

REPORT
Of the
WORKING GROUP
On
EMPOWERMENT OF WOMEN
FOR THE XI PLAN

MINISTRY OF WOMEN AND CHILD DEVELOPMENT
GOVERNMENT OF INDIA

Preface

The Planning Commission vide its order no. PC/SW/1-23(2)/2005 dated 17th April 2006 constituted a Working Group on “Empowerment of Women” for the 11th Five Year Plan under the Chairpersonship of Secretary, Ministry of Women & Child Development with the basic objective to carry out a review, analysis and evaluation of the existing provisions/ programmes for women and make recommendations for the Eleventh Five Year Plan. The detailed terms of reference of the Working Group and its constitution are at Annexure-I.

The Working Group met on 12th June 2006 and it was decided to set-up four Sub-Groups:

- II Engendering Policies and Strategies
- III Violence against Women
- IIII Schemes of Empowerment, Advocacy, Awareness Generation and Support Services for Women.
- IIIV Women’s Component Plan and Gender Budgeting

As a part of the plan process, five regional workshops to cover North, South, East, West and North-East and one at the National level were held with assistance from UNDP and UNIFEM to engender the XI Plan were held.

Based on the Subgroup Reports and the recommendation that emerged from the Workshops on Engendering the XI Plan, a draft Working Group Report was prepared and was placed before the Group in its second meeting held on 10th November 2006. Based on the deliberations of the Working Group, the Report of the Working Group was finalized. The vision or philosophy of empowerment for the XI Plan is *Inclusive and integrated economic, social and political empowerment with gender justice.*

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CHAPTER I

INTRODUCTION

The extent of empowerment of women in the national hierarchy is determined largely by the three factors – her economic, social and political identity and their weightage. These factors are deeply intertwined and interlinked with many cross cutting linkages which imply that if efforts in even one dimension remain absent or weak, outcomes and momentum generated by the other components cannot be sustained as they will not be able to weather any changes or upheavals. It is only when all the three factors are simultaneously addressed and made compatible with each other can the woman be truly empowered. Therefore for holistic empowerment of the woman to happen - social, economic and political aspects impacting a woman's life must converge effectively.

Constitutional provisions

Women as an independent group constitute 48% of the country's total population as per the 2001 Census. The importance of women as a important human resource was recognised by the Constitution of India which not only accorded equality to women but also empowered the State to adopt measures of positive discrimination in their favour. A number of Articles of the Constitution specially reiterated the commitment of the constitution towards the socio economic development of women and upholding their political right and participation in decision making.

Box 1

Article 14 - Men and women to have equal rights and opportunities in the political, economic and social spheres.

Article 15(1) - Prohibits discrimination against any citizen on the grounds of religion, race, caste, sex etc.

Article 15(3) - Special provision enabling the State to make affirmative discriminations in favour of women.

Article 16 - Equality of opportunities in matter of public appointments for all citizens.

Article 39(a) - The State shall direct its policy towards securing all citizens men and women, equally, the right to means of livelihood.

Article 39(d) – Equal pay for equal work for both men and women.

Article 42 - The State to make provision for ensuring just and humane conditions of work and maternity relief.

Article 51 (A)(e) –To renounce the practices derogatory to the dignity of women.

Drawing the strength from the constitutional commitments, the Government of India has been engaged in the continuous endeavor of concretely translating all the rights, commitments and safe guards incorporated in the Indian Constitution for women from *de jure* to *de facto* status.

Legislations and laws for women

The State enacted several women-specific and women-related legislations to protect women against social discrimination, violence and atrocities and also to prevent

Equal Remuneration Act of 1976 provides for equal pay to men and women for equal work.

Hindu Marriage Act of 1955 amended in 1976 provides the right for girls to repudiate a child marriage before attaining maturity whether the marriage has been consummated or not.

The Marriage (Amendment) Act, 2001 amended the Hindu Marriage Act, Special Marriage Act, Parsi Marriage and Divorce Act, the Code of Criminal Procedure providing for speedy disposal of applications for maintenance; the ceiling limit for claiming maintenance has been deleted and a wide discretion has been given to the Magistrate to award appropriate maintenance.

The Immoral Traffic (Prevention) Act of 1956 as amended and renamed in 1986 makes the sexual exploitation of male or female, a cognizable offence. It is being amended to decriminalize the prostitutes and make the laws more stringent against traffickers.

An amendment brought in 1984 to the **Dowry Prohibition Act of 1961** made women's subjection to cruelty a cognizable offence. The second amendment brought in 1986 makes the husband or in-laws punishable, if a woman commits suicide within 7 years of her marriage and it has been proved that she has been subjected to cruelty. Also a new criminal offence of 'Dowry Death' has been incorporated in the Indian Penal Code.

Child Marriage Restraint Act of 1976 raises the age for marriage of a girl to 18 years from 15 years and that of a boy to 21 years and makes offences under this Act cognizable.

Medical Termination Pregnancy Act of 1971 legalises abortion by qualified professional on humanitarian or medical grounds. The maximum punishment may go upto life imprisonment. The Act has further been amended specifying the place and persons authorized to perform abortion and provide for penal actions against the unauthorized persons performing abortions.

Indecent Representation of Women (Prohibition) Act of 1986 and the Commission of Sati (Prevention) Act, 1987 have been enacted to protect the dignity of women and prevent violence against them as well as their exploitation.

The Protection of Women from Domestic Violence Act, 2005 provides for more effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family and for matters connected therewith or incidental thereto. It provides for immediate and emergent relief to women in situations of violence of any kind in the home.

social evils like child marriages, dowry, rape, practice of Sati etc. The recently notified Prevention of Domestic Violence Act is a landmark law in acting as a deterrent as well as providing legal recourse to the women who are victims of any form of domestic violence. Apart from these, there are a number of laws which may not be gender specific but still have ramifications on women.

National Policies for women

The National Policy for Empowerment of Women 2001 has as its goal bringing about advancement, development and empowerment of women in all spheres of life through creation of a more responsive judicial and legal system sensitive to women and mainstreaming a gender perspective in the development process. The strengthening and formation of relevant institutional mechanisms and implementation of international obligations/ commitments and co-operation at the international, regional and sub-regional level was another commitment.

The objectives of this Policy include

- (i) Creating an environment through positive economic and social policies for full development of women to enable them to realize their full potential
- (ii) The *de-jure* and *de-facto* enjoyment of all human rights and fundamental freedom by women on equal basis with men in all spheres – political, economic, social, cultural and civil
- (iii) Equal access to participation and decision making of women in social, political and economic life of the nation
- (iv) Equal access to women to health care, quality education at all levels, career and vocational guidance, employment, equal remuneration, occupational health and safety, social security and public office etc.
- (v) Strengthening legal systems aimed at elimination of all forms of discrimination against women
- (vi) Changing societal attitudes and community practices by active participation and involvement of both men and women.
- (vii) Mainstreaming a gender perspective in the development process.
- (viii) Elimination of discrimination and all forms of violence against women and the girl child; and
- (ix) Building and strengthening partnerships with civil society, particularly women's organizations.

The present Government in their National Common Minimum Programme have laid down six basic principles of governance one of which is to empower women politically, educationally, economically and legally.

Commitments in the NCMP for Women

- ✍✍ Introduce legislation for one-third reservations for women in vidhan sabhas and in the Lok Sabha.
- ✍✍ Legislation on domestic violence and against gender discrimination will be enacted.
- ✍✍ At least one-third of all funds flowing into panchayats will be earmarked for programmes for the development of women and children.
- ✍✍ Village women and their associations will be encouraged to assume responsibility for all development schemes relating to drinking water, sanitation, primary education, health and nutrition.
- ✍✍ Complete legal equality for women in all spheres will be made a practical reality, especially by removing discriminatory legislation and by enacting new legislation that gives women, for instance, equal rights of ownership of assets like houses and land.

International Commitments and conventions and the MDG

India has ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993. India has ratified the convention with two declaratory statements and one reservation. Both the declarations relate to marriage. We have declared that the provisions on marriage and family relations in its Article 16(1) would be ensured in conformity with our policy of non-interference in the personal affairs of any community without its initiative and consent and that while agreeing to the principle of compulsory registration of marriages, failure to get the marriage registered at the same time will not invalidate the marriage. We did not agree to Article 29(1) of the Convention, which establishes compulsory arbitration or adjudication by the International Court of Justice of disputes concerning interpretation. The Mexico Plan of Action (1975), the Nairobi Forward Looking Strategies (1985), the Beijing Declaration as well as the Platform for Action (1995) and the Outcome Document adopted by the UNGA Session on Gender Equality and Development & Peace for the 21st century, titled "Further actions and initiatives to implement the Beijing Declaration and the Platform for Action" have been unreservedly endorsed by India for appropriate follow up. The Beijing Platform for Action lays down critical areas of concern for the women, which are listed in the box. The commitments made in the international conventions are as far as possible reflected in the Plan documents and the National Policy for the Empowerment of Women.

12 Critical areas of concern

1. Women and Poverty
2. Education and training of women
3. Women and health
4. Violence against women
5. Women in armed conflict
6. Women and economy
7. Women in power and decision-making
8. Institutional mechanisms for the advancement of women
9. Human rights and women
10. Women and media
11. Women and environment
12. Girl child.

Eight Millennium Development Goals (MDGs) have been established in the Millennium Declaration at the General Assembly of the United Nations in the year 2000. These include promoting gender equality and empowerment of women and improving maternal health. Though only these two are explicitly gender specific, gender equality is at the core of achievement of MDGs – from improving health and fighting disease, to reducing poverty and mitigating hunger, to expanding education and lowering child mortality, to increasing access to safe water, and to ensuring environmental sustainability.

Planning Process and gender

The planning process has evolved over the years from purely “welfare” oriented approach where women were regarded as objects of charity to the development programmes and currently to their “empowerment”. It was only from the Sixth Five Year Plan onwards that women secured a special niche and space in the national plans and planning process primarily with thrusts on health, education and employment of women. A paradigm shift occurred in the Eighth Plan where ‘empowerment’ of women was recognized and accepted as a distinct strategy.

A further impetus for sectoral contribution to women’s programmes was received with the introduction of the concept of Women’s Component Plan in the Ninth Plan whereby identified Ministries were required to indicate the flow of funds to the women’s programs and schemes. However the Ninth Plan refrained from making any commitment for achieving any specific goal or target. This was overcome to some extent in the Tenth Plan where for the first time, monitorable targets were set for a few key indicators of human development. The targets include, among other things, reduction in gender gaps in literacy and wage rates and reduction in MMR.

The Tenth Five Year Plan(2002-07) called for the three pronged strategy of social empowerment, economic empowerment and providing gender justice to create an enabling environment of positive economic and social policies for women and eliminating all forms of discrimination against them and thus advance gender equality goals.

Social Empowerment - Create an enabling environment through adopting various policies and programmes for development of women, besides providing them easy and equal access to all the basic minimum services so as to enable them to realize their full potential.

Economic Empowerment – Ensure provision of training, employment and income generation activities with both forward and backward linkages with the ultimate objective of making all women economically independent and self reliant.

Gender Justice – Eliminate all forms of gender discrimination and thus enable women to enjoy not only de jure but also de facto rights and fundamental freedom on par with men in all spheres, viz, political, economic, social, civil, cultural etc.

Status of women –a situational analysis

Though the Constitutional commitments of the nation to women was translated through the planning process , legislation , policies and programs over the last six decades yet as the Eleventh plan approaches, a situational analysis of social and economic status of women reflects less than satisfactory achievements in almost all important human development indicators. The maternal mortality rate is estimated at 407 per 100,000 live births (2000) in India compared to figures of 92 in Sri Lanka, 56 in China and 130 in Vietnam; the growing female face of HIV/AIDS is reflected in the fact that the number of pregnant women (between 18-24 years) with HIV prevalence comprise 0.86 % in 2003 of the total women pregnant compared to 0.74% in 2002.

The saga of missing daughters is vividly depicted in the growing incidence of female feticide as a result of which the child sex ratio has declined from 945 in 1991 to 927 in 2001. While the literacy rates have shown an improvement from 39.3% to 54.3% of the total female population between 1991 and 2001, yet much more needs to be done especially for socially and economically backward regions and groups.

Economic empowerment as reflected by the work participation rate shows that the percentage of women in the work force increased by only 3% (from 22.5% to 25.7%) between 1991 and 2001. The

average wage differential between men and women showed a marked deterioration between 2000 and 2004 for both rural and urban areas. The violence against women continued unabated with the absolute number of crimes against women increasing from 1,28,320 in 2000 to 1,43,615 in 2004.

There are a number of generic reasons, which give rise to the dismal picture depicted above. Poverty is increasingly becoming feminised - mainly on account of the fact that with globalization and liberalization, a paradigm shift in the country's

Expectation of life at birth for female in years	1994-1998	62.2
	1998-2002	63.3
Literacy rate for female (in %)	1991	39.3
	2001	54.2
Maternal Mortality Rate per 1,00,000 live births	1991	437
	1998	407
Sex Ratio	1991	927
	2001	933
HIV prevalence among pregnant women aged 15-24 years(in %)	2002	0.74
	2003	0.86
HIV prevalence among pregnant women aged 25-49 years (in %)	2002	0.80
	2003	0.88
Work participation rates for female (in %)	1991	22.3
	2001	25.7
Wage differentials between male and female in Rural areas	1999-2000	15.83
	2004-05	20.38
Wage differentials between male and female in Rural areas	1999-2000	24.55
	2004-05	31.23
Crimes against women (no. in lakh)	2000	1.28
	2004	1.44

economy has taken place skewed towards technology dominated sectors, rendering traditional sectors like agriculture unviable and without any security cover. Unfortunately

it is in these sectors that women predominately eke out a sustenance livelihood. The lack of alternate employment, skill training, or credit facilities for women who seek it, is another factor that keeps them in poverty.

Traditional patriarchal systems too play their part in keeping women at a lower rung in the social and economic hierarchy by denying them basic rights to land, assets etc and also placing a low value on their existence. The high prevalence of female feticide and child marriage is a fall out of these factors.

The weak social infrastructure such as the lack of adequate schools or health centers, drinking water, sanitation and hygiene facilities inhibits a very large section of women from accessing these facilities. This is a major reason why women continue to face problems as poor literacy rates, or health issues. It is also one of the reasons for the high incidence of MMR and IMR.

The changing socio economic scenario and the phasing out of the joint family system along with poor community based protection systems are some of the reasons why women are becoming increasingly prone to violence and abuse. The weak law enforcement and gender insensitivity of the various functionaries fail to check the growing violence against women. At the same time, the extremely poor levels of awareness amongst women themselves on their rights also perpetuate violence against them. The lack of adequate rehabilitation and reintegration facilities is another crucial factor that finds victimized women further victimized or ostracized by the community. The media too does not reflect gender issues with sympathy and sensitivity; instead there is a tendency to glorify patriarchal traditions or to depict women as objects of sexual entertainment.

Persisting areas of Gender concerns reflected in the Mid Term Review of the Tenth plan

The Tenth plan goals of reduction of Maternal Mortality Rate(MMR) to 2 per 1000 live births by 2007 and to 1 per 1000 live births by 2012 and arresting the decline in the child sex ratio were reviewed in the mid Term appraisal of the Plan and it was found that both these goals remained unfulfilled. The mid term review also listed out the major areas of gender concern which continued to persist over the years – such as wide gender gaps in literacy and in wage rates, escalating violence against women and the rising incidence of female feticide and infanticide. Other important concerns expressed were the growing feminization of poverty and the exploitation of women in low paid, hazardous and insecure jobs in the unorganized sector and in the export processing or special economic zones. The need to address problems relating to trafficking of young girls for sexual exploitation and domestic labour and prevention of child marriages was highlighted in the report.

The mid term Report also brought a number of focus areas, which needed to be addressed if the objective of women empowerment is to become a reality. Some of the suggestions included a review of laws affecting women and children; increasing women's

participation in decision making and the political processes including passing of the women's Reservation Bill; empowering women representatives of the PRI to take independent decisions. The issue of displacement and its impact on women and children was discussed emphasizing the formulation of gender sensitive resettlement and rehabilitation policy.

The Review had also made an analysis of the existing schemes of the MWCD and concluded that if significant impact has to be made in the field of economic empowerment of women, there is a need to combine schemes like STEP, Syamsiddha and Swawlamban into one substantial scheme for SHGs for women. The Review suggested that the self-help concept should be extended to cover mass-based organizations of women working to help each other or in other words for a shift from self-help groups to Mass Organisations. Special hostels with subsidized boarding and lodging facilities were felt necessary for adolescent girls to help retain them in school and discourage their early marriage.

Specific suggestions were made of the need to strengthen the women's component plan as it was felt that there were a number of Ministries and Departments, which had the potential to go beyond 30 per cent of funds under WCP programmes. It also called for assessing the gender impact of all programmes as the reality was that women still remained largely untouched by gender-just and gender-sensitive budgets.

Gender Concerns and Eleventh plan – Path Ahead

The philosophy of empowerment— Vision for the Eleventh plan

Inclusive and Integrated policy and strategy for economic, social and political empowerment of women

Though for the first time, a separate section on 'Gender Equity' was included in the Draft Approach Paper to the 11th Five Year Plan, the paper has not given enough focus on women's empowerment issues in the country. The strategy for women is confined to three areas - violence against women, economic empowerment and women's health. There has been no attempt to understand that empowerment of women has to be visualized as a holistic integrated approach and not in a piecemeal manner or as watertight compartments. More often than not, the lines dividing social, economic or political areas are highly diffused and blurred with crisscrossing intersections.

Over the years there have been efforts made to socially, economically and politically empower women but as a result of the lack of synergy or coordination between these activities, the outcomes could never be completely satisfactory. For example the increasing induction of women representatives into the PRIs should have meant automatic improvement in the lives of rural women, but if it has not happened, it is because the elected women were not educated or literate or even made aware of their rights. Also there are many groups of women who on account of tradition, culture, ethnic, social or religious background are more vulnerable compared to the women in the mainstream sector. These groups need to be specially focused on in the Eleventh Plan.

It is imperative that an integrated policy and strategy be formulated that addresses economic, social, and political empowerment simultaneously and holistically along with the requisite programmes and schemes. Once such a comprehensive policy and programs flowing from it are put in place, it will be possible to enable an all round development of women, which will usher in true empowerment. This is the philosophy of empowerment which will be the plank on which the Eleventh plan approach to women will be based.

Keeping in view the philosophy of empowerment it is essential that the Eleventh plan should indicate clearly the direction that the planning process intends to take for women in the ensuing five years and delineate the thrust areas. An underlying thread that will form the essence of empowerment philosophy is 'gender equality and equity' and 'elimination of gender discrimination' - essential ingredients that must be inherent in the thrust areas and also incorporated as an integral part not only in all programs and schemes for women, but also in the delivery mechanism and outreach services to the beneficiary.

Gender equality, is a constituent of development as well as an instrument of development. No country can be deemed developed if half its population is severely disadvantaged in terms of basic needs, livelihood options, access to knowledge, and political voice. It is an instrument of development because without gender equality other goals of development will also be difficult to achieve, namely the goals of poverty alleviation, economic growth, environmental sustainability etc. A natural corollary of ensuring gender equality is the elimination of gender discrimination. Inequalities between girls and boys in access to schooling or adequate health care prove a very serious disadvantage to women and girls and limit their capacity to participate in the benefits of development.

Important Thrust areas for the Eleventh plan

The crucial areas of concern themselves, to a large extent, suggest the thrust areas that are required to be kept in view in the Eleventh plan. While priority will continue to be laid on health, nutrition, education, income generating activities, relief and rehabilitation for women in distress, there are certain key thrust areas which need to be addressed with a sharper focus. These are given below:

Nutrition and gender

It is acknowledged that the underlying reasons for poor health of women as well as high rates of MMR and IMR are the persisting problems of Malnutrition and anemia. The Eleventh plan will need to lay adequate stress on addressing both these problems with provision of adequate supplementary nutrition and micro nutrient supplements

Health and gender

The health issues of a woman if observed through a life cycle approach shows that various health problems persist right from the time she is conceived till her old age. The high rate of MMR needs to be addressed through improving the rate of institutional deliveries, training of midwife, ensuring that ANM and the primary health centers are operational. Adequate information on pre natal care and post natal care must be taken up on a priority basis.

