

## **MINUTES OF THE COMMISSION'S MEETING HELD ON 5<sup>TH</sup> MARCH, 2003**

### **Present in the meeting were:**

Smt. Poornima Advani	:	Chairperson
Smt. Nafisa Hussain	:	Member
Smt. Baby Rani Maurya	:	Member
Smt. Sudha Malaiya	:	Member
Smt. Sunila Besant	:	Member Secretary
Smt. Nita Kapoor	:	Joint Secretary
Shri S.K. Garg	:	Under Secretary
Shri H. Kumar	:	Sr.Research Officer
Shri S.M. Imran Ali	:	Law Officer

At the outset, CP welcomed the Members to the Commission. M(N.Hussain) suggested that four reports may be discussed in a separate meeting. CP observed that Monitoring Cell will convene a meeting on four reports every two months. However, if the Members feel that the reports are to be discussed in a separate meeting then, if required, a separate meeting to discuss the four report can be held.

### **Agenda Item No.2**

#### **Adoption of the Minutes of the Commission's meeting held on 23<sup>rd</sup> January, 2003**

When the minutes of the last Commission's meeting held on 23<sup>rd</sup> January, 2003 was taken up for adoption, Member(S.M) raised the point that addendum given by her had not been included in the main body of the minutes and also that where a Member gives a dissenting view, their context should also be mentioned in the minutes.

CP observed that minutes are not recorded verbatim and they represent the brief/decision of the discussions.

M(N.H) and M(B.R.M) were also of the opinion that the point 'of a dissenting Member' should be included in the minutes of the meeting. CP

pointed out that, special meeting can not go beyond the agenda as per the procedure adopted by the Commission. To this, M(N.H) and M(S.M) pointed out that special meeting of 10<sup>th</sup> January, 03 was an extension of the earlier Commission's meeting of 27<sup>th</sup> December, 2002.

M(S.M) pointed out that the decision in respect of Item No.17, had not been correctly reflected in the minutes of the meeting dated 23<sup>rd</sup> January, 2003. Against the project "Women in industry, it was not a "National Consultative meeting" which was approved but it should have been recorded as "National Workshop". CP clarified that so far there has not been any objection from any Member with regard to proper recording of the minutes.

CP pointed out that the stand taken by a Member should not be changed from meeting to meeting but whatever was discussed and decided in the meeting, had been correctly reflected in the minutes.

Against Agenda Item No.18 'Year of Endeavour 2003' may be read as '**Year of Endeavour, 2002**'.

### **Agenda Item No.3**

#### **Presentation by Chairperson, Members and Member Secretary**

No presentation was made by any Member/CP at the meeting.

### **Agenda Item No.4**

#### **Proposals relating to Legal Awareness Programme approved by the Screening Committee in its meetings held on 18<sup>th</sup> November and 13<sup>th</sup> December, 2002**

It was decided that 1<sup>st</sup> Instalment as advance in respect of Legal Awareness Programme should be released only if the CP/Members/MS or officer is attending the programme. In the cases, where Members/officers are not attending the legal awareness programme then money should be released only after the programme is conducted and report of the programme is sent to the Commission. It was also decided that there should be at least one programme in every district. Amount should not be sanctioned to any defaulter.

The entire work of the legal awareness programme should be computerised in order to exercise proper check to ensure that no proposal is submitted to Screening Committee without a certificate from the Legal Cell that the organisation concerned has not defaulted in respect of any previous programme.

It was decided to hold the programme in rural areas.

District Collector of the District where the programme is to be conducted and the State Commission for Women of that state will be informed by the concerned cell when such programmes are sanctioned.

**(Action – Legal Cell)**

**Agenda Item No.5**

**Proposals relating to Parivarik Mahila Lok Adalat approved by the Screening Committee in its meeting held on 26<sup>th</sup> November, 2002**

All the decisions taken in respect of Legal Awareness Programme to exercise proper check will also apply to the PMLAs except the condition of the location for holding such camps.

