IPC Id Marriage Restraint Act, 1929, as suggested earlier. In its letter dated the 13th March, NCW informed the Department of Women & Child that the matter would be placed at the next the Commission as and when the Chairperson embers would be nominated.

ing regard to the above position the gave its formal approval to the Commission's ted the 13th March, 1995, addressed to the of Women & Child Development.

1. : Study Reports received and follow-up action thereon (as on 27.07.1995); and proposed studies :

e Commission noted of the follow-up action on Reports and proposed Studies as indicated in ment circulated in the Meeting.

10: Calendar of activities for the period till 31.12.1995 :

a) SEMINARS/WORKSHOPS

1) Bridging the Gap :

It was agreed in the meeting that a Seminar o formulate strategies to bridge the gap between overnment and NGOs and NCW and NGOs and to trengthen the partnership with NGOs for ccelerating women's advancement should be held owards the end of September, 1995. It was felt hat one day Seminar would be adequate. It was also agreed that NGOs from 5 States viz. Delhi, Rajasthan, Haryana, Punjab and Himachal Pradesh should be invited for the Seminar.

Gender Justice

It was agreed in the meeting that a workshop on "Gender Justice" should be held at the end of October 1995 in Hyderabad. Further details are contained in (Item 6) supra. It was suggested that the Chairperson would write to the Chief Minister, Andhra Pradesh about the holding of the Workshop.

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Sexual Harassment at Workplace :

It was decided that a two-and-a half day's workshop should be held at Delhi in December, 1995 to evolve guidelines as instructed by the Supreme Court in a case filed by Vishaka, an NGO in Rajasthan. It was noted that the Ministry of Labour would provide funds for holding the workshop and also for printing the report on the workshop subsequently.

Details
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Regional consultations with the NGOs :

Pursuant to the proposal to hold Regional consultations with the NGOs all over the country, the Commission decided to hold a Seminar at Hyderabad or Vadodra during November, 1995. Member (KV) would pursue the matter with the NGOs in Gujarat, Madhya Pradesh, Maharashtra, Rajasthan etc.

OFFICIAL VISIT OF NCW TO STATES :

It was decided that the Commission would undertake official visits to the undermentioned States :

- November, 1995-----Himachal Pradesh
- December, 1995-----Uttar Pradesh
- January, 1996-----Bihar

Member Secretary stated that before a tour undertaken by the Commission a Questionnaire covering all the sectors of development in respect of women would be sent to the State to be filled in advance, to have in depth knowledge about the status of the women in that particular States. The Commission will hold discussions at various levels in the State viz (a) NGOs (b) Officials (including police) (c) Chief Minister and Ministers and (d) Judiciary.

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1) SELECTION OF AREAS FOR INTERVENTION AND SETTING UP OF EXPERT COMMITTEES :

At the outset the Member Secretary explained that a number of Expert Committees were appointed by the Commission earlier under section 10 of the National Commission for Women Act, 1990 to deal with special issues. The tenure of the said Expert Committees expired with the expiry of the tenure of the Member of the Commission incharge of the Expert Committee. After a short discussion, it was decided that Expert Committees on the following special issues may be set up :-

- [i] Laws
- [ii] Justice Delivery System
- [iii] Custodial Justice for Women (Nari Niketan, Mental Home, Remand Home etc.).
- [iv] Development of Women in tribal areas.
- [v] Development of Women of weaker sections.
- [vi] Development of Women of rural areas.
- [vii] Employment for women
- [viii] Women and Environment
- [ix] Women and media

It was further decided that the list of experts who were associated with the former committees should be put up with additional names of experts for the consideration of the Commission.

SELECTION OF SUBJECTS FOR STUDY :

It was noted in the meeting that the previous Commission had commissioned 33 studies on various subjects and that the Department of Family and Child Development had suggested that the Commission might take up through Institutes/NGOs the study of "Violence against women" in different States. After a brief discussion it was decided to take up the study of violence against women in many more States on the pattern of the study made in Orissa State. Other studies would be suggested by the Chairperson/Members of the Commission after assessing the needs.

11: Collaboration with State Commission for WOMEN :

After a brief discussion the proposal for collaborating with the State Commissions for Women in holding Seminar/Workshops and in setting up Centres (Library) in those Commissions was approved with the pattern of financial assistance to the year 1995-96 being as follows :-

- i] Seminar/Workshop : NCW will contribute 75% of the cost not exceeding Rs. 1 lakh per seminar/workshop and for a maximum of 3 seminars/workshops per SCW; and
- ii] Resource Centre (Library) : NCW will contribute 75% of the cost of only the books subject to a maximum of Rs. 80,000/- per SCW.

Chairperson desired that the NCW should also explore other ways of collaboration/networking with the SCWs.

ITEM NO. 12: Approval of proposed amendments to Infant Milk Substitutes etc. Act as recommended by the Commission :

It was explained in the meeting that the objective of the amendments suggested in the Commission's letter dated the 14th July, 1995 addressed to the Department of Women and Child Development was to plug many loopholes existing in the "Infant Milk Substitutes, Feeding Bottles and Infant Food (Regulation of Production, Supply and Distribution) Act", 1992 passed by the Parliament in 1992. The proposed amendments are based on the recommendations made in National Workshop on "Infant Feeding Practices and the Law" held jointly by the Commission and UNICEF in March, 1994. The Commission considered the letter and gave the same etc. formal approval.

ITEM NO. 13 : Any other items with the permission Chairperson :

- [i] The Commission decided to host a lunch, 9th or 10th August, for the delegates attending the Conference of South Asian Parliamentarians, at Parliament House Annexe. It was decided to organise a Pre-Conference at the appropriate time of the Beijing Conference.
- [ii] It was suggested that the question of augmenting the powers and raising the status of the NCW should be taken up with the Government.
- [iii] It was decided to write to selected State Governments like Bihar/U.P. calling for their reports on crimes of Dowry murder atrocities against women in those States.

MINUTES OF THE SEVENTEENTH MEETING OF THE NATIONAL COMMISSION FOR WOMEN HELD ON THE 8TH NOVEMBER, 1995

The Seventeenth Meeting of the National Commission was held on the 8th November, 1995, under the chairmanship of Ms. Mohini Giri, Chairperson. The following were present:-

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| 1. Ms. Mohini Giri | Chairperson |
| 2. Ms. Ganga Potai | Member |
| 3. Ms. Manorama Singh | Member |

4. Ms. Padma Seth, Advisor, Shri K.K. Kirty, Officiating Secretary and Deputy Secretary, Smt. Asha Malik, Accounts Officer, Shri H.S. Rattan, Section Officer, Shri C. Chaudhuri, Anne Mathew, Shri K.N. Sawhney, Shri R. Sinha, Shri R.N. Banerjee, Shri B.K. Kohli, Shri K. Jain, Smt. S. Khanna and Shri P.S. Ravindra, Assistants, were present in the meeting to render assistance when called for from them.

The Agenda of the Meeting was taken up for consideration as follows:-

- NO. 1: Confirmation of the minutes of the 16th meeting of the Commission held on the 8th November, 1995.

The minutes of the 16th Meeting of the Commission were perused in the meeting and after a short discussion the same was confirmed.

- NO. 2: Action taken on the Minutes of the 16th meeting of the Commission.

The Action Taken Statement was perused and it was decided that this agenda item should be taken up for consideration when all the Members of the Commission are present in the meeting.

- NO. 3: Consideration and adoption of the National Commission for Women (Rules of Procedure) Regulations, 1995.

It was noted in the meeting that modifications/