Vulnerable groups

Generally policies and schemes for women are formulated as if they are comprised of one composite and homogenous group. In reality there are many layers of heterogeneous groups and depending on their socio economic, geo political background the degrees of vulnerabilities also differ. Therefore specific strategies and programmes need to be developed which will address the unique problems of specific groups.

Amongst vulnerable groups, the women belonging to socially backward communities such as SC , ST or OBC face double discrimination of being a woman and also from a backward community . Similarly women with disabilities have very specific problems even when compared to men with disability. There are women who are victims of violence or sexual abuse such as trafficked women, rape victims who need a very different but specialized rehabilitation package etc. Adolescent girls are a highly vulnerable group as they are subject to a number of atrocities like trafficking, rape, child marriage. The following illustrates a list of categories of women who are in difficult circumstances.

☞☞ Women Impacted by Violence

- i. domestic
- ii. rape
- iii. trafficked victims
- iv. women who are labeled as witches
- v. acid attacked

☞☞ Women impacted by internal displacement, disasters and Migration

- i. either for economic reasons
- ii. conflict e.g. refugee women
- iii. women who have been displaced because of SEZ, building of dams etc,
- iv. women impacted by natural or man made disasters

☞☞ Women and Labour

- i. domestic labour
- ii. bonded labour
- iii. destitute women who are homeless

☞☞ Women in Agriculture

- i. land less women
- ii. marginal farmers
- iii. agricultural workers

☞☞ Women and Health

- i. women affected by HIV/ AIDS
- ii. women suffering from life threatening diseases
- iii. women with disabilities
- iv. elderly and aged women

☞☞ Slum Dwellers

☞☞ Women Prisoners

☞☞ Women belonging to ethnic and socially vulnerable communities

- i. women belonging to ethnic and religious minorities (especially Muslims)
- ii. women belonging to socially backward communities (SC, ST)

☞☞ Single women

- i. adolescents

- ii. widows
- iii. women whose husbands are absent due to conflict, economic migration etc
- iv. Divorcees

The above categories of women find themselves more vulnerable on account of their unique social, cultural circumstances or because they are victims of violence or abuse. These groups require special interventions to address their needs. The possibility of developing pilot projects suitably formulated to address specific requirements may be examined.

Women Victims of suicide by farmers

Another highly vulnerable group are women who are left behind to take care of their children when their farmer husbands commit suicide on account of failure of crops or heavy indebtedness. These women face a whole host of problems –the possibility that they may not inherit the land holding; even if they did, they may not have the wherewithal to till the land as they do not have the necessary resources or access to credit, seeds, fertilizers etc. The problem of inheriting debts which cannot be repaid may lead to distress sale of land without alternative livelihood options. The possibility of these women and their children being exploited or trafficked for nefarious purposes is very probable.

There is an immediate need to develop a special package for women whose farmer husbands have committed suicide. The package should contain a comprehensive inputs of programs of various sectors like agriculture, rural development, KVIC, MWCD along with adequate support from micro credit facilities.

Globalization and women

With the growing globalization and liberalization of the economy as well as increased privatization of services, women as a whole have been left behind and not been able to partake of the fruits of success. Mainstreaming of women into the new and emerging areas of growth is imperative. This will require training and skill upgradation in emerging trades, encouraging more women to take up vocational training and employment in the boom sectors. This will also require women to migrate to cities and metros for work. Provision of safe housing, and other gender friendly facilities at work will need to be provided.

Another facet of globalization is related to the fact that many persons especially women will be severely affected with the advent of setting up of industrial parks , national highways, SEZ etc. as huge tracts of farm land are likely to be acquired for this purpose. This would require massive resettlement of the displaced persons and their families. It is therefore essential that a viable resettlement policy and strategy is formulated and put in place immediately which clearly reflects the needs of women impacted by globalization/displacement.

Transforming SHGs to community based organizations

The focus in the last few years has been to build the capacity of SHGs realizing the fact that these are in a more advantageous position to combine their resources and talents for enabling viable income generating activities, as compared to a lone

individual's efforts. . Many of the SHGs have developed and flourished to become trend setters and peer leaders in their region. The time has now come to consider the transformation of those SHGs which have developed considerable capacity and experience to further expand into larger community based organizations. Such organizations can operate on a bigger scale and therefore take advantage of their economies of scale to bring down costs and become more competitive in the markets; they are also in a position to shift from micro credit to larger credit facilities offered by banking institutions and thus will come into their own as a formidable economic force.

Regulation and streamlining micro credit finance systems

Micro credit will continue to remain the backbone of SHG finances and therefore will need to be strengthened and streamlined in the eleventh Plan. There have been many instances of exploitative rates of interest charged by the unscrupulous agencies which has led to economic distress in many parts of the country. Therefore it is imperative that the Ministry of Finance formulates a regulatory mechanism for micro credit lending to make the system more transparent and beneficial. Ministry of Finance needs to initiate a process of broad based discussions on gender issues vis a vis Microfinance before taking any decisions regarding new regulations.

The RMK is the premier micro credit lending institution which is exclusively focused on lending to women SHGs. There is need to strengthen this institution to make it more proactive and enable it to play a pivotal and nodal role in guiding the credit framework for women SHGs.

Women in agriculture

With the growing feminization of agriculture, there is need to develop specific strategies for women in agriculture. Apart from conferring land rights, it is also essential that MWCD work in close cooperation with Agriculture to develop their skills and strengthen their capacities as well as access to cheap finance and other inputs. It is also important to strengthen organic farming which is very convenient and familiar to the woman.

Role of PRIs

The gender representation in the local self government or the PRIs has been more than satisfactory. Though only one-third of seats were reserved for women by the 73rd and 74th constitutional amendment, the actual representation is much more at all levels. The percentages of women at district, tehsil and village levels of Panchyat are 41, 43 and 40 respectively. Though there is a belief that these women leaders are only proxies for men, yet these women gradually become independent. In fact they have begun to contest from unreserved seats also. It has led to empowerment of not only those women who are in the Panchayats but also in the rural areas of India.

However much more needs to be done to empower women in local self governments so that they can play a more proactive role in decision making and by their very presence encourage more and more women to come forth and demand their rights. For this capacity building is required through knowledge and education and training in diverse areas pertaining to women- such as laws and rights, programs for women etc.

Gender and the Law

Though a large number of women related legislation are in place, it is seen that the efficacy of these laws are not satisfactory primarily on account of poor implementation. A major reason for this is the lack of adequate knowledge regarding these special legislations and also absence of gender sensitivity on part of the functionaries such as law enforcement, police, prosecution, medical profession, judiciary etc. The eleventh plan needs to give a very high priority to training and capacity building of these stakeholders not only to educate them about the nuances of the laws but also to inculcate gender sensitivity in the system.

The women themselves too need to be made aware of the special legislations that are available for their protection and rights. For this purpose, awareness generation and dissemination of information on a sustained basis will need to be taken up with special modules based on the region and group targets.

Gender Disaggregated database

One of the foremost constraints standing in the way of formulating meaningful policies and programs is the lack of authentic gender disaggregated data base. Such a data base is needed to target area/group specific programs and also to record the number of beneficiaries accessing the services delivered by the programs / projects as well as assess the satisfaction levels. Gender disaggregated data will be specially useful in programmes which seemingly appear 'gender neutral' but have a large women beneficiary component. It must be mandated that every program, scheme or project when conceived will have in built mechanism to gather gender disaggregated data.

There is also need to develop a Gender Development Index on similar lines as that of human Development Index so that the differentials in indicators can be established. This will also pave the way for targeted interventions for women. This should be done both at the National level and at the level of each state.

Adolescents and their welfare

Adolescent girls are one of the most vulnerable sections of society as they are subject to a number of problems – discriminated in terms of nutrition and food (the malnutrition and anemia rates for adolescents are quite significant); school drop out; forced into sibling care, households work or even farm labour; domestic labor, trafficked for sexual exploitation; subjected to child marriages, frequent child bearing etc. This is also the period during which girls can be truly empowered to make life changing decisions and chart the course of their life in a most productive way.

At present the programmatic interventions for adolescent girls are limited and sporadic and do not address the needs and requirements as an integrated whole. It is necessary to draw up a special package for their development which will take into account inter sectoral inputs.

Gender budgeting and mainstreaming

The objective of gender budgeting is to enable gender mainstreaming of all sectors at all levels and stages of policies, programs/ schemes and also at the level of the implementation stage and instituting gender friendly delivery mechanisms, thus paving the way for translating gender commitments into budgetary commitments .

In the Eleventh Plan the focus should be on incorporating Gender Budgeting not only in traditional areas like health, education etc but also in so called 'gender neutral' sectors like Transport, Power, Telecommunications, Defence etc. The other focus areas that need to be taken up include areas, which include engendering of important national macro-economic policies and striving for intersectoral convergence. Mainstreaming and sensitizing gender concerns in various organs such as police, legislation, judiciary and trade unions and also extending this concept to the corporate sector and other civil society organizations is another focus area. Training and Capacity Building of the Gender Budgeting cells set up in the Central Ministries/ Departments and the State governments is crucial if these cells have to become fully operational and effective. Simultaneously, there is need to undertake training for various Central and State government functionaries and also incorporate gender budgeting modules in the training curriculum both at the time of induction and mid stream training programs.

Institutional mechanism

Institutional mechanisms for the advancement of women include institutions of different types - government, non-government, central and state government, local government, which support the cause of women's advancement. Institutional mechanisms for integrating gender perspectives in policy and planning include such innovative features as 'gender budgeting'. Though institutional mechanisms exist both at the Central and State levels, they need to be strengthened. The National Policy for Empowerment provides for strengthening the existing mechanisms through interventions as may be appropriate and will relate to, among others, provision of adequate resources, training and advocacy skills to effectively influence macro-policies, legislation, programmes etc. to achieve the empowerment of women.

The Policy also provides for setting up of National and State Councils headed respectively by the Prime Minister and the Chief Ministers to oversee the operationalisation of the Policy on a regular basis and review the progress made in implementing the Policy twice a year. The National Development Council will also be informed of the progress of the programme undertaken under the policy from time to time for advice and comments. Planning Commission also in its mid-term appraisal of the Tenth Plan has suggested in its Way Forward to undertake a high-powered interministerial review (under the chairpersonship of the Prime Minister) of gender justice in order to bring the Tenth Plan back on track regarding its commitment to gender justice or to consider a Prime Minister's Mission on Women, Children and Development.

Media

The role of the Media in portraying women and the female gender as a whole leaves much to be desired. Press and the print media are generally found to unduly sensationalize traumatic events such as rape etc thereby invading the privacy of the victim. Very few positive stories of girls/ women who have stood up for their rights or are achievers are published. Similarly, the electronic media and films portray serial/ films highly derogatory to women , glorifying subservience of the woman before her husband/

in laws, celebrating the birth of the boy child and portraying the disappointments of the family at the birth of the girl child, making out eve e teasing / sexual harassment as ‘fun’ items etc. As a result the general populace are fed on a regular diet of stories/ news that are highly gender abusive, thus reinforcing traditional views that the woman are an inferior race and can be freely exploited.

The media has perforce to become gender sensitive and more responsible when portraying the woman and thus play a significant part in bringing about attitudinal changes in the society. A gender friendly media policy needs to be formulated for this purpose.

Role of MWCD

The history of the present Ministry of Women and Child Development, the nodal agency for welfare, development and empowerment of women is also the history of how women as a specific group were viewed by the successive Governments. The subject of women, prior to 1986 was dealt with by the Ministry of Social Welfare. In the year 1986 a separate Department for Women and Children was constituted under the aegis of Ministry of Human Resource Development, primarily keeping in mind that women were valuable human resources, and therefore deserved more focused attention. This also implied a subtle shift from ‘welfare’ to ‘development’ approach for these sections. In January 2006 the Department was elevated to the status of a full-fledged independent Ministry, thus implicitly bringing the woman’s’ issues into the forefront with greater focus and a larger mandate. It also meant that the MWCD would enhance its commitment to women through wider range of programmatic interventions and outlays, advocate gender mainstreaming of other sectors.

Due the wide-ranging facets and nuances of the nature of women’ empowerment the programmatic interventions perforce cannot be restricted to any one particular sector or ministry / department. The responsibility has to be shared between sectors and between Ministries/ Department with adequate scope for convergence and intersectoral linkages.

Thus the role of MWCD includes policy formulation, conception of innovative programmes and their implementation, coordination with other sectors and state governments, gender budgeting, training and capacity building, monitoring the status of women and their rights. This would require that appropriate institutional mechanisms are in place both in the MWCD, other sectoral ministries as well as the State governments so that implementation, networking, coordination and convergence is possible.

Schemes of the MWCD

The schemes/ programs of the MWCD can broadly be categorized into those that contribute to the economic empowerment of women, those that provide rescue and shelter to women in need of care and protection and those that provide gender justice and safeguard the rights of women.

The flagship scheme for women of MWCD for holistic economic empowerment is Swayamsiddha. The schemes for economic empowerment also include the Support for

Training and Employment Program (STEP) which aims to raise the incomes of rural women by updating their skills in the traditional sectors, such as dairy development, animal husbandry sericulture, handloom and social forestry. The Ministry has also set up support systems like Working Women Hostels and crèches to help women in their struggle towards economic empowerment. Swadhar and short Stay homes have been set up to provide shelter and care services for women in distress. The Ministry also implements laws and legislations for women including Dowry Prohibition Act, Protection from Domestic Violence Act, ITPA etc. In the Eleventh Plan, it is proposed to expand the scope and content of these schemes so as to reach more women and empower them economically and socially.

CHAPTER II

WOMEN AND THE ECONOMY

Introduction

Sustained and rapid growth rates are the most effective route to poverty reduction. However, the main challenge is to ensure that growth is pro-poor and *pro-women*. The Indian economy, on average, has grown at a rate of more than 8 per cent during the last three financial years, making it one of the fastest growing economies in the world. This has been accompanied by a benign rate of inflation. The BRICS report identifies India as the only economy that will be capable of maintaining growth rates above 5 per cent till the year 2050. India's share of global GDP, in purchasing power parity (PPP) terms, at 5.9 per cent in 2005 is the fourth highest in the world. In terms of share in world exports, India accounts for 0.9 per cent, with the value of exports in US dollar terms placed at US \$ 100 billion. The poverty level, which was 36 per cent in 1993-94, had come down to about 22 per cent in 2004-05. However, statistical indicators, however, do not fully capture India's recent economic achievements. For example: there has been an increased focus on infrastructure investments such as development of the Golden Quadrilateral, Bharat Nirman, The National Urban Renewal Mission aimed to provide further impetus to growth. In addition, major development initiatives have been launched -- the historic National Rural Employment Guarantee Act; the National Rural Health Mission (including the Janani Suraksha Yojana); the expanded Sarva Shiksha Abhiyan and a National Cooked Mid Day Meal Programme.

The above initiatives are indicative of the growing awareness of the multidimensional nature of development. It is well acknowledged fact that the thrust on social and human development is an important plank of the next generation of policy reforms. The efforts are being complemented by a steep jump in budgetary outlays for social sectors, along with dedicated initiatives for removing poverty and increasing employment. *The main task that needs to be undertaken during the XI FYP is to ensure that women are at the centre – stage of all the activities – economic, social and political.*

Economic Growth, Poverty and Gender Inequality

There exists a two-way link between economic growth and poverty, and gender inequality. On one level, poverty and the lack of growth exacerbated gender disparities. Inequalities between girls and boys in access to schooling or adequate health care were more acute among poor people than among those with higher incomes. And while poor people had less access to such productive resources as land and credit, poor women generally had the least access of all. Similarly, girls' and women's health and schooling were more vulnerable to economic downturns than those of boys and men. On another level, gender inequalities undermined the prospects for poverty reduction in fundamental ways. While disparities in basic rights, access to schooling, credit and jobs, and the

ability to participate in public life took their most direct toll on women and girls, the evidence showed that gender inequality ultimately hindered economic growth.

The rationale for economically empowering women is compelling for both for its own sake (intrinsic) and for other spillover benefits (instrumental). Research indicates that *economic participation* of women—their presence in the workforce in quantitative terms—is important not only for lowering the disproportionate levels of poverty among women, but also as an important step toward raising household income and encouraging economic development in countries as a whole. Amartya Sen makes a compelling case for the notion that societies need to see women less as passive recipients of help, and more as dynamic promoters of social transformation, a view strongly buttressed by a body of evidence suggesting that the education, employment and ownership rights of women have a powerful influence on their ability to control their environment and contribute to economic development.

However, participation alone is not enough, *quality of women's work* is critical. A key challenge is to overcome a situation where women may gain employment with relative ease, but where their employment is either concentrated in poorly paid or unskilled job “ghettos,” characterized by the absence of upward mobility and opportunity. For example: women are most often concentrated in “feminized” professions, such as nursing and teaching, office work, care of the elderly and disabled—termed “horizontal occupational segregation”—where they tend to remain in lower job categories than men. Typically, because these functions are carried out by women, they are the lowest paid, in addition to offering limited or no opportunity for advancement. The term “feminization of poverty” is often used to illustrate the fact that a substantial percentage of poor are women and that the gap between women and men in poverty has not lessened, but may well have widened in the past decade.

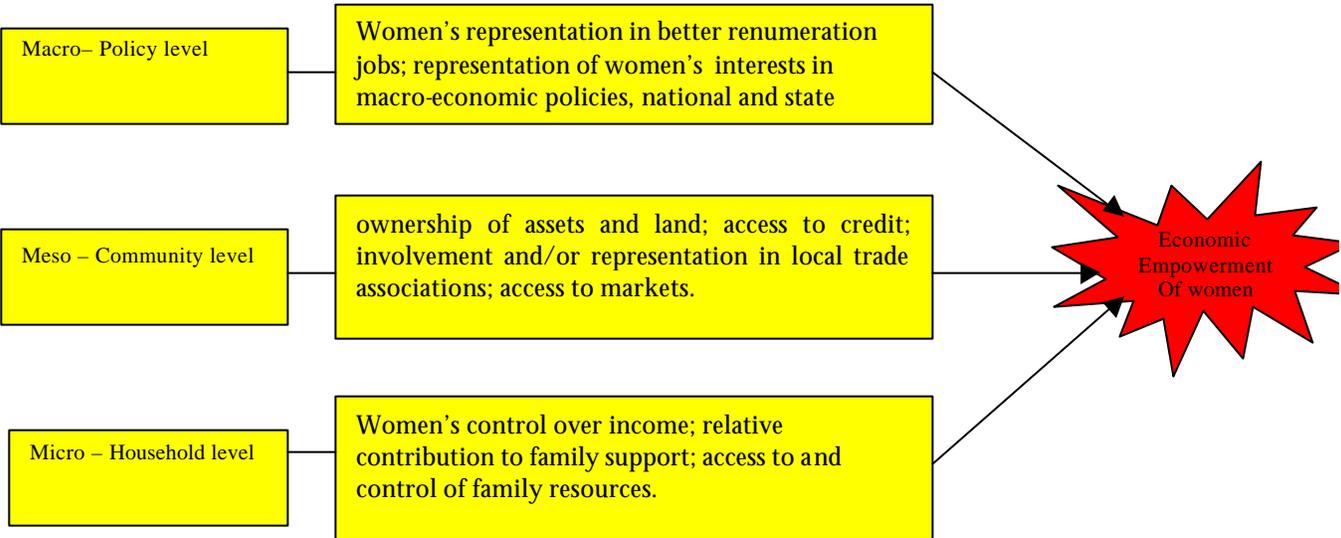
Further, globalization has dramatically changed the conditions under which the work for gender equality must be carried out, especially in high growth countries like India. While globalization has generated opportunities for local producers and entrepreneurs to reach international markets, it has at times intensified existing inequalities and insecurities for many poor women, who already represent two-thirds of the world's poorest people. Since the gains of globalization are often concentrated in the hands of those with higher education—those who own resources and have access to capital—poor women are usually the least able to seize the longer term opportunities offered.

