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MINUTES OF THE FOURTEENTH MEETING OF THE NATIONAL
COMMISSION FOR WOMEN HELD ON THE 31ST OCTOBER AND
2ND NOVEMBER & 4TH NOVEMBER, 1994

The 14th meeting of the National Commission for Women was held on the 31st October and 2nd November and 4th November, 1994 under the chairmanship of Mrs. Jayanti Patnaik. The following were present :-

1. Ms. Jayanti Patnaik : Chairperson
2. Ms. Padma Seth : Member
3. Ms. Bonoj Senapati : Member
4. Ms. Indira Misra : Member Secretary

2. As the agenda for the meeting was heavy, the Commission had to meet on three days viz 31st October, 2nd November and 4th November. Shri P.S. Ravindra, Consultant, was in attendance on all the days. Shri M.L. Kaushal, P&AO and Dr. P.S.K. Menon, attended the meeting for a short while as desired by Chairperson. Smt. Anna Malhotra, Hony. Adviser attended the meeting for a short while on 02.11.1994. Shri S. Ramaiah, Hony. Adviser [Legal] attended the meeting on the 2nd and 4th November, 1994.

Item No.1 : Confirmation of the minutes of the 13th meeting of the Commission held on the 16th August, 1994

The minutes of the meeting were confirmed without any amendment.

Item No.2 : Action taken statement on the minutes of the 13th Meeting of the Commission held on 16th August, 1994

It was decided that this item should be discussed in a Special Meeting to be convened during the course of the month of November, 1994

Item No.3 : Project Proposals :

- (i) **Proposal received from Gujarat Kelavami Trust, Ahmedabad for organising Workshop for Police officials in Gujarat**

It was decided that the Trust might be advised to reduce

the number of workshops to be organised to only three for the reason that the term of the Members of the present Commission would end on the 31st of January, 1995, and as such the time left for the present Commission for studying and implementing the recommendations made in the Workshops will be too short if the Workshops were to be held in all the 5 regions. It was also decided that the Trust should be asked to include in its agenda for the Workshops "Legal Literacy" and "Panchayati Raj".

[ii] Proposal from Jyoti Sangh, Ahmedabad, to organise ahila Shibirs in rural areas

It was decided that Jyoti Sangh should be advised to reduce the number of Shibirs to be organised to only 3 Shibirs for the reason that the term of the Members of the present Commission would end on the 31st of January, 1995 and as such the time left for the present Commission for studying and getting the recommendations made in the Shibirs implemented will be too short, if all the Shibirs were to be held as proposed. It was also decided that the Sangh should be advised to include in its agenda for the Shibirs the components of "Legal Literacy" and "Panchayati Raj".

Item No.3 : [iii] Proposal from Dr.Urmilaben Patel, Chairman, Gujarat Kalvani Trust, Ahmedabad, for organising a 5 - Day Seminar Programme on "Sex Education and Family Life Education for Women Leaders of Slum-areas of Ahmedabad City"

After a brief discussion it was decided that the Trust should be requested to condense the project proposal and also to reduce the expenditure.

[iv] Proposal from Centre for Media Studies for conducting in collaboration with the Commission symposia on "Vulgarity and Violence in Lucknow, Bhubaneswar/Cuttack, Vijaywada, Bombay and Bangalore - Funding of the symposia by the Commission

After a short discussion the Commission agreed to give financial assistance to the tune of Rs.1,50,000 to the Centre

for Media Studies for organising all the Symposia on "Vulgarity and Violence in Mass Media" in all the places mentioned in the proposal in collaboration with the NCW. The CMS should supply 100 copies of the report on each Symposium and it should be specifically indicated in the report that the symposium was organised in collaboration with the Commission. The reports should also contain enough photos.

- [v] **Project proposal from Ms.Akhila Sivadas, Media Consultant, for documenting the concerted efforts made jointly by the NCW and the Media Advisory Group on the issue of women and media in a single volume**
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The Commission agreed to the proposal in principle. It was, however, decided that in the first instance, Ms.Akhila Sivadas may be requested to give the exact break-up of the printing costs and it may also be ascertained from any of the Government Printing Presses as to what would be the printing costs if the printing of 200 copies is undertaken by them. The Commission also desired that [a] the Preface to the book should highlight the efforts made by the Commission to publish the book; [b] the covers of the book should be made of glossy papers and the rest of the papers should be printed on art paper; [c] the book should contain as many photographs as possible and [d] 1000 copies should be made if the documentation turns out to be good. However the rates of printing should be appropriately moderated in view of the difference in scale of production of the copies.