M.S pointed out that since the programme of Legal Awareness Camps and PMLA were running for about 5-6 years, we should have an evaluation conducted by an outside agency to assess the impact of the programmes. It was decided that this may be discussed in a separate meeting.

**(Action – Legal Cell)**

**Agenda Item No.6**

**Proposals approved by the Screening Committees for organising regional workshops, training programmes/public hearing etc. in its meeting held on 18.11.2002.**

No objections were raised against holding the workshops, however, M(SM) pointed out that the estimated cost should be mentioned. It was decided that this may be done when the details are given in a special meeting or by circulation after giving the necessary details.

**(Action -- Research & Study Cell)**

**Agenda Item No.7**

**Proposals approved by the Screening Committees for organising regional workshops, training programmes/public hearing etc. in its meeting held on 21.11.2003.**

No objections were raised against holding the workshops, however, M(SM) pointed out that the estimated cost had not been mentioned. It was decided that this may be done when the details are given in a special meeting or by circulation after giving the necessary details.

**(Action -- Research & Study Cell)**

**Agenda Item No.8**  
**Draft of Family Courts Rules**

Approved. It was decided that model draft on Family Court Rules will be sent to all States/all Chief Ministers, all Chief Justice of the High Courts, and Departments of WCD. Legal Cell will follow up the matter.

**(Action : Legal Cell)**

**Agenda Item No.9(A)**  
**Report of the workshop on Crime Against Women held at Chennai on 18.9.2002 organised by Tamil Nadu State Commission for Women, Chennai – Approval/adoption of the Report**

Recommendations given at Page 51 & 52 were adopted. However, it was decided that only the specific recommendations relating to the State Government should be sent after examining the general recommendations. CP stated that in future one page note on the report should come from Legal Cell/Research Cell.

**(Action: Legal Cell)**

**Agenda Item No.9(B)**  
**Concept note on Violence against Women – Proposal for State consultation in major cities one per State**

Approved. It was decided that we should hold at least one consultation in rural areas in one state, and one in urban slum areas involving State Commissions for Women.

**(Action: Legal Cell)**

**Agenda Item No.10**  
**Interim Report of the Team of the National Commission for Women to institute a preliminary inquiry on the complaints lodged by girl students of National Law Institute University, Bhopal, against the sexual harassment by the Director of the University – Approval/adoption by the Commission**

M(SM) informed the Commission that the complaints lodged by the girl students of National Law Institute University, Bhopal against Mr. Rekhi and Mr. Alam was correct in as much as both of them were involved in passing sexually coloured remarks. It was decided that the matter be taken up with the Appointing Authority for taking disciplinary action against the two.

**Recommendation No.4.2** be deleted and in the recommendation No.4.5, the name of Mr. Alam be added with Mr. Rekhi.

In the Recommendation No.4.5, the word 'in the state' after the word 'The competent authority' may be deleted.

**(Action: Legal Cell)**

**Agenda Item No.11**

**Report of the visit of Dr. Sudha Malaiya, Member to Damoh (Madhya Pradesh) on 2<sup>nd</sup> November, 2002 to attend public hearing organised by Veer Abhimanyu Samaj Kalyan Samiti, Damoh – Approval/adoption by the Commission**

Noted by the Commission.

Recommendation No.1 & 2 to be sent to State/District Agriculture Department and recommendation No.4 to be sent to Deptt. of Banking, Ministry of Finance. Rest were noted as general recommendations.

**(Action: Legal Cell)**

**Agenda Item No.12**

**Report of the visit of Dr. Sudha Malaiya, Member to Damoh(Madhya Pradesh) for inspection into the case of Rasha Bai Jatav who was forced by the Panchayat to wash the feet of Panchas and drink that water and also with a penalty of Rs.10,000/- -- Approval/adoption by the Commission**

Noted by the Commission. However, CP observed that Report is insufficient in content as deposition of the victims/civil society/district authorities has not been properly recorded in the investigation report.

She also pointed out that investigation report should be checked by Legal Cell before their inclusion in the agenda. Member(SM) informed the Committee that the Panchayat had accepted the lady and she was not excommunicated. It was decided that the present status of the matter be obtained.