BOX 1 – Women's Work in India -- Invisible, Unrecognized and Unremunerated

- ?? India has 397 million workers
- ?? 123.9 million are women
- ?? 106 million are in rural areas
- ?? 18 million are in urban areas
- ?? Only 7% of India's labour force is in the organized sector; 93% is in unorganized, informal sector
- ?? 96% of women workers are in unorganized sector

- ?? Female work participation rate (WPR) has increased from 19.7% in 1981 to 25.7% in 2001
- ?? *In rural areas female WPR has increased from 23.1 to 31%*
- ?? *In urban areas it has increased from 8.3 to 11.6%*
- ?? But women reported as non workers in the census found to spending 4 hours a day picking, sowing, grazing cattle, threshing, or working as domestic servants for 8-10 hours a day!
- ?? ILO methodological studies indicate that measured female labour-force activity rates rose radically with a wider definition of "economic activity" to cover informal sector and non-market activities from 13% to 88% in India

In last two decades, this disadvantage has been exacerbated as in most of the countries, policies reflect a commitment to global norms of markets and social policy is increasingly determined by market dynamics. Market friendly policies generate high growth rates that fail to translate into improved standards of health, education and human security. Feminist scholars have highlighted the gendered impact of such policies, many of which increase women’s job vulnerability, unpaid work burden, while reducing state – level resources that might be used to provide a social safety net. Owing to dissent voiced by feminist scholars on the widespread assumption that gender inequality as a challenge can be overcome with effective and sustained advocacy as it is more about mindsets and less about policies, especially economic policies, there have been some attempts to integrate economic and social policies but gender concerns have not been accorded requisite attention. These disadvantages have led to a situation where gains in women’s economic opportunities lag behind those in women’s capabilities. This is inefficient, since increased women’s labor force participation and earnings are associated with reduced poverty and faster growth, women will benefit from economic empowerment but so too will men, children and society as a whole. Women’s lack of economic empowerment, on the other hand, not only impedes growth and poverty reduction, but also has a host of other negative impacts including less favorable education and health outcomes for children and a more rapid spread of HIV/AIDS. Thus, it is extremely important to ensure that women are economically empowered. There are various factors that contribute to the economic empowerment of women. These factors operate at various levels.



In the current scenario, one can identify the following characteristics of women's work in India:

1. *Volatility of employment*-- particularly export-oriented employment. In less than one generation, there had been massive shifts of women's labour into the paid workforce and then the subsequent ejection of older women and even younger counterparts into more fragile and insecure forms of employment. Women's livelihoods in rural areas had been affected by the agrarian crisis in most developing countries.
2. *Changes in the nature of women's work* -- including an increase in informal work, characterized by greater reliance on casual contracts and an increase in service work. There had been a substantial increase in self-employed low-end service work, especially in domestic and retail trade.
3. *Increase in unpaid work* --The impact of the decline in the public provision of many basic goods and services had meant a substantial increase in unpaid work.
4. *Crisis of livelihoods in agriculture* -- The effect of trade liberalization had been accompanied by a decline in world agriculture prices. Agriculture constituted the main employer of women in the developing world and the basic source of income for most of the world's poor.
5. *Massive increase in women's migration for work* --What was new historically was the fact that women were moving alone. Cross-border migration had become a huge issue. While it had become a source of macroeconomic stability, it was also a source of exploitation. Internal migration had also increased. Migrant workers had few rights, and governments rarely thought about ensuring their protection.

Enabling Strategies For Economic Empowerment Of Women

Sound macroeconomic policies— Gender inequalities manifest as women and men have different access to resources, roles and responsibilities, both in the market and at the household. These inequalities exist at the meso and micro levels with macro implications indicating clear two-way linkages. In the Indian context, fiscal policies are being increasingly examined through gender sensitive-budgeting exercises, although the focus still remains on expenditures in 'soft' sectors, with several aspects like taxation, trade, capital flows, etc. remaining largely an unstudied domain. Macro-economic policies are formulated and implemented in areas such as trade, fiscal management, debt financing, social welfare and other sectors without a comprehensive assessment of their potential gender impacts. All these issues would be particularly important if the analysis of the sources of growth were to suggest that influencing the distribution of income and assets by gender might have a beneficial effect. Some policies, particularly those promoting health and education, or promoting greater women's property rights and control over assets or access to credit, technology, and transport, are likely to be win-win policies in terms of higher growth, greater gender equality, and reduced susceptibility of women to economic shock.

Recommendations

1. Increasing the mainstream financial services available to women;
2. Developing or adapting legal frameworks that eliminate the gender biases of financial institutions;
3. Increasing inclusion of poor women and other vulnerable groups to give them a voice in economic bodies and financial structures;
4. Supporting the incorporation of gender perspectives into budget processes;
5. Undertaking and disseminating gender analyses of economic policies;
6. Developing policy frameworks that allow women to move away from the ghetto of micro-finance to mainstream economic policy and structures.

7. The Eleventh Plan should address the unpaid work of women in an explicit manner through a well-designed strategy that will inform all planning and programming for women. The Eleventh Five Year Plan should emphasize the need for collection of comprehensive data on women's paid and unpaid work, women's asset ownership and other sex segregated data.
8. Banking policies had to include targeted credit.
9. Microcredit was not a panacea. It was necessary to reinstate the role of public institutional credit.
10. Measures were also needed to reduce employment volatility and to increase public provision of basic services and goods, especially nutrition. It was crucial that the crisis in agriculture be addressed, including the issue of trade protection and import regulation.
11. Problem with gender budgeting was the obsession of how much was directed towards women. That did not say much about how fiscal policies were affecting women. The focus needed to be made broader.

Improvement in infrastructure – Development of infrastructure was previously assumed to be gender neutral, with both sexes benefiting equally from well-designed projects. Gender-responsive infrastructure interventions can free up women's time, thereby increasing girls enrollment in schools and facilitating women's participation in income-generation and decision-making activities.

Transport

Men and women have varying transport needs and constraints and are affected differently by transport interventions:

Rural Transport Projects that build roads for motorized transport often do not benefit rural women, who mainly work in and around the village and travel on foot.

Urban Transport Systems that transport people to and from employment centers are sometimes inadequate for women, who must combine income-generating activities with household and familial activities, such as taking children to school and health centers and visiting the market. Poor women, who balance productive, social, and reproductive roles in societies, often have higher demands on their time than poor men.

Recommendations

A number of policy initiatives can help ensure that women benefit from road construction and maintenance projects:

1. Promoting labor-based construction and maintenance, with incentives to hire women.
2. Ensuring that women are represented in the planning and design of transport investments, including on user panels, road fund boards, and so on.
3. Improving the dissemination of information on transport investments and related employment opportunities.
4. Women's transport needs, such as better route planning or the provision of special buses or increased off-peak hours or services on less-traveled routes. Where women are highly dependent on nonmotorized transport, studies in several countries suggest that the simplest forms of wheeled transport (such as wheelbarrows or handcarts) could halve the amount of time women require for local transport.
5. Promising interventions also include widening roads to provide safer and faster passage or providing cycling and walking paths and teaching women and girls to ride bicycles.

Energy

Women are disproportionately impacted by a lack of access to energy given their prominent role in domestic, low paid and unpaid work. In rural India nearly 3 billion days are spent in gathering fuels and 700 million days in processing them i.e., chopping, drying, turning, storing, stacking and handling. This work is done almost exclusively by women. Since it is women who manage 1/3rd of the energy system they need to be substantially supported through investment, management and technology inputs to be able to continue to manage the systems in sustainable ways and with minimum hardship.

Recommendations

- ✂✂A comprehensive policy is needed for domestic energy, covering a range of solutions: small sized biogas plants, firewood plantations, small hydro plants, and other renewable energy sources to create a portfolio of energy options, rather than single source options.
- ✂✂In addition, the promotion of non- biomass sources of energy, including solar, for small production units would save firewood for domestic use.
- ✂✂Access to energy can be made closer to habitations by means such as women's groups forming tree-growing cooperatives for fuel wood or oil seed plantations with the same efforts that they put in searching and gathering fuel wood to develop sustainable energy supply. They can determine what energy sources such as wood, agricultural residues, animal dung, oilseeds, solar, biogas, LPG or kerosene could be available at least cost and effort. After examining this, user groups can also identify land and the type of plantation (e.g., wood, oilseed, agriculture etc.) that will serve the purpose.
- ✂✂These groups can be linked with the existing poverty alleviation and social and economic development schemes such as employment guarantee scheme, land development scheme and other Bharat Nirman Schemes.
- ✂✂The IEP proposes to provide subsidy through debit cards to BPL households, which can be tested through a pilot. There is also need to set up a mechanism to monitor success, failure and best practices.
- ✂✂Capacity building and assistance to manage energy programs should be taken up.
- ✂✂Provide special trainings and special fellowship for women.
- ✂✂Locally available biomass such as *Jatropha* can be used to generate raw oil.
- ✂✂Energy-based enterprises such as making charcoal, briquette making, gassifiers and so on can be thought of.
- ✂✂Where work patterns and income sources are changing, fuel sources probably are too. Thus, the focus should be not only on meeting cooking energy needs but also on enhanced livelihood options. Both rural and urban women need adequate energy supplies for their small and medium scale enterprises and home industries. Hence, there is a commercial motivation to improve the efficiency of the entire process.

Information and communication technologies (ICT)

ICT have delivered enormous benefits around the world, much of their potential remains untapped—particularly for groups facing severe time constraints, suffering from social isolation, or lacking access to knowledge and productive resources. Women in developing countries are among the most important of these groups. Although women account for nearly a third of information technology workers in developing countries, they are concentrated in lower-level jobs and paid smaller salaries than men. For example, many of these women work in call center, data entry, and programming positions—few are project managers. But this need not be the case: with supportive policies from employers, complemented by enlightened national labor laws, women can move up the professional ladder. Girls' and women's low enrollment in science and

technology education is one of the main obstacles to higher-level employment in information technology.

Recommendations

1. Address and integrate gender perspectives when developing and implementing national policies, legislation, strategies and regulatory and technical instruments in the area of information and communications technologies (ICT) and media and communications, and create monitoring and accountability mechanisms to ensure implementation of gender-sensitive policies and regulations;
2. Address ICT-related infrastructural and tariff barriers that disproportionately affect poor women and women living in remote and rural areas;
3. Support and encourage research on women's information needs, find ways to adapt ICT to the needs of the poor and especially illiterate women, and study the impact of ICT on women's social, economic and political empowerment;
4. Support and encourage of gender equality principles and pedagogic perspectives in all aspects of science and technology education.
5. Develop policies and mechanisms for increasing the number of female students in science and technology and ICT related fields, and expand training and capacity building programmes for women on the use of new technologies;
6. Ensure that women gain access to promising new employment opportunities, including through ICT-based economic activities
7. Strengthen the use of traditional information and communication technologies, such as radio, TV and print, in parallel to enhancing the use of and convergence with new ICT, towards the empowerment of women;
8. Collect, share, positively recognize and widely publicise good practices to counter gender stereotyping and negative portrayals of women in all forms of media and communications
9. Increase efforts to compile statistics on ICT use disaggregated by sex, develop gender-specific indicators on ICT use and needs, and generate sex-disaggregated data on employment patterns in media and ICT professions;
10. Provide resources for innovative media and ICT projects in support of gender equality and for the production of content that is particularly relevant to women's interests and concerns;
11. Ensure mechanisms and resources to safeguard traditional and indigenous knowledge and other intellectual resources that are held as public common good from being appropriated

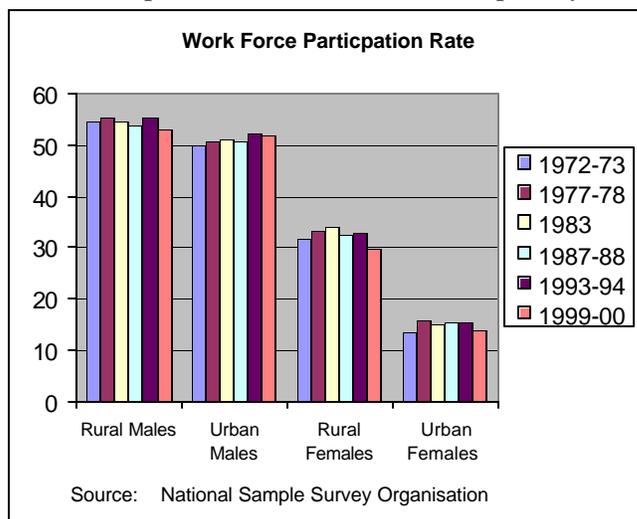
Women and Work – Challenges and Recommendations

Women workers account for about 1/3 of all workers. There are over 397 million workers in India, out of which 123 million are women workers. Only a small proportion, 18 million, are in the urban areas while 106 million are in rural areas. Not only do a higher percentage of women than men work in the informal economy, women are concentrated in the lower-income segments, working in survival activities or as casual wage workers or homeworkers. The link between working in the informal economy and being poor is stronger for women than for men.

About 30% of the total workers are poor in India (using the 1999 –2000 poverty line at Rs.336 per capita per month in rural areas and Rs.451 in urban areas). In general a large proportion were poor.

Another way of looking at poverty amongst the women workers in India is to compare men and women among the poor workers to their share of the total work force. So while 31% of all workers are women, the share of women workers amongst poor workers is 36%. Among the non agricultural workers, while 19% were women, 24% of the poor agricultural workers were poor.

The annual household income of the female headed households was lower compared to male headed house holds. Within the female headed households, a large proportion of households (44%) were poor, with incomes below the poverty line.



The work force participation rates, which shows the proportion of workers in the population indicate that female participation rates are much lower compared to male participation rates. For women, the rates varied across rural (29.9) and urban (13.9) areas while the rates have been almost the same for men. (53.1 & 51.8 respectively). The rates have shown a decline over the time period 1993-94 to 1999-00 showing a decline in women's participation in labour market activities.

The states, which have shown high female participation rates in rural areas, are Andhra Pradesh, Himachal Pradesh and Tamil Nadu. Tamil Nadu also shows a higher female work force participation rate in urban areas. In the North Eastern states of Mizoram and Manipur the work force participation rates are found to be higher compared to other states. The lowest participation rates are found in Bihar, Tripura and West Bengal.

Sectoral Share and Status of Employment

In terms of sectoral share of employment the status of women has shown somewhat a stagnated position over the years. Most women employed are engaged in agriculture, whether as workers in household farms owned or are taken on tenant contracts by their families, or as wage workers. The share of agriculture has declined, though it continues as prominent sector of employment accounting for 74.9 per cent of the total female work force. Most of the primary sector activities offer subsistence employment and are low paid or unpaid. The industrial sector, does not show much change though on the whole the sector shows a marginal growth. Within the secondary women are mostly concentrated in the informal sector, which offers no security either the employment or conditions at work. The most important trend as far as women's employment that needs to be highlighted is the considerable increase in the share of tertiary sector over the last decade. In the sector women are found largely in the trading and retailing activities or in the care economy, which do not offer much in terms of remuneration or skill endowment.

Table: Percentage Distribution of Total Employment by Broad Economic Sector

Sector	Male						Female					
	1972-73	1977-78	1983	1987-88	1993-94	1999	1972-73	1977-78	1983	1987-88	1993-94	1999

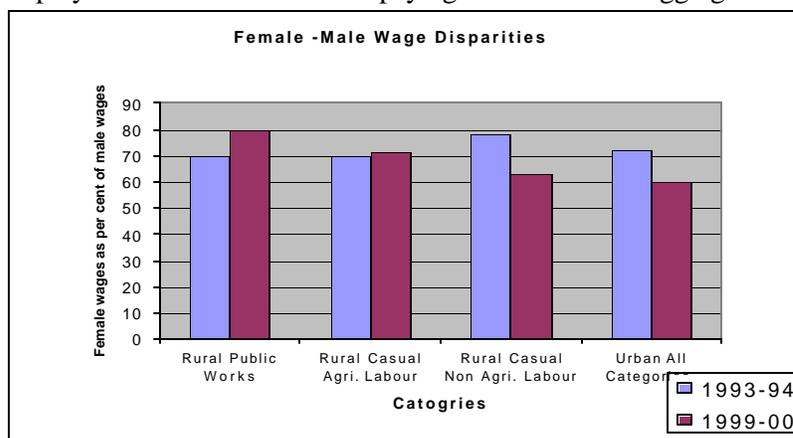
						2000						2000
Primary	69.4	67.8	62.3	58.6	58.3	54.9	84.6	82.6	81.1	77.6	77.8	76.2
Secondary	12.2	13.1	15.0	16.8	16.8	17.8	7.8	9.8	12.5	10.8	10.9	11.8
Tertiary	18.4	19.1	22.7	24.6	24.6	27.3	7.6	8.2	9.1	9.9	11.4	12.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note: Figures relate to usual status of individuals. Workforce covers those involved in gainful activity regularly + those involved in gainful activity occasionally. *Source:* National Sample Survey Organisation

The distribution of workers across self, regular and casual status is widely taken as an indicator of the quality of employment and conditions in the labour market. Self employed constitute for the largest share of women workers accounting for has shown a decline both for 55.6 per cent of women workers. The share of regular employment for women is very low with only 7.3 per cent of women coming under this category. The data on the number of casual workers show distinct signs of casualisation of women workers. Casualisation of women is on the increase in both rural and urban areas during the last decade.

Wages and Income

Further, discriminatory practices in the labour market are reflected in the wages of women workers. They are not only concentrated in low paid occupations in the unorganised sector but are subjected to discrimination in payment. In terms of wageworkers, as is shown in the figure, for all categories of employment considerable differentials prevail in both rural and urban areas. For most categories of employment the male-female wage differential has tended to increase over the 1990s. The exception is only for wage labour in rural public workers, where in any case women account for less than 12 per cent of the days employed on average. The increase in gender disparity in wages in the urban areas is quite marked and it usually results from employment of women in lower paying activities in the aggregate.



For the majority of women engaged in paid economic activity, the fact of being female means being paid less than men for their work. It is most evident in the example of agricultural labourers. Agricultural daily wages are in general low, though they vary by type of agricultural operation (plowing, sowing, weeding, harvesting, etc.), by the

prosperity of a state or region, and by gender. Some operations such as plowing do not involve women at all, whereas others such as weeding are women-intensive. For example, in the prosperous state of Haryana, the daily rate for weeding is Rs. 80 for men and Rs. 75 for women, while for harvesting both men and women are paid Rs. 91. In the middle-level state of Andhra Pradesh, the rates are much lower: Rs 43 for men) and Rs. 37 (for women) for weeding, Rs.42 (for men) and Rs. 37 (for women) for harvesting. The all-India averages are Rs. 55 and Rs. 45

for men and women for weeding, and Rs.60 and Rs. 48 for harvesting. From the various categories of industrial work, the manufacturing sector is the most discriminatory, giving about half of men's wages to women

Coupled with gender discrimination in wage differentials is inequality in access to superior positions and promotions. Men are seen confined to regular and more managerial or technically oriented jobs, while women are often given technically inferior positions where they are mostly hired or contract workers. Women get lower pay despite longer working hours and the conditions of work are substandard. Discrimination exists not only in terms of wages but also in terms of access to employment. Often women are found concentrated in occupations where the wage rates, as well as working conditions are poor and substandard.

The reasons for gender discrimination in wages may not be specific to India but the cultural context also is an important factor. Low levels of skill on entry, lack of access to on the job training, employment histories punctuated by time spent bearing and raising children, time off to care for family members and the assumption that men are the primary earners all contribute to the implicit assumption that women should be paid less than men.