- [vi] **Round Table Conference on "Improving Tribal Women's Condition for a Better future' Identifying Science and Technology Intervention and New Policy Options" to be held in December, 1994: Proposal received from Prof. Subas C. Pati, Director, Science Policy Research and Analysis Group, Berahmpur, Orissa**
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The proposal was approved by the Commission. The Commission, however, desired that 100 copies of the Report

on the Conference should be given to it free of cost.

- [vii] Study of psychological profile of women prisoners in Tihar jails - study to be undertaken by the National Institute of Mental Health & Neuro Sciences [NIHANS], Bangalore

The proposal was approved by the Commission in principle. However, details regarding the proposal will have to be examined before sanction is accorded to the release of funds to the Institute.

- Item No.4 : Two-Day National Conference on "Women in Panchayati Raj" to be organised by N.C.W.

It was decided that, as the Prime Minister is very busy at present, a letter may be sent to him inviting him to inaugurate the Conference some time in January, 1995.

- Item No.5 : Approval of the Draft Report on "Development of Female Education Among Tribal Communities"

After a short discussion it was decided that required number of copies of the report should be got printed in a Computer [computerised printing] and 15 copies sent to the Department of Women and Child Development and 5 copies each to the other Ministries/Department of the Government of India.

- Item No.6 : Matters for special mention

- [A] The Commission took note of the position as given in the agenda note.
- [B] The Commission also decided to give Rs.40,000 to the National Institute of Criminology and Forensic Science for the All India Annual Conference on Criminology organised by the Institute on 11th-13th November, 1994 in Delhi.

- Item No.7 : Finalisation of the Legislations proposals at the recently concluded Fifth Meeting of the Expert Committee on Laws: Submission of the Bills by the Legal Unit for information/or formal approval

of the Commission before they are sent to the Central Government as recommendations of the Commission as a whole

The following legislations, which were finalised at the recently concluded Fifth Meeting of the Expert Committee on Laws, were submitted to the Meeting of the Commission for consideration and adoption of the Bills before they are sent to the Central Government as recommendations of the Commission :-

- [i] The Marriage Bill, 1994
- [ii] The Domestic Violence to Women [Prevention] Bill, 1994
- [iii] The Criminal Law [Amendment] Bill, 1994
- [iv] The Women and Child Welfare Fund Bill, 1994
- [v] The Orphan and Destitute [Adoption] Bill, 1994

[The Bills mentioned at [iii] & [iv] above are to give effect to the recommendations of the Seminar on Child Rape held on 7-8 October, 1992 and the suggestions made by the Kirti Singh Committee].

After a brief discussion, the Commission adopted the [a] The Marriage Bill, 1994 [b] The Domestic Violence to Women [Prevention] Bill, 1994, without any suggestions or amendments. As for [c] The Criminal Law [Amendment] Bill, 1994, the Commission noted that the proposal for bringing the Criminal Laws within the ambit of Family Courts is being separately examined. [d] With regard to "The Women and Child Welfare Fund Bill, 1994, the under-mentioned amendments were discussed and accepted :-

- [i] The title of the Bill may be amended as "The Women and Female Children Welfare Fund, Bill, 1994".
- [ii] The sentence "to provide for the establishment of a fund for the prevention of sexual exploitation of women and children and for matters connected therewith or incidental thereto" should be substituted by the sentence "to provide for the

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establishment of a fund for the development and welfare of women and for rehabilitation of sexually exploited female children".

- [iii] This Act may be called the "Women and Female Children Welfare Fund Act, 1994".
- [iv] The sentence "to provide for the establishment of a fund for the prevention of exploitation and children", wherever appearing in the body of the Bill should be replaced by the sentence "to provide for the establishment of a fund for the development and welfare of women and for rehabilitation of sexually exploited female children".
- [v] The fund is to be administered by NCW as a whole and not by the Advisory Committee. In view of this the words "Advisory Committee" wherever appearing in the Bill should be substituted by the words "National Commission for Women".

[e] As for the "Orphan and Destitute [Adoption] Bill, 1994, after a brief discussion the Commission adopted the Bill without any amendments.