**(Action: Research & Study Cell)**

**Agenda item No.13**

**Civil Writ Petition filed in Delhi High Court by Madhu Mukul Tripathi, an advocate regarding exhibition of sex, violence and nudity in TV and in films.**

Comments from the Members on the above have not yet been received. In view of the same, an interim reply stating that the Commission is concerned about the subject matter of indecent representation of women and that the Commission is going to hold workshops in order to address the issue be issued.

**(Action: Legal Cell)**

It was decided that when the comments of the Members are called for in a particular case, these should be furnished within 10 days after which the concerned cell/section will proceed in the matter presuming that Members have no comments to offer on the subject. However, Members can seek extension of time giving reasons thereon.

**(Action: by all Sections/Cells)**

**Agenda item No.14**

**Sexual Harassment of Women at Work Place (Prevention ) Bill, 2003**

It was decided that a meeting will be organised involving all Women MPs/NGOs/MPs in the Empowerment Committee of the Parliament and representatives of the Ministry of Labour, where the Bill will be discussed for finalisation.

**(Action: :Legal Cell)**

**Agenda Item No.15**

**Proposal to conduct three public hearings in Damoh, Sagar and Satna Districts of Madhya Pradesh**

**And**

**Agenda Item No.& 16**

**Public hearing on Beedi and Cigar Workers**

It was decided to club both the agendas. The Commission will hold public hearings for Beedi and Cigar workers in 5 States, Tamil Nadu, Andhra Pradesh, Madhya Pradesh, Maharashtra and Gujarat, where the problems of the Tendupatta labourers will also be discussed.

**(Action: Legal Cell)**

**Agenda item No.17**

**Conference of the Chairpersons of State Commissions for Women to be held on 28<sup>th</sup> and 29<sup>th</sup> March, 2003**

Approved. It was also decided that subject of health and economic empowerment should also be added.

**(Action: Research & Study Cell)**

**Agenda item No.18****Report of the National Task Force on Technological Empowerment of Women in Agriculture – Approval/adoption by the Commission**

Approved. The issue of Self-help group and migrant labour may also be included in the recommendations

**(Action: Research & Study Cell)**

**Agenda Item No.19****Report of the visit of Dr. Sudha Malaiya, Member to Kurukshetra, Haryana on 4<sup>th</sup> February, 2003 – Approval/adoption by the Commission**

This may be taken up with tour reports in the special meeting.

**(Action: Monitoring Cell)**

**Agenda item No.20****Finalisation of schemes for special studies/research projects in respect of issues relating to advancement/welfare and empowerment of women – release of instalments thereof**

For release of advance in respect of special studies/research projects, the status quo may be maintained and the amount may be released in the ratio of 40: 40: 20.

**(Action: Research & Study Cell)**

**Agenda item No.21****Legal Awareness Programme – Release of funds to the NGOs/Educational Institutions regarding – For information of the Commission**

The decision taken against Item No.6 & 7 will apply.

**(Action: Legal Cell)**

**Agenda Item No.22****Parivarik Mahila Lok Adalat – Release of funds to the NGOs regarding – For information of the Commission**

The decision taken against Item No.6 & 7 will apply.

**(Action: Legal Cell)**

**Agenda Item No.23**

**Gender based violence and women's health kit developed by CHETNA, Ahmedabad as a project funded by National Commission for Women and UNFPA –Workshop on Women's Health to be organised in collaboration with UNFPA/CHETNA**

The proposal for holding the workshop was approved. However, Members should continue their visits to women hospitals, gynaecology ward of the hospitals located in their geographical areas.

**(Action: Research & Study Cell)**

**Agenda Item No.24**

**Report of the Workshop on Sexual Harassment of Women in unorganised Industrial Sector held at Panipat on 15<sup>th</sup> June, 2002 organised by Mata Sita Rani Sewa Sanstha, Panipat – Approval/adoption by the Commission**

Noted by the Commission. Legal Cell may examine whether the recommendation can be forwarded to the Govt., after which the same should be compiled and circulated to all Members.