Box 2: The Burden of women's work

The Census of India and the National Sample Survey Organization (NSSO) are two main sources of data on women's employment. None of these definitions have been able to fully capture the extent and degree of women's participation in the workforce though efforts to refine definitions of work to capture the women's employment has been made. The Census still remains an inappropriate measure to realistically assess the economic and social value of women's work. NSSO has a broader definition of work and therefore shows a higher participation of women in the labour force than the Census. It includes activities for self-consumption (except the processing of primary commodities for self-consumption), and unpaid helpers in the farm, domestic workers etc. A large proportion of women get recorded as supplementary earners. Although the extent of women's work which is not enumerated is less than in the past, capturing the data accurately is not easy. The assumption that the nature of economic activity for men as well as women is similar leads to problems. Women, more often than men, combine economic and domestic work. Differentiating the economic work of women from their domestic work poses problems. Taking the household as a unit of analysis also accentuates the inaccuracies, more so in the case of non-nuclear extended households. Besides the inadequate definition, the inaccuracies in data collection also lead to under enumeration. Often men respondents speak on behalf of the women and may give inaccurate responses regarding the work done by women. The biases and perceptions of the surveyors/ enumerators may also lead to inaccuracies in the information. Adding to the problem of inadequate definition are the difficulties in assigning accurate economic value to the non-market related work of women. A good example of the enumerator's perception is highlighted in a small survey commissioned by UNIFEM India, which found that 98 out of 100 enumerators did not even put questions regarding work to women: it was simply assumed that women did not work. Out of the 2002 women in the 1000 households covered, only 4 women were asked about any work they had done in the past year.ⁱ

ⁱ Sudarshan, R 'Employment of Women: Trends and Characteristics', as in Haq & Haq, *Human Development Report*, 1998

Time Use analysis:

The Central Statistical Organization of the Government of India has provided official visibility to women's work burden by collecting data on various household and non-household activities through the Time Use Survey [TUS], from 6 selected states, namely, Haryana, Madhya Pradesh, Orissa, Tamil Nadu and Meghalaya. The Report classifies activities under three categories: SNA, Extended SNA and Non-SNA. The SNA activities consist of primary production activities, like crop production, animal husbandry; secondary production such as manufacturing; and trade, business and services. Extended SNA activities include household maintenance, care for children, sick and elderly. The activities related to learning, social and cultural activities, mass media and personal care and self maintenance are categorised as Non-SNA activities (CSO, 2000). Some observations about women's unpaid work The share of unpaid SNA work is significant in India [for both men and women] in terms of the number of persons engaged in it, as well as in terms of the time spent on such activities. In the six states combined payment was not made for about 38 percent of the time spent on SNA activities.

About 50 percent of the time spent on SNA activities by women remain unpaid, while only 33 percent of men's time was unpaid. Among women this ranged from only 32 percent of unpaid time in Tamil Nadu compared to 86 percent in Haryana. The cultural difference between these two states, with taboos related to women working outside the home in the Northern state of Haryana, mainly explains this difference.

As expected women spent much longer hours on Extended-SNA activities, on average 35 hours, while men spent only about 4 hours on such activities.

Source: CSO, 2000, Table 5.3

Focus Areas

Women in Agriculture

While women have always played a key role in agricultural production, their importance both as workers and as farm managers has been growing, as more men move to non-farm job leading to an increased feminization of agriculture.. Today 53% of all male workers are in agriculture as against 75% of all female workers. and 85% of all *rural* female workers, are in agriculture. Women constitute 40% of the agricultural work force and this percentage is rising. Further, an estimated 20 percent of rural households are de facto female headed, due to widowhood, desertion, or male out-migration. These women are often managing agriculture and providing family subsistence with little male assistance. Hence agricultural productivity is increasingly dependent on the ability of women to function effectively as farmers. In the above context, a two pronged approach of :

- A. Ensuring effective (rights being rights not just in law but also in practice) and independent (rights being rights that women enjoy in their own capacity and of those enjoyed by men) land rights for women and
- B. Strengthening women's agricultural capacities is desirable.

Land Rights for Women in agriculture

Land rights can serve multiple functions in rural women's lives which are not easy to replicate through other means. Endowing women with land would empower them economically as well as strengthen their ability to challenge social and political gender inequities.

Box 3: Why Land is Important for Women

- Land access can reduce a household's risk of poverty, but for persistent gender inequalities land solely in men's hands need not guarantee female welfare.
- Direct land transfers to women are likely to benefit not just women but also children. Evidence both from India and from many other parts of the world shows that women, especially in poor households, spend most of the earnings they control on basic household needs, while men spend a significant part of theirs on personal goods, such as alcohol, tobacco, etc.
- Women with assets such as land have greater bargaining power, which can lead to more gender-equal allocations of benefits even from male incomes.
- Women without independent resources are highly vulnerable to poverty and destitution in case of desertion, divorce, or widowhood. In parts of western and northwestern India, not uncommonly, rural women even from rich parental and marital families, deprived of their property shares when widowed, can be found working as agricultural laborers on the farms of their well-off brothers or brothers-in-law. The fate of deserted and divorced women is worse.
- Tenure security, and especially titles can empower women to assert themselves better with agencies that provide inputs and extension services
- Women in many parts of South Asia are often better informed than men about traditional seed varieties and the attributes of trees and grasses. If they had greater control over land and farming, this knowledge could be put to better use.

There are three main sources of land for women:

- ?? Direct government transfers
- ?? The market (by purchase or lease and
- ?? Inheritance or gifts from families.

To enhance women's land access from all three sources, a range of initiatives are needed, including land titles to women in all government land transfers, credit support to poor women to purchase or lease in land from the market, raising legal awareness and legal support about women's inheritance rights, supportive government schemes, recording women's inheritance shares etc.

It will also need a new approach to enable women to retain the land they get by strongly encouraging a "group approach" in land cultivation and investment in productive

assets. It is now well recognized that the poor are best empowered if they function as a group rather than as individuals. This lesson should be incorporated in the creation of all productive assets in women's hands.

Recommendations for ensuring land rights for women in agriculture

For Improving Women's Claims in Private Land

- *Gender equality in inheritance laws* The Hindu inheritance law has recently been reformed in a major way through the Hindu Succession Amendment Act 2005. This has brought woman on par with men in relation to agricultural land. However, the inheritance law governing Muslim women needs amendment for agricultural land, and laws for tribal women need codification and formalization, in keeping with the principle of gender equality. This has to be supplemented by providing legal literacy and legal support services for women.
- *Recording of women's shares* The NSS, agricultural census and the cost of cultivation surveys should collect gender-disaggregated data on land ownership and use, and origin of the property (viz. purchase, inheritance, lease, etc.). Initially this could be done as a special module on a pilot basis and later extended to the full survey design. Agricultural universities that undertake surveys should also be asked to collect gender-disaggregated information on land and other assets. A directive should be issued to all levels of government functionaries involved with keeping land records or computerizing and updating records, that women's inheritance shares in land as widows, daughters, etc are fully and proactively recorded. The recording should be in women's own names, rather than jointly with other relatives.

For Improving Women's Access to Public Land

- In case of displacement, a rehabilitation policy should ensure (a) agriculture land for land policy, (b) employment for agricultural workers who have been displaced (c) transfer of all rehabilitation and government grant of land to household having joint title and (d) resident community affected by displacement have a stake in the newly created assets in the region.
- There needs to be comprehensive directive across the country that *in all government land transfers*, women's claims are directly recognized, be they transfers for poverty alleviation, income generation (crop cultivation, fish cultivation), resettlement, etc.
- Where new land is being distributed or regularized, individual titles or group titles rather than joint titles with husbands should be provided. Joint titles with husbands give women little control over the produce and which make it difficult for women to claim their shares in case of marital breakup, or domestic violence. In contrast, individual titles or "group pattas" (to groups of women) would strengthen women's hands. In the case of individual titles, half the land allocated to the family should be registered in the wife's name and half in the husband's name rather than jointly in both names. This will give women control over their shares and greater bargaining power. However, where possible a group approach should be followed, as already being done under some government and NGO programmes. A group approach to land use need not be limited to crops. It could be extended to other activities such as fish production.

- Distribution of surplus land and land under all land distribution programmes viz., land ceiling act, custodial land, bhoom-dan land etc should exclusively be to rural landless women workers.
- Fifty percent of the land pattas given to forest communities should go to women, under any land enactment, including those under the proposed Scheduled Tribes (recognition of forest rights) Bill, 2005. Rather than giving joint pattas, however, women and men should be given individual pattas. Also any new land so distributed should be in terms of group rights.

For Improving Women's Access to Land Via the Market

- Apart from direct land transfer, the government should assist groups of women to collectively acquire cultivable land *from the market*, either on lease or via purchase. Special schemes for subsidized credit are needed for this. Mechanisms can be devised to utilize the DWCRA or IRDP funds.
- Groups of poor women could be given land on medium or long term leases (10-20 years), again for group farming or group fish production. Enabling women to undertake group leasing will fit in too with ongoing discussions on tenancy reform. The formation of such groups should not be limited to SHGs, since many SHGs are not composed of the poorest. Local NGOs could also be consulted and inducted into this for forming groups of poor women.
- It should be ensured that women get access to new options for land uses and must also ensure that these are not labour displacing and do not affect food security negatively.

Strengthening women's agricultural capacities

The Ministry of Agriculture is now moving from a 'women-only' approach to programming (hitherto confined to the extension sector) to the gender mainstreaming approach spread across the entire establishment. Earmarking of benefits to women or of participation by women, though a basic tool, confines itself to the quantitative dimension. Other indicators of good (and bad) program outcomes need to be identified so that an overall conclusion can be reached that the program and the funds invested, are making the women participants better off. Right now there are no such qualitative or measurement tools. Successful achievement of physical and financial targets need not lead to empowerment or rise in status.

Better coordination and collaboration between the various intra-ministry formations is vital. A broader and more inter-disciplinary approach by all concerned can achieve better outreach to the poorer women working in the sector. Public investment in agriculture should be 10% of GDP with a stipulation that 50% of the new investment be made in rural activities directly benefiting women

Recommendations for strengthening women's agricultural capacities

- o Agricultural extension services and other infrastructural support for women farmers should be made available to women farmers

- Policies should be designed to ensure women's control over complementary resources including irrigation, credit, water, forest, fuel, fodder, information and training.
- Design women- friendly technologies. Technologies must be used that are safe for workers i.e. reduced use of pesticides, ensure that occupational safety and health measures are in place.
- Training programs covering areas such as land surveying, resource mapping, resource management, use of technology, marketing, financial management, cooperative management and organic farming should be made available to women
- Where possible women farmers should be given financial support to create assets either as individuals or as a group, including for investing in small irrigation systems, etc.
- Measures should be taken to remove middlemen in the sale of non-timber forest products and women's cooperatives for directly marketing these products should be formed.
- Resource pooling and group investment in capital equipment; cooperative marketing

Ensuring women's effective presence in village decision making bodies

- Women are major stakeholders in the protection of the environment, especially forests. Given their stake in forests, it is critical that rural women are centrally involved in the institutions set up for forest management across the country. All Joint Forest Management groups across the states should allow all village adults to become members of the groups. Also these groups should have at least one third and, if possible, 50% women in their executive committees. Within each JFM executive committee, there should be a subcommittee composed only of women who can put forward women's collective concerns before the Executive Committee and General Body. Having one or two token women does not give women a say in the decisions. Where there are well-functioning non-JFM community forestry institutions, such as van panchayats in Uttaranchal, they should be strengthened rather than replaced by JFM, and made more gender balanced.
- Gender sensitizing through the media, educational institutions, etc., for changing social norms and social perceptions.

Strengthen existing institutions

- The National Gender Resource Centre should be strengthened to enable it to meet its gender commitments (including gender budgeting) from a sounder technical and professional base. A better interface with the National Centre for Research on Women in Agriculture would contribute to this. Joint activities can be planned as part of the National Action Plan for Women.

Devise incentive mechanisms

- Increase subsidies to poor farmers and non – farm livelihoods (livestock, fishing, fodder etc) Providing incentive such as provision of higher subsidies for land development, irrigation, credit and rebate on transfer fee, house tax, sales tax and stamp duties on women owned land, housing and rural industries.

Evolve a social security policy for farmers

- Such a policy would aim to decrease the negative impact of globalization on agriculture and allied activities on women
- Corrective measures aiming to mitigate farmer suicide like (a) waiving pending loans and debt of small and marginal farmers, (b) conducting a census of farmers who have committed suicide and paying liberal compensation to the victims' families and (c) designing compensation package for women and children in impacted families.

Women Workers In The Unorganized Sector

The unorganized sector is large in India, accounting for 370 million workers in 1999-2000ⁱⁱ, constituting 93% of the total workforce and 83% of the non agricultural work force.

Women account for 32% of the workforce in the informal economy, including agriculture and 20% of the non agricultural workforce. 118 million women workers are engaged in the unorganized sector in India, constituting 97% of the total women workers in India. The informal sector in the non agriculture segment alone engaged 27 million women workers in India.

Women informal workers are concentrated mainly in agriculture – so much so that three-quarters of all employed women are in informal employment in agriculture. 90% of those employed in manufacturing and construction are also unorganized sector workers. Within manufacturing, they predominate in certain industries such as garments, textiles, food and electronics. The seasonality of work in this sector and the lack of other avenues of work make them vulnerable to a range of exploitative practices. They remain the most vulnerable and the poorest. And yet they are economically active and contributing to the national economy.

Home based work

A large number of women work as home based workers. About 23% of the non-agricultural workers were home based or working in their own dwellings. Home based workers were an overwhelming 57% of the workforce among women.

Home-based worker refers to the general category of workers who carry out remunerative work with in their homes or in the surrounding grounds. Women turn to home-based work for a number of reasons. Lack of necessary qualifications and formal training, absence of childcare support, social & cultural constraints and absence of alternatives are some of the reasons. Families need cash incomes for their survival. Loss in formal employment and reduced returns from agriculture often result in men migrating to urban centres, leaving behind women and children. With home-based work being the only alternative available to poorest communities, it is not confined only to women but also involves children, especially girls. There are positive aspects to home-based work also. It gives women the opportunity to combine work with domestic chores, flexible and

ⁱⁱ Unni, 'Gender Informality and Poverty', *Seminar*, 531 – November 2003.

sometimes better working conditions. While designing strategies to meet the challenges, it is important to retain the positive aspects of home-based work.

Street vendors

Computed from the NSSO 55th round data, the number of street vendors in urban areas in India, are estimated at 1.15 million, out of which 18% are women. It is estimated, in another study that in India 10 million women and men are dependent on vending commodities for their livelihood. Mumbai has the largest number, around 200,000. Ahmedabad and Patna 80,000 each and Indore and Bangalore 30,000 hawkers. Calcutta has more than 1000,000 hawkers.¹

The sex composition of the hawkers often is in favour of men. In Mumbai over 75% of the hawkers are males. In the other cities, namely, Ahmedabad, Bangalore and Bhubaneswar males form around 60% of the hawkers. Imphal is the only city covered where hawkers are exclusively women. In all the cities, with the exception of Imphal, the income of the female hawkers is substantially lower than the males. This is for mainly two reasons. Firstly, women hawkers sell cheaper goods and in small quantities as they lack capital. In most of the cities (Mumbai, Ahmedabad, Bhubaneswar, Patna and Bangalore) they sell vegetables, fruits and flowers in small quantities. Secondly, women hawkers cannot spend as much time on hawking as their male counterparts as they need to take care of the daily needs of the family such as child care, cooking, cleaning etc. Since they lack capital to invest in their goods, they are unable to buy greater quantities of goods to increase their income³.

Services

Despite the fact that the Indian Service Sector is growing quickly and makes up more than half of India's GDP, no programs or policies in place for this sector. Male work force participation is greater in this sector – 15.5% as against 3.5 % female participation. Further, there is a shortage of skilled workforce in distribution services and there are very few retail-oriented education courses. It is important also to note that nearly 60% of women from the organized sector are employed in community, social and personnel services. Women are even more under- represented in high status, higher paid and senior management level jobs.

Recommendations for women in the Unorganised Sector

- ✍️Comprehensive legislation for the Unorganised Sector is needed with provisions relating to ESI, leave, pension, housing and child care, a complaints committee on sexual harassment, regulation of employment, wages and conditions of work, work records, safety and occupational health, work tools and safety equipments, Rights over Resources, dispute resolution bodies at District level and Appellate Body at the State Level.
- ✍️There is an urgent need for ensuring regulations in this sector that deal with employment, conditions of service, social security and welfare.

- ☞☞ Social Security provisions must be created that encompass the right to health and medical care, employment injury benefit, maternity benefit, group insurance, housing safety measures, and Gratuity and Pension benefits.
- ☞☞ Tripartite Boards for each broad sector with adequate representation for women in the Board including complaints committee for sexual harassment, with 50% workers' representation with proportionate representation to women; boards to be formed at local, taluk, district, state and national levels.
- ☞☞ Budgetary allocation (3%) for the social security needs of the unorganized sector. The funds can be drawn from the cess / levy on the sector itself and contribution from the Central and State governments. A social security fund should be constituted.
- ☞☞ Promulgation of Government Orders for regularization of Labour of unorganised workers whether casual or contract, with identity card, fair wages, weekly holiday, weekly leave, hours of work, maternity and child care, ESI, pension. P.F., safety and occupational health.

Recommendations for the Services Sector

- ☞☞ A Policy of equal opportunity should be formulated to encourage women's increased participation within sectors with a poor gender ratio. There should be an Equal Opportunity Commission set up to make this policy operational within a time bound frame.
- ☞☞ A social audit should be done of public sector companies– from workers, middle management and higher. This should be a mandatory five yearly audit. The Gender Budgeting Cells set up in the Departments/Ministries should ensure this.
- ☞☞ Collection and dissemination of gender disaggregated data related to all sectors should be made mandatory. Every ministry of the government should have gender disaggregated data online, giving a break-up for each industry. At present there is little or no data available for the organized as well as unorganized sector.
- ☞☞ Women headed enterprises from this sector should be exempt from tax.
- ☞☞ The tax rebate for women employed in this sector should be further increased.
- ☞☞ There should be a tax incentive to encourage women entrepreneurial ventures in industries where there are low numbers of women workers and/or management.
- ☞☞ All corporate social responsibility programs have a gender empowerment, capacity building and training component.
- ☞☞ To encourage enterprises to employ women there should be a policy that ensures tax incentives for enterprises employing more women.
- ☞☞ There should be a program run by the Indian railways to train and capacity build women from self-help groups so that they can be employed at all levels – from manufacturing, engine driving, ticket collecting, maintenance, etc.
- ☞☞ The Government along with the corporate sector should identify sectors (e.g. retail and marketing) which have both a low gender ratio as well as a lack of trained personnel. Through the private-public partnership program the Ministry of Women and Child Development, NGOs, women SHGs and large private sector enterprises such as CII should identify trainees to organize on-the- job trainings
- ☞☞ Increase the number of vocational training institutes for women. There should be slots in vocational training institutes for the re-training and skill up-gradation of

women who have taken a job-break due to their familial (including child-care and child-raising) responsibilities so that they are enabled to re-enter the workforce.

Poverty Alleviation/Income Generation Activities

There are various poverty alleviation programmes that being run by various departments/ministries. These are important since the target for the end of the 10th plan was to reduce poverty by 5 percentage points and women face the brunt of poverty within families. It is important to focus on women within households in these programs. Affirmative action of different types (earmarking percentages, stipulation as to titles being in women's names) in favor of women to ensure that they form an integral part of the benefits flowing from various schemes is important. The program strategies include mobilizing and organizing the target groups, including women, into self help groups.

Box 4: Wage Employment Programmes – Diagnosis of Problems

The findings of the Second Administrative Reforms Commission Reportⁱⁱⁱ provide a fair assessment of the various challenges while implementing schemes. The backdrop to this report is the National Rural Employment Guarantee Act (NREGA) and more generally, seven flagship schemes, including the Sarva Shiksha Abhiyan (SSA), Mid-day Meal Scheme, National Rural Health Mission, and the National Rural Employment Guarantee Scheme. The budgeted expenditure on these schemes is Rs34,309 crore in 2005-06 and Rs46,848 crore in 2006-07. NREGA accounts for the largest chunk of expenditure in both years. It also tells us what evaluation studies of these assorted wage employment programmes (Rural Manpower Programme (1960-69), Crash Scheme for Rural Employment (1971-74), and Jawahar Rozgar Yojana (1989-99), among others) show. The challenges in service delivery were:

Funds were not utilised in full. Lack of planning, untimely release of funds, and other such factors such as inability of the states to generate matching resources were important factors that led to low utilisation of funds.

Coverage of villages and the target group was extremely low.

A large part of the funds was used in capital intensive rather than labour-intensive activities. The normative capital-labour ratio was not adhered to.

Majority of the beneficiaries received less than 30 days of wage employment in a year. Non-poor households were also found to have benefited from these schemes.

There was bogus reporting, too, to achieve targets.

