

**Government of India**  
**National Advisory Council**

**10 January 2011**

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1. The eighth meeting of the National Advisory Council was chaired by Smt. Sonia Gandhi on 10th January, 2011 at 2 Motilal Nehru Place, New Delhi.
2. Members who attended the meeting were Prof. M.S. Swaminathan, MP, Prof Narendra Jadhav, Dr. Jean Dreze, Ms. Aruna Roy, Shri Madhav Gadgil, Ms Anu Aga, Shri N.C. Saxena, Dr. A.K. Shiva Kumar, Ms. Farah Naqvi, and Ms. Mirai Chatterjee.
3. As a first step towards preparation of the draft National Food Security Bill (NFSB), a Note was presented by the Working Group. The Note was based on the earlier recommendations made by the NAC in its meeting on 23<sup>rd</sup> October 2010. After deliberations the Council suggested that the Note be supported with more analytical content. The revised note may be placed before the NAC at its next meeting.
4. (i) The NAC commended the initiative taken by the Government towards enactment of the *Protection of Women against Sexual Harassment at Workplace Bill, 2010*. However, Members felt that exclusion of domestic workers from the purview of the Bill enhances their vulnerability and denies them protection from abuse. Most domestic workers are poor, illiterate, unskilled and come from vulnerable communities and backward areas. They are underpaid and ill-treated as domestic work is undervalued and poorly regulated. Their work place being the confines of private homes, domestic workers, especially live-in workers, are prone to sexual harassment and abuse, without access to any complaint mechanism or remedial measures.

4(ii) Further, given the fear of reprisal, which routinely prevents women from coming forward to seek protection against sexual harassment at the work place, the safeguards provided to them by this Bill are weakened by the inclusion of Clause 14 (*Punishment for false or malicious complaint and false evidence*), which might deter victims from seeking protection of the proposed legislation. The internal complaints committees or local committees under this Bill, along with several provisions of other existing laws, provide adequate safeguards against false and malicious prosecution and defamation.

4(iii) NAC therefore recommended (i) extending protection of the proposed legislation to domestic workers; and (ii) removal of Clause 14 from the proposed legislation. Additionally, to ensure transparency in the functioning of the District officer, the NAC also recommended that (iii) clear guidelines be incorporated in the proposed legislation for the District officer in constituting and functioning of *the*

*local complaints committee* in the proposed legislation (for those situations or small institutions where no internal complaints committee can be constituted).

4(iv) NAC also decided to constitute a Working Group of its Members to evolve an integrated and holistic approach to provide safeguards and security to domestic workers.

5. (i) Shri Madhav Gadgil, Convenor of the NAC Working Group on Tribal Development made a detailed presentation on issues pertaining to implementation of the Forest Rights Act. The Working Group has suggested amendments to the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules. The proposed amendments have been sent to Ministries concerned for their comments.  
5(ii) The NAC noted that the Scheduled Tribes and other Forest Dwellers (Recognition of Forest Rights) Act passed in 2006 was a landmark legislation that aimed to undo the historical injustice done to tribals and other forest dwellers by non recognition of their forest rights. However, implementation of this Act has suffered from a number of problems.  
5(iii) The presentation covered issues related to (a) individual land rights, (b) forest management, (c) Minor Forest Produce Rights and (d) role of Gram Sabhas especially with respect to diversion of land for development projects and (e) monitoring and grievance redressal. The recommendations will be finalised after receiving comments from the concerned Ministries.
6. Smt. Aruna Roy, Convenor of the Working Group on Transparency & Accountability & Governance briefed the NAC on the deliberations of the Working Group on the Amendments to RTI Rules proposed by the Government. The Working Group has provided comments on the proposed Amendments to RTI rules. The suggestions of the Working Group have been communicated to the Department of Personnel & Training (DOPT). This is work-in-progress and will be taken up after comments are received from the DOPT.
7. There was general agreement that the nutrition support guaranteed to children under the Integrated Child Development Services (ICDS) is integral to any Food Security initiative. The need for revamping the ICDS delivery systems was emphasised. Dr. N.C Saxena, Member made a presentation on Child Malnutrition and ICDS. After discussions, NAC decided to constitute a Working Group on ICDS Reforms.
8. The next meeting of the NAC is scheduled to be held on 21st January, 2011.