**(Action : Legal Cell)**

**Agenda Item No.25**

**Report of three public hearings on Rights of Tribals on land: Problems and remedy in Bihar at Latehar, West Singbhum and Ranchi on 7-9 September, 2002 organised by Vikas Bharati Bishanpur, Ranchi, Jharkhand – Approval/adoption by the Commission**

Noted

**(Action: Research & Study Cell)**

**Agenda Item No.26**

**Report on a survey study of educational status of girls in slums of Pune organised by Students' Welfare Association, Pune – Approval/adoption by the Commission**

The Report was noted. It was observed that recommendations made in the Report are very general. It was decided to call for specific recommendations from the institution.

**(Action: Research & Study Cell)**



**Agenda Item No.27****Publication entitled “Making a Difference” by Dr. Poornima Advani, Chairperson, National Commission for Women – For comments/adoption by the Commission**

M(SM) raised several points on the report “Making a Difference”. She wanted to know whether this was a part of a project and whether Commission approval was there, if yes, then relevant minutes of the Commission approving the project may be placed before the Commission. She also wanted to know whether all Members are authorised to write subject report and get it adopted/published by the Commission. She also stated that the report is based on the tours and experience of the present Chairperson when she was a Member of the Commission and not in the capacity of the Chairperson of the Commission.

M(SM) also stated that if this report is at all adopted for publication, then similar reports prepared by other Members of the Commission should also be adopted for publication. It was also agreed that wherever the phrase “Government representative” was used in the report, it should be replaced by “representative of the Commission”.

M(NH) and M(BRM) wanted more time before offering any comments in the matter. They said that they will furnish their comments within 10 days.

Member Secretary opined that NCW should disseminate information of good practices and other Members of the Commission should also be encouraged to prepare similar reports. She also suggested that in future while making a report on good practices the processes should be clearly documented and the before and after scenario should also be indicated. She recommend adoption of the report.

CP stated that though the opportunity of writing such reports is available with every Member, however, its adoption by the Commission and publication will be on case to case basis depending upon quality of the report.

Adoption of the report was deferred till the receipt of the comments of the Members.

**(Action: Research & Study Cell)**

**Agenda Item No.28****Proposal for holding regional workshop for introduction of course curriculum on ‘Gender Sensitization of Police Personnel’ to the faculty members of Police Training Institutions**

Approved for holding regional workshops. The First workshop will be held in National Police Academy, Hyderabad. Thereafter, such regional workshops

will be held in the State Police Training Institutes located at Lucknow, Guwahati, Chandigarh and Ahmedabad. In these workshops, the faculty members of

Police Training Institutions, serving police officers, eminent activists engaged in the causes of women etc. would be invited.

**(Action: Research & Study Cell)**

**Agenda Item No.29**

**Workshop on Women in Governance**

The Commission approved the holding of one National Consultation on Women in Legislature.

**(Action: Research & Study Cell)**

**Agenda Item No.30**

**Annual Report of the National Commission for women for the year 2001-2002**

Approved

**(Action: Monitoring Cell)**

**Agenda Item No.31**

**Use of official staff cars**

It was decided that staff car rules as applicable to Members/CP will be strictly followed. Recovery of Rs.700/- on account of personal use of staff car by Members will cease w.e.f. March, 2003 as the same is not admissible as per rules. All staff cars will be parked in the office premises of NCW.

**(Action: Administration section)**

**Agenda Item No.32**

**Any other item with the permission of the Chair**

**32(1) Inquiry Report into the Alleged Atrocities on Women by Police in Trikha Colony, Ballabgarh**

The Report was approved and adopted. The specific recommendation No.1 was amended to read as follows:

“These appears to be no justification for bringing charges under Section 307 IPC against Women and Children”.

The recommendations be sent to the State government.

**(Action: Research & Study Cell)**

**32 (2) Five regional workshops on Women in Industry**

CP asked the Member to put up the proposal to CP after which it would be circulated to Member for comments.

**(Action: Research & Study Cell)**

Meeting ended with a Vote of Thanks to the Chair

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