ⁱⁱⁱ "Unlocking Human Capital, Entitlements and Governance — A Case Study". (July 2006)

These programmes created income for the rural poor but left very few durable assets.

They encouraged corruption, both at political and administrative levels. Fudging of muster rolls and measurement books was common and resulted in loss of funds that could have been otherwise invested in creation of rural infrastructure.

Participation of women was lower than the stipulated norm of 30 per cent. In most cases, contractors were involved and the use of machinery was also reported, though the schemes expressly forbade it.

More specifically, all these wage employment schemes suffered from inadequate planning for assets, lack of people's participation, limited role of panchayats, focus on physical work, and leakages. That's a fair assessment, as a diagnosis of problems.

The report recommends that decentralisation, panchayat involvement, right to information, civil society and NGO involvement will prove to be critical in overcoming the above challenges.

Swarnjayanti Gram Swarozgar Yojana (SGSY)

This scheme is a major on going programme for the self employment of rural poor with an objective to bring the assisted poor families above the Poverty Line by providing them income generating assets through a mix of bank credit and government subsidy. The programme aims at establishing a large number of micro enterprises in rural areas based on the ability of the poor and potential of each area.

The performance in reaching targets for women in SGSY is seemingly impressive. While 50% of the self help groups under SGSY to be mobilized are meant to be women SHG's, who would then account for 40% of the total swarozgaris, the performance during 2002-03 and 2003-04 had reached 44.62% and 52.41% respectively.

A concurrent evaluation has found that women made up 63% of the swarozgaris, much higher than the targeted 40%. MORD has itself suggested that at least half the SHG's under the program should be women's groups and that 25% of women in a village should be covered by SHG's. The annual incremental income ranges between Rs. 8, 800 for individuals and Rs. 34, 930 for SHG's but has not been disaggregated by gender. The very purpose of earmarking benefits for women is negated if data is not published on these aspects.

Recommendations

✍️ Reservation for women should be increased from 40% to 50% as the minimum.

The women beneficiaries should be drawn from the poor of marginalized sections like SC, ST and minorities. Widows, single women and female-headed households should be given priority. It is necessary to exercise greater vigil to ensure that the allocations earmarked for women are not diverted to other components of SGSY.

- ☞☞ Mere financial assistance does not help the women. They need institutional support. Non-financial inputs in the form of awareness, knowledge, skill training and marketing know how, etc. should be treated as an integral part of the programme and the mechanism of providing these through convergence with line departments needs to be reviewed. Information on the latest available technology is also key.
- ☞☞ The approach of the scheme should be expanded to include an empowerment and right based agenda. 'Swarozgar' should be redefined to include a livelihood approach, the focus should shift from financial management to economic empowerment which would mean going beyond access to credit to strengthening asset creation and ensuring women's access to public resources.
- ☞☞ Based on past experiences, the livelihood options offered at district and block levels should not include unviable micro enterprises and should focus on creating long term rural livelihood assets and infrastructure for example, ponds, grasslands, community forestry, nurseries, seed and grain banks, etc.
- ☞☞ In rural areas, bank branches are mostly one - man branches which lack capacity to undertake development banking functions which are essential for the success of the programme. Rural bank branches should be strengthened with a single window system to address women's needs efficiently.
- ☞☞ Banks should not treat the credit to SHGs as a commercial venture.
- ☞☞ Linkage with RMK may be explored as an alternative source of credit where commercial bank branches are not there.
- ☞☞ As MFIs augment their resources through the savings of poor women members of SHGs, they should invest back in these women. There should be a mandatory social commitment clause from MFIs and other financial institutions working on such programmes.
- ☞☞ Reduced rate of interest should be charged from women SHGs.
- ☞☞ Bank should adopt a single window approach to assist women especially those belonging to marginalized communities, BPL, female headed households and destitute women so as to overcome the procedural and other barriers to accessing loans.
- ☞☞ Procedures for registered federations and SHGs that are registered or are members of registered federations to access institutional credit should be simplified, with these federations providing the necessary signatures.
- ☞☞ Investment in training of cadres needs to be increased and should include a strong gender component. At present, gram sewaks' interface with the women is low as many amongst them have very little experience of working with women's programmes.
- ☞☞ It should be ensured that at least 50% of the rural development cadres are women, and that vacancies in these departments are addressed to overcome the shortage of worker to ensure quality inputs to the groups.
- ☞☞ Officials need to focus on quality groups, rather than "just forming groups for quality sake".
- ☞☞ Officials need to be trained and in rural communication, and before introducing credit programmes, officials need to offer brainstorming sessions on the principles of micro-credit.

- ✍✍ Group members need to act as managers and watchdogs, ensuring discipline on themselves and reducing dependency on “outsiders” (including NGOs, or non-governmental organisations).

Sampoorna Grameen Rozgar Yojana (SGRY)

SGRY is a wage employment scheme, which is self targeting, with wages paid partly in cash and partly in food grains, with minimum quantity of 5 kilograms per man-day. SGRY, which has earmarked 30% of employment opportunities generated by the program for women, has only been able to reach a low 12%. The evaluation results published (concurrent evaluation was done in 2003-04) do not throw much light on the type of durable community assets that have been created. It has pointed out many lacunae in its implementation like non-payment of minimum wages mandated in the programme or non-distribution of food grains in some places. Also where foodgrains have been distributed the extent to which food security of families has been met is not known. Concurrent evaluation of the programme needs to look into all this and should provide gender disaggregated data.

Recommendations

- ✍✍ The reservation for women should be increased to 50%. The women beneficiaries should be drawn from the poor of marginalized sections like SC, ST and minorities. Widows, single women and female-headed households should be prioritized. The figure should be applied flexibly (i.e the figure should not be restricted to 50%) in areas of high male out migration.
- ✍✍ Works that are taken up should be expanded beyond the usual activities like road construction to include building of rural livelihood assets and infrastructure that benefit women such as ponds, storehouses, water post, etc.
- ✍✍ Its scope should be widened to cover also parents of children withdrawn from all occupations (hazardous, non-hazardous and domestic) in view of the Bill on Child Labour passed by the Parliament.

National Food for Work Programme (NFFWP)

This is a 100% Centrally Sponsored Scheme to provide additional resources apart from the resources available under the SGRY to 150 most backward districts of the country so that generation of supplementary wage employment and provision of food security through creation of need based economic, social and community assets in these districts is further intensified. This is a 100% Centrally Sponsored Scheme.

Recommendations

- ✍✍ 50% reservation for women should be provided. Also, priority should be given to parents of children who have been withdrawn from working in industries, houses, etc. The women beneficiaries should be drawn from the poor of marginalized sections like SC, ST and minorities. Widows, single women and female headed

households should be prioritized. The figure should be applied flexibly i.e. the figure should not be restricted to 50% in areas of high male out migration.

☞☞ One of the limitations of the scheme has been that the food is not distributed in a timely manner, which defeats the purpose of the programme as it is meant for crisis situations. A time frame should be developed within which the food should be distributed.

☞☞ Women's demands for work should be prioritized.

Indira Awas Yojana (IAY)

The objective is to provide financial assistance for shelter to the BPL rural households belonging to SC, ST and freed bonded labourer categories. The houses are allotted in the name of female member or jointly in the names of husband and wife. IAY does not provide separate earmarking of provision and physical target for women. Though the program stipulates that the dwelling units should be invariably allotted either in the name of a female belonging to the beneficiary household or in the joint names of husband and wife, Evaluation report mentions that the titles of houses still continue to be predominantly in the names of the male family members.

Recommendations

☞☞ All BPL families to be included and priority should be given to SC, ST, OBC, minority communities, female-headed households, widows, homeless aged women, destitute and single women.

☞☞ Evolve a credit cum subsidy scheme of Housing for the non- BPL families.

☞☞ Improve access to drinking water to the houses so that women do not have to waste long hours in collecting water when they could be performing more productive activities.

☞☞ The policy of public-private partnership/ corporate social responsibility should be evolved in undertaking such plans.

Swarn Jayanti Shahari Rozgar Yojana (SJSRY)

This scheme was launched with a view to provide gainful employment to the urban unemployed or under employed through encouraging the setting up of self-employment ventures or provision of wage employment. The programme is applicable to all urban towns with special emphasis on urban poor clusters. The percentage of women beneficiaries shall not be less than 30%. Women beneficiaries belonging to women-headed households shall be ranked higher in priority than other beneficiaries.

Recommendation

☞☞ The percentage of women beneficiaries should be made 50%. The women beneficiaries should be drawn from the poor of marginalized sections like SC, ST and minorities. Widows and single women should be prioritized. The figure

should be applied flexibly (i.e. the figure should not be restricted to 50%) in areas of high male out migration.

National Rural Employment Guarantee Act /Scheme

Under the aegis of NREG Act 2005, the Scheme was launched in February, 2006 to ensure livelihood security in rural areas by providing at least 100 days of guaranteed wage employment in a financial year to every house hold whose adult member volunteers to do unskilled manual work. Unlike the other poverty alleviation programs, NREG Scheme is less than a year old and is presently confined to 150 districts where existing work opportunities for the poor are sub-optimal. It has been described as a potential tool of empowerment for rural labourers since it, being a guaranteed employment, can protect them from economic insecurity, strengthen their bargaining power, and help them to organise and fight for their rights.

The Act states that “priority” should be given to women in the allocation of work, “in such a way that at least one-third of the beneficiaries shall be women”. Guaranteed paid employment close to home is a major step towards improving the status of women, with facilities for child care and promise of equal wages without gender discrimination, invoking the provisions of the Equal Remuneration Act. However, there have been instances where women themselves have insisted on low wages in comparison to their husbands to satisfy their ego and ensure peace at home^{iv}. Such kind of social barriers can only be overcome by investing in long term processes of social reengineering and advocacy. The empowerment of women is one of the objectives specifically written into the NREG Act. Based on the experience of similar schemes, such as the Maharashtra Employment Guarantee Scheme, it is envisaged that women are likely to account for a large proportion of labourers employed under the Act, and that guaranteed employment would give them some economic independence. Women and older persons are also required to be given preference to work on sites close to their homes. If there are 5 or more children under 6 years at a particular worksite, the Act requires provisions to be made such that one of the women workers can be deputed to look after the children, who will then be entitled to receive the stipulated minimum wage.

The scheme has huge potential to reduce the massive crisis of employment in rural India and improve both access to work as well as rural infrastructure and quality of life.

Recommendations

- ✎ Integrate the implementation of the NREGA with the planning process in general, and specifically with other requirements of rural development, especially those with direct impact on women and girls. Thus, schemes and projects initiated under NREGA could include those that would dovetail with other plans such as provision of universal schooling.

^{iv} Box 5.11 (page 56) ‘ Gender Equality’ of the Second Report of the Administrative Reforms Committee

- ✍️ NREGA must ensure the actual participation of women workers through the statutory provision of 30 percent of employment opportunities, which must not remain on paper.
- ✍️ In planning for women's additional employment, women must be treated as entities in their own right and not just as a resource for the family. This is also relevant for the National Rural Employment Guarantee Scheme (NREGA) where their right to employment must not be subsumed within the family card.
- ✍️ Scheme may be made women friendly. Facilities like wage parity, maternity benefit, shelters, crèches for the children (below 6 years of age) of workers, water and sanitation facilities at the work place, transport services, security, etc. should be provided.
- ✍️ It is important to encourage women to apply especially in places where public knowledge and awareness about the scheme may be low. There may be even less knowledge regarding the one-third special allocations for women. The levels of illiteracy amongst unskilled workers (who are the beneficiaries under the scheme), would be especially high in the case of unskilled women workers. It is necessary to spread awareness and knowledge amongst them.
- ✍️ Failure to observe the rule of non-discrimination in wage payment has been seen in some places – this should be brought to the notice of the authorities.
- ✍️ There is a provision for setting up Vigilance and Monitoring Committees for every work taken up under the scheme, members of which will be elected by the Gram Sabha. It has to be ensured that women are included in these committees.
- ✍️ The quorum for the Social Audit Forum, which is to be the same as the Gram Sabha, has to be applied separately for all the groups.

Self Help Groups And Women's Empowerment

The emergence and rapid multiplication of Self Help Groups (SHGs) based on micro credit is a phenomenon that is gaining increasing importance in the development scenario. Today there are seven million SHGs in the country. Nearly 90% of the groups are women only groups. (Source: NABARD website). SHGs have been viewed by the State as a strategy for both women's empowerment as well as poverty reduction. SHGs are a conduit for routing a wide range of government sponsored development messages and schemes. NGOs have increasingly been adopting SHGs as a strategy to bring women together, at a faster pace and larger scale than the collective building processes adopted by them earlier. A number of powerful players, like MFIs, NGOs, corporations and donors, all of whom have a significant and growing interest in the SHG phenomenon, which centres on poor women have entered the arena.

Credit is a right that poor women must have access to. The experience of SHGs has shown that they have provided improved access to credit. Poor women are now perceived by the mainstream financial sector as credit worthy. Women have used savings and credit for needs such as those related to education and health, and in particular for crisis related needs. Participation in SHGs has meant opportunities related to mobility and a legitimate space in the public realm for leaders of SHGs. Notwithstanding all the

positive achievements, the overall picture is uneven and raises some concerns related to gender justice and livelihoods that the 11th Five Year Plan process needs to address. These concerns draw upon the understanding of equity and gender justice of concerned practitioners who have implemented SHG programmes as well as several research studies.

Emerging Challenges

Limited improvement in livelihoods situation

- Despite the increased access to credit, there continue to be several hurdles faced by women when they want to access credit from banks. These include huge amounts of paperwork and the fact that women are often pressurized by banks to recover loans made earlier to men in the village as a unwritten conditionality before loans are released to them.
- It is increasingly being reported that SHG members have limited control over financial resources that they borrow despite being the conduit for access to such credit through their groups. The burden of repayment of such loans falls almost exclusively on the women. As SHGs are almost exclusively women-only, often women become proxy to husband's demands without the men taking up the responsibility for repayment or proper utilization of these loans.
- Many of the micro enterprise activities undertaken have tended to be unviable. Low levels of credit absorption capacity, low skill base and low asset base have been challenges to the SHG movement, which are yet to be addressed. Moreover, lack of skills, experience and technical support services to promote livelihoods and build sustainable interventions among the intermediary organizations especially NGOs etc does not enable does not enable sustainable livelihood options to be developed.
- Access to credit as the focus of the micro credit programs looses sight of the issues fundamental issues of access and control over common resources such as water forests, etc which are the mainstay of occupations of a large number of the rural poor. The fundamental livelihoods concerns related to the existing economic realities (such as those related to agriculture or natural resources) of poor women's lives remain largely unaddressed in the process.

Exclusion of the poorest

The amount and regularity of savings expected from SHGs has led to the exclusion of the poorest, including members from Dalit, tribal and Muslim communities as well as women headed households from the SHGs. The more interior and tribal villages have not benefited greatly.

Defunct groups

The rapid growth of SHGs combined with inadequate support being provided to them has meant that a large number of groups are defunct and exist only on paper. The pressure of targets has led to multiple claims being made on SHG members by different sponsoring agencies, thereby often exaggerating the number of women being covered by SHGs.

Lack of support to address inequity and gender injustice

The agenda of SHGs most often fails to include social justice and equity issues, although women may take up issues related to violence against women even in the absence of support from the sponsoring agency. With increased awareness members of SHGs are also making demands from governance institutions often without success. They continue to experience invisible barriers to entry in economic and political spheres. Many of the programmes tend to circumvent the Panchayati Raj Institutions from where the SHGs could potentially seek redressal of their grievances.

Capacity building limited in content and reach

While SHGs serve the interests of numerous institutional players there is insufficient ploughing back of any resources for the women themselves, either for crisis support or for their capacity building. Some of the emerging issues are:

- There are a large number of government sponsored SHGs that have not received any capacity building inputs.
- The capacity building inputs being provided are overwhelmingly focussed on the cadre of sponsoring agencies and fail to reach SHG members.
- Inputs on social justice and equity issues either do not reach SHGs or if they do it is in a highly diluted manner. The overwhelming focus is on the functional agenda related to group formation and ensuring regular savings and repayment. Issues related to gender when included receive tokenistic attention.
- The role of literacy in strengthening transparency and autonomy of SHGs as well as its significance in determining access to leadership, credit and other capacity building opportunities has gone unrecognised thus far. The picture emerging is that there are clear linkages between adult literacy and access to leadership, credit and capacity building opportunities. The literate leaders also have greater opportunities to access credit and capacity building resources than other members. Literacy is not considered as an integral part of the SHG initiatives, but it is often undertaken in a ad hoc manner as a supplementary activity which does not receive adequate importance

Absence of a holistic approach

The realities of women's lives are that there is an intertwining of the economic, cultural, social and political realms. Problems and disadvantages experienced by women in different aspects of their lives collectively give rise to a situation of disempowerment.

The discourse on micro credit assumes however, that micro credit alone will automatically address the entire problem. Policies and programmes tend to falsely divide social and economic empowerment. Even when the term economic empowerment is used it often reduced to a narrow notion of financial access to resources. It is becoming increasingly clear that SHGs can contribute to the process addressing gender and socio-economic inequities but cannot be a substitute for holistic empowerment strategies that enable collective reflection and action to challenge gender subordination. Micro credit therefore is one of the critical inputs required to remove women's subordination and poverty alleviation. Investment of adequate resources in capacity building and an enabling policy and institutional mechanism that will ensure that poor women's interests are at the centre of SHG interventions are required.

Recommendations

1. *Committee on the Status of SHGs*

- Given the importance, scope and scale of the SHG and micro-credit phenomena, a high-level Committee on the Status of SHGs should be constituted to review the existing perspectives, policies and programmes related to SHGs in order to strengthen their potential towards addressing the social, economic and political rights of women. The members of the Committee should include eminent academics and practitioners who have a substantive engagement with issues of women's empowerment, poverty and livelihoods, with adequate representation from different states.
- The mandate of the Committee should include recommending the manner in which the State will generate data in order that the performance of micro credit based interventions may be reviewed and monitored.
- Some of the critical areas on which information is currently lacking relates to:
 - ?? Number of functioning (as opposed to defunct) SHGs.
 - ?? Financial impact of micro credit on poverty alleviation
 - ?? Inclusion of the poorest
 - ?? Number of women/groups being able to access credit
 - ?? Types of enterprises for which women borrowers receive credit
 - ?? Sustainability of such enterprises in the absence of adequate support inputs
 - ?? Ownership of assets created/strengthened through micro finance
 - ?? Data on capacity building – extent to which these are being provided, to whom, nature of the inputs including time allocated to social justice and equity issues.
 - ?? Data on lending practices and norms – both formal and those that are being practiced although unwritten.
 - ?? Identification and analysis of existing macro data on indicators that will enable an assessment of the impact of SHGs. This could include macro data related to poverty reduction, distress migration, violence against

women, inclusion of economically and socially marginalized communities etc.

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- The Committee should also be mandated to recommend the process whereby indicators to monitor progress in terms of empowerment and equity can be designed.
- The findings of the Committee should be not limited to mere recommendations, which might or might not be incorporated. The 11th five-year plan needs to ensure that the recommendations are necessarily reflected in the formulation of new policies and programmes or redesigning of existing ones. Once the indicators are in place all departments and Ministries should report according to these indicators. The Committee should work within a timeframe and adequate budgetary allocations for this should be made.

2. *Bringing SHG data in the Public Domain*

- The State and other Institutions engaged with SHGs should make available the data related to achievements in poverty alleviation, empowerment and literacy. Such data should be gender disaggregated. With the growing recognition that women are not a homogenous category data should be further disaggregated in terms of other categories like, caste, class, religion, ethnicity, educational status. Such data will be extremely useful for planning purposes.

3. *Regulation of the Financial Functions*

- The State and the appropriate ministries should institute a Regulatory framework for the functioning of micro finance institutions in order that there be a limit on the extent of interest rates and the manner of recovery of loans not be exploitative.
- Assets created through micro credit should be in the name of women.