Item No.8 : Budget Estimates for 1995-96 and Revised Estimates for 1994-95

After perusing the Statement showing the Revised Estimate for the year 1994-95 and the Budget Estimate for the year 1995-96 and seeking certain minor clarifications thereon, the Commission gave its approval of the proposal without any amendments.

Item No.9 : Payment of advances to Central Public Works Department [for civil as well as for electrical works] - Regarding

✓ After a brief discussion it was decided that the Commission should write to the CPWD in the first instance for the settlement of any dues against the excess advance if any paid to the Department.

Item No.10 : Confirmation of the Minutes of the Special Meeting of the NCW held on the 25th August, 1994

The Minutes of the Special Meeting were confirmed.

Item No.11 : Action taken report on the minutes of the Special Meeting of the NCW held on the 25th August, 1994

The action taken report was perused by the Chairperson. It was observed that some of these cases in which the MS and DS had exceeded their financial powers related to NCW's participation in various events, approval for which was duly obtained. However, while going through the list of these items, Chairperson desired to see 4 files relating to expenditure on items, such as stationery, refreshment and availability of video cassettes etc. Three files were also shown to the C.P. and she was satisfied. However, it was the view of the Commission that Member Secretary should herself examine the cases where the expenditure on a particular event exceeded Rs.1.00 lakh. Besides reimbursement for the workshop, expenses on breast feeding may be obtained from the UNICEF as the same have not been reimbursed for the expenditure incurred on printing of the report. It was also decided that the justification for a Finance Officer was strong and therefore, such a post must be got sanctioned for the Commission by projecting the need at the appropriate forum. Chairperson expressed strongly the requirement of clearing all the matters with financial implications, so that the succeeding Commission is not required to do any explaining, which is exclusively within the knowledge of the present Commission. It was also resolved that all concerned may be intimated about this matter and suitable action may be taken for regularising/explaining/obtaining sanctions in any pending matters.

Item No.12 : Any other items with the approval of the Chair

- [a] Regularisation of Daily Wager Typists/Clerks/Staff Car Drivers/Peons, who have rendered more than a year's service and appointed through Employment

Exchange

It was informed in the meeting that representations have been received by the Chairperson as well as all the Members of the Commission from the afore-said Daily Wager Staff requesting for bringing the on the regular establishment keeping in view the fact that all of them have rendered more than 2 years of service or are on the verge of completing 2 years service in the Commission. After a short discussion the Commission directed the MS may look into the whole matter and put up a note to the C.P. at the earliest. The NCW would like to consider the various aspects of the matter in their next meeting.

[b] Draft Inquiry Report of the NCW on the atrocities committed on pro-Uttarakhand women activities at Muzaffarnagar and other places in Garwhal region

The Commission noted the fact that a report relating to the said atrocities on women, and decided that the recommendations of the NCW may be finalised soon.

[c] News-item appearing in the STATESMAN with the caption "Muzaffarnagar Indicent - Report alleges official connivance"

It was noted in the meeting that Ms.Anu Peshawaria, Advocate, who assisted the Commission's Chairperson and Members in conducting an inquiry into the alleged atrocities on pro-Uttarakhand women activists, had gone to the Press with the statement that "she had been asked to prepare a report based on material evidence she had collected and make recommendations". She also informed the STATEMAN's Correspondent that "She has advised that steps be taken to bring out the discredited nature of the ongoing inquiry by the CBI into the incidents and that the NCW's report is yet to be forwarded to the "Union Home Ministry". After a short discussion it was decided that a letter should be addressed to Ms.Anu Pashawaria stating that she, having been appointed to assist as a Lawyer to the NCW for the limited purpose of conducting an on-the-spot

inquiry into the afore-said incident, should not have given a briefing to the Press, without prior permission of the Commission. It may be also brought to her notice that in view of the fact that it had been made sufficiently clear to her that all materials collected/reports/affidavits collected/photographs taken were the Property of the Commission and in view of that it was indiscrete on her part to have exceeded her brief and gone to the press.

A press denial of her statement as reported was not considered necessary in view of the last sentence of the report i.e. "when contacted, Mrs. Indira Mishra, said that the NCW report "was still being compiled" and, therefore, had not been submitted to the Home Ministry!"

The meeting ended with the vote of thanks to the Chairperson.