4. *Addressing Gender Issues and adopting a holistic approach to empowerment*

- Micro- credit should be seen as one part of a broader strategy to enhance women's agency on social, political and economic levels. Policies and programmes should simultaneously seek to increase women's confidence, awareness, negotiation ability, literacy, health, as well as women's vocational, entrepreneurial and management skills, to enable micro finance inputs to translate into sustained empowerment. The costs of enabling that empowerment through extensive training inputs and other strategies need to be considered a necessary and direct cost commitment of all micro credit based programmes.
- SHGs can be federated and expanded into larger community based organizations. Such organizations. This can enable them to leverage greater amounts of credit

and undertake more sustainable livelihood options. In addition these large women's collectives should be empowered to take on gender justice issues and collectively struggle against gender-based discrimination and violence against women.

4. *Capacity Building on gender issues*

- In order to ensure that issues of gender are adequately addressed the capacity building inputs need to be strengthened, and provided for longer durations and with a long-term focus.
- The capacity building inputs should focus on
 - Building an understanding on gender issues including violence against women
 - Understanding legal provisions vis a vis violence
 - Enabling women to understand how they can access institutions of justice
 - Information on Government schemes, especially those related to women and gender justice
- A core curriculum framework should be developed for training at the national level. Those who have expertise in the field of gender as well as SHGs should develop the Curriculum framework jointly. A strong training of trainers programme should be designed so that expertise can gradually be available at decentralized levels.
- A substantial literacy programme should be included as part of the SHG programmes.
- All agencies that sponsor SHGs (banks, micro finance institutions and government departments, NGOs, donor agencies etc.) should contribute to a Women's Crisis Fund to be managed by SHGs which will address women's needs related to violence, health, food etc.

5. *SHGs in Governance Structures*

Greater linkages and formal mechanisms between representatives of SHGs and PRI Institutions should be worked out so that the priorities of poor women can inform village-planning processes and in order that governance systems are responsive to their demands.

6. *Adoption of holistic livelihood options*

- The vision must be broadened from narrowly defined enterprise development activities (which typically include non-viable income generation activities) to a livelihoods approach. This should be based on a mapping of existing livelihood options.
- SHGs should not only be conduit for delivery of services but should be strong collective of women. These should be sustainable. These should ensure backward

- linkages with technology and credit and forward linkages with markets so as to generate both farm and non-farm livelihood opportunities.
- Policies and programs should design a wide range of financial products and services to meet the needs of poor women. Four broad categories of credit products are recommended: credit for income generating activities, credit for investment in education and health; consumption credit including household needs; and products for social security.
 - Adequate capacity building package on livelihoods should be developed.

Skill Development

With the coming of Globalisation and liberalization, new technologies and fast changing markets tend to make existing skills obsolete and require upgradation, new skills and multi-skilling. Globalisation often puts a premium on skills - requiring high levels of education, often out of the reach of the unorganised sector workers. On the other hand it opens up new markets which workers can reach by adapting existing or traditional skills.

Women workers are usually at the lowest-paid end of any sector, they are usually termed as unskilled, even though very often their work, though low-paid, requires a certain level of technique. Furthermore, many of the skills that women learn are those that are in some way connected to care and reproduction, which are often not regarded as skills at all. For example, some skills which are not recognized now, but which exist with local populations -- women in forest areas, have a skill of recognizing and using herbal plants. Often a woman's skills may not be regarded as skills at all, either by the person who is documenting the skills, or even by the women themselves. Secondly, the potential marketability of a particular skill is never recognized. This refers to a woman's skills which currently may not be marketed but which may have a good market potential like embroidery or knowledge of herbs. Finally, the 'care' skills of the women can no longer be sidelined. These would include knowledge of child-care, care of the sick and particular skills such as mid-wifery. Only then will a measurement of a woman's skill will capture the extent of her 'specialization'. One unfortunate tendency that has been noticed in the desperate search for employment that goes on in the unorganised sector is the tendency towards deskilling. Workers lose their traditional or acquired skills when they cannot find employment with these skills.

There is the demand side of the skilling needs which captures the skilling needs at a point in time. Even within the formal sector, there have been rapid changes which have led to changes in demand. The long term strategy should in any case be to inculcate skills in women participate in labour markets as effective employers or entrepreneurs.

The trends and patterns in female employment need to be analysed in the broader framework of social, cultural and historical specificity. Women's participation in the labour market thus is not only an economic issue but also a larger social question, which demands a multi-disciplinary approach. Women's economic activity is rooted mainly in socio-cultural, historical, physiological and economic considerations. Hence, looking at women's employment from the labour market point of view alone is not enough.

CHAPTER III

WOMEN AND THE LAW

The Constitution of India recognizes equality rights of women in Articles 14, 15 and 16. Article 15 (3) allows the state to take special measures for women and children to realize the guarantee of equality. Despite different gender specific laws in place, women's status in society continues to be devalued. Gender based violence and discrimination faced by women are manifestations of the devalued status of women. In order to find an enduring solution to gender based violence, laws impacting on a woman's equality rights have to be assessed and strictly implemented. Laws prohibiting gender discrimination based in the home and in the public sphere have to be evolved and implemented. As this process will take place in the years to come, the aspect of gender based violence requires immediate attention. Hence the focus of the action in the 11th 5 year plan is on issues of gender based violence. Simultaneous efforts to improve women's status through the use of laws will also be undertaken.

Prevalence of gender based violence

Violence against women (VAW) includes any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Violence against women manifests itself in many ways and is one of the most pervasive forms of human rights abuse in the world today. While all women may experience violence, it intersects with other social and identity-based constructs like caste, religion, ethnicity, disability, and sexual orientation to make specific groups vulnerable to different and particular forms of violence. Thus, the nature of the violence and how it manifests itself may differ because of social location.

To effectively deal with the problem of violence against women efforts are being made to strengthen the existing legislation through review and amendments and develop institutional mechanisms. The Support Services, in place, to victims of violence are Short Stay Homes, Swadhar , Help lines for women in distress, Legal Literacy and Legal Awareness Camps, earmarking of one Fast Track Court in a district, (where there are two) to deal exclusively with cases of violence against women, constitution of the National Commission for Women (NCW) and State Commissions, increased recruitment of women police officers, establishment of women police cells in police stations and exclusive women police stations and establishment of Rape Crisis Intervention Centres in police districts in some big cities. In addition to these, efforts are being made to sensitize judiciary, police and civil administration.

Despite these efforts, crimes against women in the country continue to be on the increase. As per the latest data published by the National Crime Records Bureau, the total number of crimes committed against women has been increasing from year to year from 1.31 lakhs in 1998, 1.36 lakhs in 1999, 1.44 lakhs in 2001 and 1.51 lakhs cases in 2005, consisting of offences such as torture, molestation, rape, abduction, sexual harassment, dowry deaths, immoral traffic and others. During 2004 the incidence of torture and molestations have accounted for 37.7% and 22.4% respectively, of the total crimes against women, followed by cases of rape, kidnapping, abduction to the extent of 11.8% and 10.1%. 2.9% of the rape victims were less than 10 years of age. The number would be larger as most cases go unreported due to social stigma attached to it. In 2004, 19.7% rape cases have been tried in the courts out of the total of 71,620 cases for trial and in only 25.2% of cases conviction was made. The crime clock maintained by the NCRB reveals a shocking figure of:

- ? ? 1 Crime Committed Against Women every 3 Minutes
- ? ? 1 Molestation case every 15 Minutes
- ? ? 1 Rape case every 29 Minutes
- ? ? 1 Sexual Harassment case every 53 Minutes
- ? ? 1 Dowry Death case every 77 Minutes
- ? ? 1 Cruelty by Husband and Relatives case every 9 Minutes

The total cases registered under various crimes and their conviction rate during 2002-04 is given in the table below:

Nature of Crime	2003		2004		2005	
	Cases Regd.	Conviction Rate	Cases Regd.	Conviction Rate	Cases Regd.	Conviction Rate
Kidnapping & Abduction	13296	23.6	15578	24.2	15750	25.3
Dowry Death	6208	32.4	7026	32.1	6787	33.4
Dowry Prohibition Act	2684	21.2	3592	25.0	3204	25.5
ITPA	5510	86.7	5748	84.8	5908	82.2
Importation of girls	46	11.1	89	6.3	149	34.8
Sexual Harassment	12325	62.9	10001	60.5	9984	53.5
Rape	15847	26.1	18233	25.2	18359	25.5
Molestation	32939	30.2	34567	30.9	34175	30.0
Cruelty by husband & relatives	50703	18.1	58121	21.5	58319	19.2
Indecent representation of women	1043	76.7	1378	90.0	2917	94.3

The Tenth Five Year Plan addressed the problems of violence against women on top priority basis through a well-planned programme of action, with both short and long term measures, both at the national and state levels. Amendments were recommended in the Indian Penal Code and other related legislations to make punishment more stringent.

Collaborative interventions in the Tenth Plan with the NGOs helped to bring about societal orientation, an important area to deal with the problem of different forms of violence against women in society. The Mid Term Appraisal to the Tenth Plan also identified violence against women as one of the burning issues affecting women.

The problem of VAW has to be dealt with holistically. Draft Approach Paper for the 11th Five Year Plan has included Violence against Women as one of the three aspects relating to the problems of women in the country, the other two being Economic Empowerment of Women and Women's Health. Thus a major challenge before the XI Plan is to enable the creation of an environment for women that is safe and free from violence. Only then it would be possible for women to be true partners in India's democracy at the social, economic and political level.

Forms of violence that take place at the community include witch hunting, sati, child marriage, and incidents of public stripping. These unfortunately are increasing in prevalence. In recent years there have been disturbing reports of cases of sati and its subsequent glorification. There has been an alarming rise in reported cases of honor crimes committed in the name of protecting family or community honor. Equally worrying is the growing numbers of anti-women strictures being pronounced by community-based structures like caste and religious panchayats. The brunt of these so-called judgments, which in some cases have resulted in brutal punishments, such as dismemberment and mutilation, are usually borne by women or the women's family. Many such actions follow when women try and change age old, narrow and regressive social norms, like marrying outside one's caste or religion. Many of these so-called judgments are not only anti-women but go against the Constitution.

Experiences from the ground and various reports are now showing that women are specifically targeted in situations of communal and sectarian violence as they embody the so-called honor of the community. If a particular community or group is to be attacked and humiliated, women are targeted. In such situations women are victims of various forms of sexual violence including rape, molestation, mutilation, stripping etc. In areas experiencing tension and conflict like the North- East and Kashmir women are particularly vulnerable and are caught in the crossfire. There have been reports of sexual violence perpetrated by security forces as well. Many women in such situations experience trauma.

Legal regime on violence and equality rights of women

Laws relating to women can broadly classified under the following categories:

☞☞ **Crimes Against women**- gender specific crimes identified under the Indian Penal Code (IPC) include:

- ☞☞ Rape, including custodial rape.
- ☞☞ Kidnapping, importation of girls, selling minors for the purpose of prostitution abduction for different purposes, abducting or inducing woman to compel her marriage
- ☞☞ Dowry deaths,
- ☞☞ Cruelty within the marital home.
- ☞☞ Molestation and outraging the modesty of a woman.
- ☞☞ Causing miscarriage
- ☞☞ Provisions relating to obscenity.

☞☞ **Specific legislation on gender based issues**

- ☞☞ Dowry Prohibition Act, 1961 (28 of 1961)
- ☞☞ Child Marriage Restraint (Amendment) Act, 1979
- ☞☞ Protection of Women from Domestic Violence Act 2005.
- ☞☞ Commission of Sati Prevention Act 1987 (3 of 1988)
- ☞☞ Indecent Representation of Women (Prohibition) Act, 1986
- ☞☞ Immoral Traffic (Prevention) Act,
- ☞☞ Pre-conception and Pre-natal Diagnostic Technique Act, 1994
- ☞☞ Medical Termination of Pregnancies Act (1971)
- ☞☞ Supreme Court guidelines on the prevention of sexual harassment at the workplace. (1997)
- ☞☞ Equal Remuneration Act, 1976
- ☞☞ Maternity Benefit Act (1961)
- ☞☞ National Commission for Women's Act (1990)

☞☞ **Other laws impacting on women's rights**

- ☞☞ Labour statutes such as- Equal Remuneration Act, 1976, Contract Labour (Regulation and Abolition) Act 1970, Minimum Wages Act 1948, Factories Act 1948, Workmen's Compensation Act, 1923
- ☞☞ Criminal and civil procedural laws- such as Code of Criminal Procedure (1973), Code of Civil Procedure (1908), Indian Evidence Act (1872).
- ☞☞ Legal Services Authorities Act, 1987.
- ☞☞ Personal laws on marriage, property rights, guardianship and custody rights, maintenance.
- ☞☞ Supreme Court guidelines on the compulsory registration of marriages.

All of the above laws have to be strictly enforced to realize equality rights of women. The following sections are divided thematically

1. LAWS RELATING TO VIOLENCE AGAINST WOMEN

1.1 Domestic Violence

Domestic violence against women though pervasive is a largely invisible crime and goes unrecognized, especially since “Domestic violence is considered as a family matter having an unspoken sanction in patriarchal society” (NCW). There is very little data on the extent of domestic violence.

Domestic Violence is a term that is difficult to define as the violence occurs against women in intimate relationships. A victim of domestic violence tends to shield the perpetrator of violence in keeping with her socio cultural psyche and value system.

Domestic violence can be addressed by use of criminal provisions on cruelty within marriages (Section 498A) or the newly enacted Protection of Women from Domestic Violence Act 2005 (“PWDVA”) which is aimed at providing support and relief to women in all domestic relationships.

Recommendations

- ❏ Adequate budgetary allocation to be made by the MWCD in the XIth Plan for setting up the required infrastructure and requirements to make the PWDVA effective.
- ❏ Proper allocation of funds to provide training, sensitization and capacity building of Protection Officers, Service Providers, members of the judiciary, police, medical professionals, counselors, lawyers, etc on the issue of domestic violence and the use of law (PWDVA and other criminal and civil laws) to redress the same.
- ❏ Training of the various members of the State Commission for Women and identify their role in implementation of the PWDVA and other laws concerning violence against women in their respective states.
- ❏ Monitoring the appointment of Protection Officers by regular feedback from the various states
- ❏ MWCD should play a very proactive role in monitoring its implementation. An effective MIS should be set up. Allocations should be made for this.
- ❏ Government and the Civil Societies should initiate steps to give wide publicity to the PWDVA. Awareness about the Act should be dovetailed in all major government programs and schemes, especially those concerning women.

1.2 Dowry

There has been a mixed trend in the incidence of dowry deaths during the period 2002-04. The total number of cases registered has decreased from 6822 in 2002 to 6208 in 2003(-9%) and to 7026 in 2004(+13.2%). Cases of dowry death have been the highest in Uttar Pradesh in 2004 followed by Bihar and Madhya Pradesh. The conviction rate of

this crime was 32.1 in 2004, which was slightly higher than the average conviction rate of IPC crimes against women (29.3).

The total number of cases registered under the Dowry Prohibition Act has decreased from 2816 in 2002 to 2684 in 2003(-4.7%) and increased to 3592 in 2004(+33.8%). Cases booked under this Act have been the highest in Bihar in 2004 followed by Orissa and Uttar Pradesh. The conviction rate of this crime was 25 in 2004, which was much lower than the average conviction rate of SLL crimes against women (70.66).

Though legislations are already in place by way of an Act on Dowry Prohibition and provisions on harassment faced for dowry, Section (498 A) and dowry deaths (Section 304B) in IPC, their implementation has been weak and very few cases have been filed so far. In many parts of the country, Dowry Prohibition Officers have not been appointed. The police and other law enforcement bodies have shown apathy in recording and investigating into complaints relating to dowry related harassment and dowry deaths.

Harassment relating to dowry has now also been covered under the Protection of Women from Domestic Violence Act 2005. There is a need to amend the Dowry Prohibition Act to provide clarify the existing provisions and ensure its implementation in consonance with the PWDVA.

Recommendations

- ☞☞ Review the Dowry Prohibition Act to clarify existing provisions relating to the definition of dowry and penalties for the parties involved.
- ☞☞ Provide for the registration of a “list of gifts” exchanged at the time of marriage while registering a marriage under the appropriate laws.
- ☞☞ Link the implementation of the PWDVA with the implementation of the Dowry Prohibition Act. Protection Officers appointed under the PWDVA can also take action under the Dowry Prohibition Act.
- ☞☞ Sensitize medical professionals on recording evidence in cases of dowry death.
- ☞☞ Training and capacity building of law enforcement functionaries and members of the judiciary on issues concerning dowry related harassment of women and dowry deaths.
- ☞☞ Ensure the implementation of the Supreme Court order directing public servants to make a declaration at the time of marriage that no dowry was given or taken.
- ☞☞ Awareness should be created among the younger generation through drama, nukkad natak etc. media campaigns.

1.3 Rape and Sexual abuse

The increased incidence of rape cases in recent times may be because more cases are being reported now. The proportion of rape cases in the country during the last five years is 12 percent of total crimes against women. During 2004 reporting of rape increased by 13.6 percent. Out of rape cases reported in 2004 about 69.1% were

investigated, 94.2% of cases were charge sheeted but convictions made were only 25.2%. The conviction rate of rape cases is very low. The alarming fact is that crimes against women have been continuously increasing from 7.2% in 2000 to 7.8% in 2004. Rape cases account for more than 10% of total crimes against women, the percentage varying from 11.2 to 11.8 during 2000-2004. Incest rape, which was a taboo subject in the past, is being reported and in 2003-04 399 cases were reported – an increase of 26.5 percent. The data on age group of the victims shows that it is between 18-30 years.

In 84-88.8% cases of rape committed in the years 2000-2004, the victim knew the offenders. In 9 percent of cases the father or other members of the family or close relatives were themselves the offenders. Neighbors and other persons known to the victims constitute the offenders in more than three – fourth of the cases. Only one seventh of the offences were result of offence by strangers.

Currently, the crime of rape is dealt with in Sections 375-377 of the Indian Penal Code. A Bill on “Sexual Assault” has been drafted in lines of the recommendations made in the 172nd Law Commission report. This Bill seeks to expand the definition of rape to cover aspects of all forms of sexual violence faced by women and children. In addition, another Bill “Offences against Children Bill” has been drafted to specifically address all forms of violence faced children. “Sexual abuse” as a civil offence, has also been recognized in the PWDVA.

According to the order of the Supreme Court, a scheme for Relief and Rehabilitation of Rape Victims is being drafted for inclusion in the XIth Plan.

Recommendations

- ✍✍The scheme for Relief and Rehabilitation for Rape Victims should be introduced in the XI Plan.
- ✍✍Information on the status of the legislation on sexual assault and offences against children should be regularly disseminated by the NCW, who should hold regional consultations to discuss and finalize the draft. Consultations in this regard should focus on issues such as marital rape, age of consent, issue of consent, simplifying procedural and evidence provisions in order to be sensitive to the realities of the victim of sexual abuse.
- ✍✍Amendments to Section 377 (on unnatural offence) to be redrafted in consultation with all concerned groups such as women’s groups, child rights groups and groups working with sexual minorities.
- ✍✍Sufficient resources need to be allocated to sensitize law enforcing agencies, judiciary, and medical establishments once the bills are passed.
- ✍✍As the major bottlenecks to ensure that women get justice lie in the implementation of various laws the following is suggested
 - ✍✍ Ensure immediate filing of FIR and statement of the victim under Section 164 of IPC and make provisions for online FIR. Ensure that statements of rape victims should be recorded by a female police officer.

- ✍ Ensure a separate lawyer who assists the victim other than the police prosecutor
- ✍ More forensic labs and DNA testing centres in various districts
- ✍ Ensure special care for minor rape victims, age of minor being 18 for all purposes.
- ✍ Ensure the safety of the rape victim to enable her/him to testify in court.
- ✍ In every District Court, a judge should be specially designated to deal with rape cases and should be assigned this job for a period of three years. He/she should go through mandatory gender sensitization at the National or State Judicial Academies.

1.4 Child Marriage

Child marriages in India have continued unabated despite the enactment of laws for its restraint and prohibition. Early marriages have adverse consequences on women's growth, health, livelihood options and negotiating power within marriages. Penalties for entering into or involvement in child marriages are provided in the Child Marriage Restraint Act 1929. In addition criminal provisions on kidnapping and abduction can also be used to penalize those involved in child marriages. The status of a child marriage, i.e. whether it is void or voidable, is governed by marriage laws that are applicable to different religious communities or the Special Marriages Act.

Draft Prevention of Child Marriage Bill 2004 has received cabinet approval and is pending introduction in Parliament.

Recommendations

- ✍ MWCD to advocate compulsory registration of marriages.
- ✍ Age of the parties to be verified at the time of marriage

1.5 Other crimes

In addition to the above, other gender specific crimes that have been recognized under the IPC and special laws are Sati, Bigamy, Molestation, Obscenity, Indecent Representation of Women, Kidnapping, Abduction and Importation of Girls. Aspects of investigation, arrest and prosecution of these crimes are the responsibility of state governments. The criminal justice system has to pay particular attention to the needs of women who are subjected to these specific forms of violence. There are also different forms of violence being perpetrated on women that need to be addressed by the law. One example is that of increased rates of "acid attacks" on women. This is a heinous form of violence against women and has lasting impact on their autonomy and freedom of movement. Data on such emerging forms of violence should be collated and measures should be adopted to address the same.

Recommendations

- ☞☞The resurgence of Sati and its subsequent glorification must be stopped. The Commission of Sati Prevention Act should be implemented with rigour.
- ☞☞In areas where witch hunting is prevalent measures should be taken to stop such violence. As the prevalence of witch hunting is higher in tribal areas the strategy should be developed in consultation with groups working with tribal women.
- ☞☞Measures to understand systems like the devadasi system should be undertaken and an appropriate strategy developed.
- ☞☞Measures to create safe environments in urban and rural areas.

1.6 Organized crime – Trafficking in women

Human Trafficking both forced and under false premises is widespread, but no accurate data is available. Trafficking however, is usually and wrongly, conflated with prostitution. However, according to ILO, IOM, UNIFEM etc. purposes of trafficking include, (besides prostitution), entertainment, industry, forced labor, domestic work, camel jockeys, illegal adoption of children, bonded labor, forced marriage, drug trafficking, begging etc.

Poverty, breakdown in livelihood options, food insecurity, unemployment, debts, occurrence of disasters, and conflicts leave the victims, particularly women, of such situations with practically no choices for survival. Girls are also trafficked in the name of marriage. Victims often find themselves unwillingly trapped in a life of abuse that is physical as well as sexual.

The situation of women who have been trafficked into sex work is particularly vulnerable. They have little control over their earnings and face the risk of pregnancies, abortions, maternal mortality, sexually transmitted diseases such as HIV and AIDS. The Immoral Trafficking (Prevention) Act , 1956 penalizes all persons involved in trafficking women for sex work and living off their income. Unfortunately the law has been implemented in a highly moralistic manner resulting in the further victimization of trafficked women. The objective of the Act, i.e. the punishment of those involved in trafficking has not been met. The Act is being amended to provide more stringent punishment for traffickers and brothel keepers and to prevent victims of trafficking from being further harassed.

Government of India in 2000 signed the UN convention against Transnational Organized Crime (UNTOC), which includes the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children. MWCD drew up a Plan of Action and constituted a Central Advisory Committee to combat trafficking and commercial sexual exploitation of children and activate legal and law enforcement systems.

The Central Advisory Committee constituted on combating child prostitution meets regularly and has come up with a protocol for pre-rescue, rescue and post-rescue

operations. A manual for sensitizing the police force in matters relating to trafficking of women and children and one for medical officers dealing with medico-legal cases of victims of trafficking have been finalized. A manual for district and taluka level judiciary is also under preparation which would act as a judicial handbook on combating trafficking of women and children for commercial sexual exploitation and would assist the judges in effective implementation of ITPA. Awareness generation on the issue is being taken up on a large scale. A detailed media campaign has been formulated using TV, radio and print. Swadhar and Short Stay Homes have been set up across the country for rehabilitation of women in difficult circumstances including women rescued from trafficking. It is proposed to set up one home in each district. Costs of shelter, food, clothing, health and legal expenses are borne by the Government. A comprehensive scheme for prevention of trafficking is being drafted.

Recommendations

- ❖❖ Measures to be taken to prevent revictimisation of victims of traffickers.
- ❖❖ Focus on entry point where traffickers begin the sale and purchase of humans for effective prevention of trafficking by generating livelihood options for women.
- ❖❖ Inter-regional networks should be set up to check forced migration and trafficking.
- ❖❖ There is a great need for awareness at all levels of the society, community and government to reduce the vulnerability of women and children to by generating livelihood options.
- ❖❖ Special Police officers and Community Vigilance are needed to reduce trafficking.
- ❖❖ Training modules must be developed for conducting on going training programs for Police, Judiciary and other government personnel involved in the prevention of trafficking.
- ❖❖ A policy of relief / rehabilitation should be formulated with wide spread consultations with stakeholders.
- ❖❖ More rehabilitation homes to be set up with longer periods of rehabilitation.
- ❖❖ Special homes to be set up for rehabilitation of trafficked women along with half-way homes.
- ❖❖ Protocols to deal with post rescue rehabilitation and relief should be developed.
- ❖❖ Special courts must be set up in every state with Special Judges to try trafficking cases and proceedings in such courts are to be time bound.
- ❖❖ Staff in protective homes must be specially trained and sensitized. Victims should not be forced to return home. In case they do return, adequate follow-up should be done to ensure their security. Continuity of care should be available to the victim for at least 3 years after rescue for effective psycho-socio reintegration and rehabilitation.
- ❖❖ Witness prosecution programmes to be developed.
- ❖❖ As poverty is a major reason for vulnerability to trafficking, special development programmes should be devised for those areas from which large numbers of women and girls are trafficked.

1.7 Community specific violence against women

Experiences from the ground and various reports are now showing that women are specifically targeted in situations of communal and sectarian violence as they embody the so-called honor of the community. If a particular community or group is to be attacked and humiliated, women are specifically targeted. In such situations women are victims of various forms of sexual violence including rape, molestation, mutilation, stripping etc. In areas experiencing tension and conflict like the North- East and Kashmir women are particularly vulnerable and are caught in the crossfire. There have been reports of sexual violence perpetrated by security forces as well.

Sexual violence perpetrated against women in situations of conflict have been recognized as a crime against humanity by the International Criminal Tribunal (Rwanda). The statute of the International Criminal Court includes sexual offences in its definition of “crimes against humanity”. Other sexual offences, within the context of conflict, that have been recognized as a crime against humanity are -“Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity.”

A Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill, 2005 has been drafted with a view to prevent violence against minorities and deal with the outbreaks of communal violence. The Communal Violence Bill, though addressing the existence of sexual violence during such times, has defined it in extremely narrow terms of rape and outraging the modesty of a woman. The draft of this bill must be brought in lines with prevailing international norms. Aspects of relief and rehabilitation of victims of sexual violence, the presence of sensitized officers to investigate into instances of sexual violence perpetrated on women in times of conflict must be separately provided for. Provisions relating to confidentiality of the victim and the manner in which the trial should be conducted should also be included.

Recommendations

- ☞☞The Draft law on the prevention of communal violence must include provisions on sexual violence in times of conflict. Such provisions must be drafted in consultation with women’s groups, and groups working on human rights and humanitarian issues.
- ☞☞Norms and guidelines for immediate relief, rehabilitation, and long term rehabilitation from a gender perspective should be put in place. Such guidelines can be used in the future and can be used to mainstream a gender perspective in post-conflict relief, rehabilitation and reconstruction.
- ☞☞A package on conflict resolution methods from a women’s perspective can be developed which can be made available to groups, government agencies etc. working in these areas. Such a package can be developed in collaboration with groups and experts with experience in this field

- ✍✍The Government should promote and actively seek women's interventions in peacekeeping, dialogues and conflict resolution. Such consultations should actively be supported to build confidence in the area
- ✍✍Special resource allocation should be available for legal awareness in these areas
- ✍✍Special courts to deal with cases of rape and other forms of violence against women, including those involving security personnel, should be set up
- ✍✍As this is an area where there is little data or information, studies could be commissioned to groups and researchers with relevant experience to get an authentic picture of the ground situation.
- ✍✍As there are usually a large number of widows or female-headed households in such areas, usually as a result of violence or male migration, special measures for their assistance should be put in place
- ✍✍Where State commissions for women in such areas do not exist they should be set up immediately and all legal impediments removed.
- ✍✍NCW should undertake a study to ascertain the status of relief and rehabilitation of the women affected by the communal riots in Gujarat and make recommendations for future action.
- ✍✍Recognize that domestic violence is systematic and widespread in conflict and post conflict situations and should be addressed in humanitarian, legal, and security responses and during training in emergencies and post conflict reconstruction
- ✍✍The UN, donors and Governments to provide long term financial and support for women survivors of violence through legal, economic, psychosocial and reproductive health services. This should be an essential part of emergency assistance and post conflict reconstruction. All agencies providing health support and social services should include psychosocial counseling and referrals.
- ✍✍Targeted sanctions against trafficking of women and girls. Those complicit must be held accountable for trafficking women and girls in or through conflict areas. Existing international laws on trafficking must be applied in conflict situations and national legislation should criminalize trafficking with strong punitive measures. Victims of trafficking should be protected from prosecution.
- ✍✍Ensure immediate provision of emergency contraception and STI treatment for rape survivors to prevent unwanted pregnancies and protect the health of women

2. DISCRIMINATION AGAINST WOMEN

Discrimination against women takes place within the home and outside. It is important to give effect to the Constitutional guarantees of equality by enacting a comprehensive law on sex discrimination. Forms of discrimination that have been enacted upon are as follows:

2.1 Sex-Selection

The population statistics of India shows that the number of females to males has been declining over the decades from 972 females per 1000 males in the 1901 census to

941 in the 1961 census and further to 927 in 1991 census. Only as per the 2001 census, this number has slightly increased to 932 females per 1000 males. However this is not true of the juvenile sex ratio or the sex ratio of 0-6 years population, which has declined from 945 in 1991 to 927 in 2001. The situation in some States is more alarming. In States such as Haryana, Punjab, Delhi and Gujarat, this ratio has declined to less than 900 girls per 1000 boys as per 2001 census and seventy districts have recorded more than a 50-point decline during the decade 1991-2001. The lowest ratio recorded is 766 in Fatehgarh Sahib District in Punjab. As a result of this declining sex ratio, millions of girls/women are missing in India. It is an alarming scenario and if this trend continues, violence against women would increase and there would be forced polyandry. The demographic balance would be permanently damaged.

One of the reasons for the declining sex ratios is the incidence of sex selection, and or sex determination followed by sex selective abortions. This constitutes a grave form of discrimination against women as women are affected as being part of a social class. This is not a pro-life or pro-choice issue. A woman's right to abortion has to be upheld on grounds of promoting women's rights to equality. The right to abortion is the right to abort any fetus. The abortion of a female fetus following a sex determination test is an act of discrimination. As this act of discrimination cannot be committed without the active intervention of medical professionals, hence it is essential to strictly enforce laws directed towards regulating the practice of medical professionals. However, keeping in mind the pressures that a woman is subjected to for bearing a male child, the implementation and enforcement of such laws should not lead to the further victimization of women.

The laws regulating sex determination and abortions is provided for in the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Misuse) Act ("PC & PNDT Act") and the Medical Termination of Pregnancies Act 1971 ("MTP Act"). In addition penal provisions on "causing miscarriages" are also provided in Sections 312-316 of the Indian Penal Code.

Recommendations

- ❖❖ Decriminalize women under the PC & PNDT Act and the provisions in the IPC.
- ❖❖ Create public awareness on the issue of sex determination, sex selection, and sex selective abortions as well as the consequences of declining sex ratios.
- ❖❖ Take steps to train law enforcement functionaries, appropriate authorities and others on the law and its use with specific regard on collecting evidence, search and seizure procedures and pursuing litigation in court.
- ❖❖ Monitor the enforcement of the PC & PNDT Act through the effective functioning of the Central and State Supervisory Boards.
- ❖❖ Allocate funds for the proper implementation of the law.
- ❖❖ Ensure that courts are able to effectively deal with complaints filed under the PC & PNDT Act within a time bound period.

- ☞☞ Review the provisions of the PC & PNDT Act, MTP Act and the IPC in order to assess whether the objective of regulating medical professionals is met by the existing provisions of the law.
- ☞☞ Make inquest compulsory in all cases of female infant death
- ☞☞ Grass root health workers should educate the community about the consequences of repeated abortions on women's health.
- ☞☞ Advocacy initiatives should aim to build up alliances among all partners for social mobilization to eliminate this practice and to also facilitate implementation of laws.

3. WOMEN'S RIGHTS IN THE WORKPLACE

In India, women are entering the labour workforce in unprecedented numbers. In light of this development, there is, more than ever before, a pressing need for the rights of women to be respected, protected and fulfilled, particularly in the workplace. Further with the greater representation of women in the unorganized sector there is a need for institutions and a policy to be set up to empower women.

3.1 Sexual Harassment at the workplace

Women's rights in the workplace are important for many reasons. The obvious reason is the right of women to be free from unwanted sexual conduct and advances. The issue of sexual harassment at the workplace extends far beyond an individual woman. It impacts on workforce productivity, economic development, and the overall growth of the country. The Supreme Court in the case of *Vishaka v. State of Rajasthan* held that sexual harassment at the workplace is a violation of the rights guaranteed by Articles 14, 15 and 21 and that women have rights to gender equality, to work with dignity in a safe working environment and be protected from sexual harassment or abuse. The court in this case defined "*sexual harassment at the workplace*" and issued a set of guidelines for employers to redress and prevent this kind of violation of women's human rights at workplace.

Since then various government establishments have amended their respective statutes for the prevention and addressing complaints of sexual harassment. However a large section of women in the private and the unorganized sector are still unprotected.

Recommendations

- ☞☞ The draft Bill relating to Sexual Harassment at the Workplace be enacted at the earliest.
- ☞☞ Ensure appropriate budgetary allocations for the effective implementation of the legislation.
- ☞☞ The DWCD to monitor the formation of Complaints committee in various establishments
- ☞☞ Various establishments to conduct regulars training and awareness workshops.

- ☞ Establishments to submit annual report on the function of the Complaints Committee to the DWCD.
- ☞ Training sessions at workplaces will help in providing information to employers not only of their legal obligations to deal with sexual harassment but also for complying with these obligations. WCD can facilitate this training process.
- ☞ Mechanisms that are monitorable and enforceable to ensure that the private sector is not outside their ambit should be put in place. The Ministry should collect information from various corporate associations like (CII, FICCI etc.) and other business associations to ensure that the guidelines are being implemented.
- ☞ Awareness programmes in schools from the upper-primary levels and above should be organized so that female students gain confidence to report cases of sexual harassment. This issue should be dealt with sensitively in the school curriculum so that female students and teachers gain confidence about reporting cases.

In addition to the Supreme Court guidelines on sexual harassment at the workplace, there exists a number of labor legislation that can be used to promote women's equality rights in a workplace.

3.2 Equal Remuneration Act ,1976

Article 39 of the Constitution envisages that every state shall direct its policy, among other things, towards securing equal pay for men and women. However the average wage earnings received per day by casual labourers between NSSO 55th round (1999-2000) and NSSO 60th Round (2004-05) has shown dismal improvement and growing gaps between male and female remuneration:

In Rs.

	Female		Male		Gap	
	1999-2000	2004-05	1999-2000	2004-05	1999-2000	2004-05
Rural	29.01	36.15	44.84	56.53	15.83	20.38
Urban	37.71	44.28	62.26	75.51	24.55	31.23

Recommendations

- ☞ Ensure that the Equal Remuneration Act is implemented in all states.
- ☞ Make provisions for greater representation of women as "Labor Officers".
- ☞ The Ministry of Labour & Employment should monitor the implementation of the Act and recommend its better use.

3.3 Maternity Benefit Act , 1961

Article 42 of the Constitution states that the State shall make provisions for securing just and humane conditions of work and provide for maternity relief. This act was enacted keeping in mind the unequal physical and sociological burden a woman faces at the time

of child bearing and rearing. It was enacted with the object of protecting the dignity of motherhood by providing for the full and healthy maintenance of a woman and her child when she is not working.

The Act, in Section 4(1) provides that no employer shall employ any woman in any establishment during the six weeks immediately following her day of delivery. Section 5(3) states that the maximum period for which a woman shall be entitled to maternity benefit shall be twelve weeks. It has been recommended that the maternity leave period be extended to 135 days.

Recommendations

- ☞☞ Consider the proposal on increasing the period of maternity leave to 135 days.
- ☞☞ Need to monitor the implementation after it is enacted.
- ☞☞ Need to ensure that this form of affirmative action does not work to a woman's detriment by reducing her employment opportunities.

3.4 Workmen's Compensation Act , 1923

This Act was aimed at providing financial protection to the workmen and his / her dependants in case of accidental injury by means of payment of compensation by a certain class of employers.

Under this Act a qualified medical practitioner plays a very important role since he/she examines and certifies the extent of disablement which will determine the amount of compensation the worker is entitled to. Due to the difference in bargaining power there are chances that the woman may be subject to exploitation.

Recommendations

- ☞☞ Ensure that the medical examination of female workers be carried out by female medical professionals.
- ☞☞ Ensure that women are assisted in the process of claiming compensation under this Act.

3.5 Contract Labour (Regulation and Abolition)Act , 1970

Contract Labour (Abolition and Regulation) Act and Rules, 1970 provides for the separate provision for utilities and fixed working hours for women. The possibility of adverse consequences against women ought to be taken into account. Affirmative action for women, have in some cases, resulted in adverse consequences in terms of loss of employment opportunities for women.

Recommendations

- ☞☞ Include provisions for monitoring the effect of these laws on women.
- ☞☞ Provisions for crèches to be included
- ☞☞ Provision for mandatory presence of a women inspector when a premise employing women contract laborers is under inspection.

3.6 Minimum Wages Act , 1948

Article 39 of the Constitution envisages that the state shall in particular direct its policy towards securing that the citizens of have the right to adequate means of livelihood. The Minimum Wages Act, 1948 was passed to provide for a statutory fixation of minimum wages, especially needed in our country where workers are poorly organized and have a less bargaining power. The Act provides for fixation of minimum wages by the government for employments covered in the schedule .It provides for machinery for fixing and revision of minimum wages.

Recommendations

- ☞☞ Collect data, with specific focus on women, on whether or not the provisions of the Minimum Wages Act are being followed.
- ☞☞ Ensure that women are provided with minimum wages while availing of employment opportunities under the National Rural Employment Guarantees Act 2005.

3.7 Factories Act , 1948

The Factories Act, 1948 was introduced to regulate the condition of laborers employed in the factories. However a number of provisions relating to safety, health and welfare of the workers are generally found to be inadequate in view of the large and growing industrial activities. Further the act leaves important points to the discretion on the inspectors.

Recommendations

- ☞☞ Assess restrictions placed on working of women and young persons in cleaning, lubricating and adjusting machinery in motion and prohibition of women in dangerous operations should be considered and implemented accordingly.
- ☞☞ Ensure the provision of amenities such as crèches and sanitation for women laborers employed in factories.
- ☞☞ Take steps to ensure that this form of positive discrimination does not impact detrimentally on women's employment opportunities.

3.8 Unorganized Sector Workers Bill

There are nearly 37 crore unorganized workers, of which substantial numbers are women. There is therefore an urgent need to bring in a legislation on regulating their conditions of work and social security.

The Central Government is in the process of drafting a comprehensive bill providing social security and welfare of the unorganized sector workers. However the bill under formulation does not adequately deal with issues concerning women's rights.

Recommendation

- ✍️✍️ Tripartite boards set up under the proposed law should have equal representation of women.
- ✍️✍️ Work towards forming a social security fund should be set up to provide benefits such as maternity entitlements and crèches.
- ✍️✍️ Maternity entitlements should include three months paid leave plus medical expenses or ILO stipulation of 100 days.
- ✍️✍️ Monitor the delicate power equation at the nodal point where the woman goes to access the resources available to her.
- ✍️✍️ Include special provision for the prevention of sexual harassment at the workplace.
- ✍️✍️ Implement schemes so that women have more access to financial resources , marketing and transport facilities
- ✍️✍️ Women should have access to production resources and to the local markets for the sale of the goods. Registration procedures should be simple.

4. WOMEN AND MEDIA

In an age of developing technology and mass media, the portrayal of women in the media has a significant impact on women's rights. Print and audio visual media can be used to create public awareness on women's rights and break patriarchal stereotypes. However, any portrayal that is derogatory to women may have the opposite effect of perpetuating stereotypes. Hence there is need to promote positive images of women in the media while, at the same time, respecting a citizen's right to freedom of expression and right to information.

The existing law on regulating content on the media is contained in three different sources. Firstly, Article 51A of the Constitution states that it shall be the duty of every citizen of India to renounce practices derogatory to the dignity of women. Secondly, Section 294 of the IPC provides for penalties for "obscene" acts & conduct. Finally, the Indecent Representation of Women (Prohibition) Act, 1986 prohibits indecent representation of women through advertisement or in publications, writings, paintings, figures or in any other manner.

However the lack of gender sensitivity in the media is evidenced by the failure to eliminate the gender-based stereotyping and the reinforcement of women's traditional

role that can be found in public and private media. The continued projection of negative and degrading images of women in media communications - electronic, print, visual and audio – is evident. The world- wide trend towards consumerism has created a climate in which advertisements and commercial messages often portray women primarily as consumers and target girls and women of all ages inappropriately. Advertisements of beauty products, magazines and beauty pageants mushrooming all over have led to the creation of an image of an “ideal woman”.

The Indecent Representation of Women (Prohibition) Act was enacted in the year 1986 and since then the issue of what is “obscene” has been a subject of great debate. Even the act is mostly revolved around how the object will affect society and the public morality rather than how it offends women.

Recommendations

- ✍✍ Amend the definition of “indecent representation of woman” to shift the focus from “public morality” to “acts which are derogatory to a woman from the perspective of a woman herself”.
- ✍✍ The MWCD to play an active role in review of various laws and broadcasting guidelines which govern the media.
- ✍✍ The MWCD to assess the code formulated by the Advertising Standards Council of India (ASCI) and the extent to which it is complied with
- ✍✍ Encourage the media to refrain from presenting women as inferior beings and exploiting them as sexual objects and commodities.
- ✍✍ Create a platform for women journalists to better network and co-ordinate with each other.
- ✍✍ Aim at gender balance in the appointment of women and men to all advisory, management, regulatory or monitoring bodies, including those connected to the private and State or public media.
- ✍✍ Media should focus on programs for elimination of violence against women. Effort should be made to ensure that they communicate the issues without bias and without sensationalizing it.
- ✍✍ Written and visual material on various laws in all languages should be disseminated among the public
- ✍✍ Media should play a positive role in its portrayal of women and avoid the stereotypical role of women
- ✍✍ More women in the censor board to check indecent representation of women

5. ACCESS TO LEGAL SERVICES

Guarantees of women’s rights to equality shall be realized only if women are encouraged to assert their rights in a court of law. In order to achieve this objective, there is need to ensure a woman’s access to legal aid services.

Article 39A of the Constitution of India provides that State shall secure that the operation of the legal system promotes justice on a basis of equal opportunity, and shall in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disability. Articles 14 and 22(1) also make it obligatory for the State to ensure equality before law and a legal system which promotes justice on a basis of equal opportunity to all. Legal aid strives to ensure that constitutional pledge is fulfilled in its letter and spirit and equal justice is made available to the poor, downtrodden and weaker sections of the society.

The Legal Services Authority Act was enacted in the year 1987. Section 12 of the Legal Services Authorities Act, 1987 includes women as a category eligible for free legal aid in its list of eligible persons.

A nationwide network has been envisaged under the Act for providing legal aid and assistance. National Legal Services Authority is the apex body constituted to lay down policies and principles for making legal services available under the provisions of the Act and to frame most effective and economical schemes for legal services. It also disburses funds and grants to State Legal Services Authorities and NGOs for implementing legal aid schemes and programmes. It also envisages legal service authorities to be constituted at every state, district and taluk levels. These authorities are supposed to give effect to the policies, directions and implement legal aid schemes in their respective areas.

Legal aid to a woman however still remains a distant dream in our country. Further even if a woman decides to approach the court she is beset with many hurdles like the quality of legal aid, attitude of the implementing bodies and the lengthy period of judicial process etc.

Recommendations

- ☞☞Take measures to exempt women from paying fees while pursuing cases of human rights violations.
- ☞☞Increase in the percentage of women in Police and judicial services
- ☞☞Constitution of Legal Service Authorities at district and taluk levels.
- ☞☞Monitor the function of the Legal Aid Centres
- ☞☞Ensure that legal aid centres be set up consisting of a group of committed and gender sensitive lawyers.
- ☞☞Respective states to carry out legal awareness programmes in collaboration with NGO's working at the grassroot levels..
- ☞☞Gender sensitization trainings and trainings on the use of gender specific laws to be provided to all members of the Legal Services Authorities and those involved with their functioning.
- ☞☞Training manuals to be developed for wide dissemination.
- ☞☞Publicity of legal aid schemes and programmes to make people are about legal aid policies.
- ☞☞Training of all levels of government officials on all laws.

- ☞☞ Legal awareness training should be provided for women leaders in the grass root, district and block levels
- ☞☞ Organize lok adalats and encourage alternate dispute settlement mechanisms for efficacious settlement of cases.
- ☞☞ 'Mahila Panchayats' in Delhi supported by DCW should be studied. The quality of such programmes needs to be closely monitored so as to ensure that the resolutions keep women's interests in mind and that they are in keeping with constitutional legal framework. Best practices should be collated from such for a and widely disseminated for adoption in other parts of the county.
- ☞☞ Legal aid cells at the Panchayat level should be set up where both information and support is provided to rural women, especially poor women, for exercising their rights. Funds for legal assistance should be provided to poor women seeking legal redress
- ☞☞ Adequate resource allocations for trainings and follow-up activities should be made to ensure that the women actually benefit
- ☞☞ Accreditation of para-legal workers from reputed legal institutes should be done so that they can liaise between the victims, courts and justice delivery systems

6. GENERAL RECOMMENDATIONS IN RELATION TO COMBATting VIOLENCE AGAINST WOMEN.

6.1 Sensitization

- ☞☞ Promote an active and visible policy of mainstreaming a gender perspective, including VAW in all policies and programmes
- ☞☞ Educate and gender-sensitize the public, police and judiciary. Gender should be made a mandatory part of the curriculum and in-house training of police as it has been found that the present gender orientations are not adequate
- ☞☞ Amend school curriculums to include violence against women and girls and their legal rights and entitlements in an appropriate manner keeping in mind the age of the child etc. This should be done in consultation with women's groups and groups working on education. A gender audit of textbooks can be undertaken
- ☞☞ Awareness on gender issues in general and violence against women should be included in the core teachers training curriculum, refresher trainings and curriculum of DIETS. The present system of periodic gender orientations is not effective and the change has to be a systemic level
- ☞☞ The Youth ministry should take up VAW/G as a priority issue and encourage interaction with young people, particularly boys. For instance, Jamia Milia University has started a training program for boys in the community on 'gender' to curb violence against women and girls
- ☞☞ Registered SHG federations should be provided training to identify and deal with issues of violence against women. Small funds should be made available with guidelines on spending to enable the federations to assist such women in distress.
- ☞☞ Facilitate the implementation of training programmes for judicial, legal, medical, social services, social work, educational, police and immigration personnel to

educate such personnel and sensitize them to the social context of violence against women.

6.2 Support Services

- ✍✍ Every district should minimally have two shelter homes for women and girls. This should be in the nature of a one-stop crisis centre where different key services like legal aid, counseling, medical help etc. can be availed. NGOs and government agencies running such centres should be trained adequately.
- ✍✍ More counseling centres with qualified social workers cum counselors with good pay packages should be set up. The central social welfare board (CSWB) should ensure regular funding.
- ✍✍ A certified course on counseling should be developed and offered through reputed organizations to ensure the availability of counselors especially in rural areas and in small towns where there is acute shortage of such facilities
- ✍✍ Allocations for more medical/trauma centres both separate and within existing government health facilities should be earmarked
- ✍✍ Rehabilitation in terms of capacity building for victims with skills for self-sustenance, property, livelihood, care and protection, can prevent discrimination and stigmatization
- ✍✍ As more and more people flock into the cities, free night shelters should be built in the urban centers to check trafficking and other forms of violence against women and children
- ✍✍ The experience of setting up women's desks within the police station which is being tried in some states should be studied and if found effective, be up scaled.
- ✍✍ Ensure that women subjected to violence have access to law enforcement and justice delivery mechanisms.
- ✍✍ Set up hotlines and helplines providing information, advocacy, support and crisis counselling. Rehabilitation in terms of capacity building for victims with skills for self-sustenance, property, livelihood, care and protection, can prevent discrimination and stigmatization

6.3 General

- ✍✍ There should be stringent implementation of the existing provisions for prevention of violence against women in which MWCD and NCW should play a monitoring role
- ✍✍ Police has to be accountable for the proper implementation of law, filing of Firs, taking preventive measures
- ✍✍ Adequate representation of women in police and judiciary to be ensured with a minimum of at least 33% by the end of XI Plan
- ✍✍ Prison reforms to take care of needs and problems of women prisoners should be carried out.
- ✍✍ Adopt, implement and periodically review and analyze legislation to ensure its effectiveness in eliminating violence against women.

- ☞☞ Strict action to be taken against community level structures that pronounce anti-women judgments and actions in cases like inter-caste or religious marriages, witch-hunting etc
- ☞☞ There should be regular dissemination of information on status of various legal reforms
- ☞☞ Women's organizations should be consulted at all stages of legal reform process
- ☞☞ Self defense training for girls to be made compulsory in schools
- ☞☞ Women activists taking up cases of violence against women are often threatened and attacked. Strict action should be taken in such cases and the rights of women activists protected.
- ☞☞ Support a holistic, multidimensional, multidisciplinary programme on VAW to be implemented in partnership with the UN System, civil society groups and women's groups/networks.
- ☞☞ Support research initiatives on the causes, consequences, costs of and remedies for different forms of VAW, its extent and linkages to other forms of oppression such as class, caste, religion, ethnicity, economic status, occupation.
- ☞☞ Support research initiatives exploring the intersectionality of VAW with HIV/AIDS, disability, sexual orientation, migration, disasters and conflicts etc
- ☞☞ Promote research that demonstrates "what works" with regard to addressing VAW.
- ☞☞ Ensure that registration of Births, Deaths and Marriages is computerized. Registration of marriages should be made compulsory.

CHAPTER IV

SOCIOECONOMIC AND CULTURAL INTERVENTIONS FOR VULNERABLE GROUPS

The Tenth Five Year Plan categorized the developmental needs of the female population using the tool of age and classified them into five age-groups.

- ?? Girls in the age group of 0-14.
- ?? Adolescent girls in the age group of 15-19,
- ?? Women in the reproductive age group of 15 to 44,
- ?? Women in the economically active age group of 15 to 59
- ?? Older women in the age group of 60+ and above.

The first two categories comprising infants, children and young girls represent roughly half of the country's female population. Within these two categories, there are especially defenseless sub-groups, such as the girl children of tender years, when discrimination in matters such as food intake, health and medical care, schooling, recreational facilities etc. is entrenched both within families as well as communities as well as larger social formations. Another group consists of girls stepping from child hood to adolescence, facing a new grown-up world, with very little preparation of learning, knowledge or skills, or of how to come to terms with their own emerging sexuality in a patriarchal environment.

While age is an important marker in categorizing women, there is also the necessity of looking at other criteria such as those based on certain socio-economic differentials. Besides looking into women, on the whole, as a discriminated lot, it is important to reflect on the reality that women are not a homogenous category. The draft Approach Paper to the Eleventh Plan repeatedly emphasizes the need to restructure growth as a broad and inclusive process. It frankly admits that even the achievement of reaching broad based and inclusive growth will not suffice to reach "certain marginalized groups" and that the 11th Plan must pay special attention to the needs of these groups. The Paper points to SC's, ST's, some OBC's and minorities as those who are lagging behind. The women and girls belonging to such groups are doubly disadvantaged and, therefore, need more attention in the XI Plan.

Whilst developing the theme of deprivation and scarce access to social services, it is accepted that the most deprived groups among the poor are rural women, urban slum women, dalits, adivasis, backward classes and other categories as detailed in the chapter on Introduction of this Report.

In fact, viewing women as a distinctly separate group (from men) misses out the intersections between gender and other variables of social and economic status. These intersections reinforce vulnerability of more than one type and result in double and triple discrimination amongst women belonging to these groups. It is necessary not only to unravel these threads and trace several distinctive roots of inequality and discrimination,

but also to conceive of multi-layered responses in planning and programming in order to bridge the divides using the theme of 'inclusive growth'. "While gender is undoubtedly an independent source of vulnerability, what is of particular concern is the way class, social and gender relationships reinforce one another in order to increase the insecurity and vulnerability of poor, low caste women" Srivastava (1999).

The proposition is that there is a certain pre-disposition to being deprived of human development opportunities, even where these opportunities, state provided or otherwise, exist for the men and women of these communities. What is less recognized is that this pre-disposition is aggravated in the case of women of these communities - being a woman exacerbates the conditions of being poor, illiterate, landless, asset-less and (or) suffering from poor health morbidity or malnutrition. This systemic differentiation has to be responded to using the enabling provisions of Article 15(3) in respect of women of these deprived groups. Extending this beyond (but inclusive of) the gender logic, it is possible to draw inferences that there are as glaring disparities between women and girls of different social and economic groups as there are between men and women (including girls) of different groups.

Women from Scheduled Castes and Scheduled Tribes

Discrimination In Education

As per data collected by the Ministry of Human Resource Development

- ?? In 60 districts in the country, literacy rate of both SC and ST girls is less than 10%.
- ?? In 16 districts in the country, either the SC or ST female literacy is less than 5%.
- ?? In 68 districts, either SC or ST female literacy is more than 5% but less than 10%.
- ?? In only two districts in the country, general female literacy rate is less than 20%

The stark disparities in access to human development amongst SC/ST girls in the country are well brought out by the data above. It brings out the crucial need to not only see social, economic and gender disparities within the same frame, but also provide responses that integrate all these concerns. There are some welcome initiatives emerging from the Ministry of Human Resource Development. Special attention is being paid to districts identified as 'low female literacy districts' for Scheduled Castes and Scheduled Tribes. The proposal is to launch national programs of elementary education in these areas.

Another welcome initiative by the Ministry is to cross-match indicators of educational backwardness such as minority concentrations, tribal and Schedule V and VI areas etc. and draw up lists of such districts for introducing program interventions. However, the exercise does not disaggregate the data by sex.

Looking at subordinate status of women and girls as a hard fact and as a systemic feature at all levels of society today; perhaps the above findings/suggestions would seem to be only belaboring the point. But sectoral development planning often fails to catch the

extent of gender discrimination across social groupings in situations of double and triple pronged exclusion. Interventions for girls cannot and or should not stop at narrowing the gender gap (in access to human development opportunities), but also bridge the divides of social, caste and religious groupings. Support to human development through affirmative action has to straddle both gender and social divides. It is here that the provisions of both Articles 15(3) and 15(4) of the Constitution are to be synergized.

Instruments of gender planning such as national and state action plans for women, perspective plans for women, gender budgets, gender audit etc. should pay sufficient attention to the problem of reaching women of particular groups, communities and categories to help them to catch up. Conversely, affirmative programs for SC/ST and other similar groups being administered by the concerned Ministries should pay attention to gender as well as caste/tribe, which is not the case now.

A scan of Government documents reveals gender gaps in affirmative action programs meant for such disadvantaged groups. Chapter IV, Vol.II of the Tenth Plan document deals exclusively with Socially Disadvantaged Groups. But the provisions do not respond to the capacity building needs of women and girls of these groups, who are facing double deprivation of caste and gender. A few illustrative examples are given below:-

- ?? 13, 000 scholarships are to be granted to talented rural SC/ST children at the secondary school stage during the Plan period.
- ?? 70 scholarships are provided for SC/ST candidates under the National Talent Search Scheme.
- ?? 50 Junior Fellowships are to be awarded every year in sciences to SC/ST candidates who appear in the National Eligibility Test (NET) and qualify the eligibility test for lectureship.

There is no special consideration for “being female” in these grants, though the poor educational status of scheduled caste and scheduled tribe girls, vis-à-vis that of boys in these communities is borne out in each set of Government data on levels of SC/ST enrolment, drop out and attainment.

Other such gender-muted instances of affirmative action include reservation of seats for SC/ST candidates in IIT's, IIM's, Regional Engineering Colleges, Central Universities, Kendriya Vidyalayas, and Navodaya Vidyalayas etc. These are amongst the most prestigious educational and professional institutions run under the aegis of the Central Government throughout the country.

The only welcome exception is an Intensive Program for Educationally Backward Minorities in 325 blocks in 13 states and in 4 districts in Assam, which focuses specifically on girls belonging to minority communities.

The issue is whether multiple disadvantages can be captured and responded to along a single axis. Data shows that whether it is women and girls of minority communities or socially disadvantaged groups or those suffering from disability or the aged, for all of them, several axes of disadvantage operate simultaneously. Absence of

special gender focus in affirmative action in favor of socially marginalized groups often means accepting the fall back position of making choice on the basis of 'merit', a criterion that has negated the vision of social and gender empowerment in the larger context.

The effects of gender on schooling, as brought out in a survey of Bihar and UP, show girls from poor low caste households as having the least access to education. 61% of SC/ST girls were out of school, while only 12% of girls belonging to upper caste households were out of school.

Since both the states are educationally backward, the overall enrolment rates are poor and so are the female enrolment rates, with wide gender disparities. Among each social group and within each quintile, lesser numbers of girls are enrolled, indicating the importance of gender as a factor determining access to education.

In the lowest quintile, nearly two-thirds of girls are out of school, while this number declines to one-fifth in the highest quintile. But it is the girls from the poor, low-caste households who have the least access to education. About 70% of SC/ST girls, 75% girls from agricultural OBC households, 64% of girls from non-agricultural OBC households in the poorest category are out of school. Compared to SC/ST girls, 61% of whom are out of school, only about 12% of girls from upper caste households are out of school.

The researcher observes, "the largest educational differential is between poor low caste girls and rich upper caste males in these areas, showing how social, economic and cultural (gender) relations reinforce each other to the detriment of this group of girls". While this provides a gender comparison, the data also shows the steep differential between the enrolment rates of the poorer low caste, Muslim and backward girls and the rich/better off upper and middle caste girls.

What is needed is not only more data on dalit, adivasi, Muslim and other vulnerable groups of women disaggregated by income and consumption variables, but also to ensure that these distinctions are kept in mind when designing policies and programs for education and training.

Discrimination in Health

Equal access to education and health is part of the right to equal enjoyment of human rights by women and men as a universally accepted principle, reaffirmed by the Vienna Declaration adopted at the World Conference on Human Rights in 1993. (Human Development Report 1995) Education and health both promote the freedom and capability of individuals to make use of available opportunities (Dreze and Sen 1995).

However, data on the health status by gender/caste/tribe/community is much less available in official health statistics than in educational statistics. A World Bank Survey (2000) shows that households in the poorest quintile in the country had two-and-a-half

times the rates of infant mortality and child mortality and nearly 75% higher rates of malnutrition than the richest 20% households. But corresponding comparison of girls of these groups is not readily available. (World Bank 2000) Availability of such data would help in looking at the combined effect of gender and social backwardness on human development indicators.

In a study of socio-economic, health and nutrition inequalities of women in India, based on NFHS 2 data, a group of researchers found that poverty measured on the basis of low standard of living, illiteracy, no exposure to media and no health facility within locality was highest among the SC/ST women in the sample, of whom nearly half came from households with low standard of living. In the other category of women, non-OBC/SC/ST, hardly 20% of the women had a low standard of living. Among OBC women, one third fell into the poverty category.

The analysis found that the same pattern of deprivation, SC/ST the most disadvantaged group, OBC next and “others” in the best position, prevailed across the remaining indicators such as antenatal care, unassisted delivery, anemia and low body mass index.

The group of researchers succeeded in bringing out the effect of social stratification on the extent of utilization of health care programs and on nutritional status and that, differentials between the four groups of women – SC, ST, OBC and “others” are partly due to socio-economic factors. The researchers also point out that the situation of inequality on account of disparities by caste/tribe in less developed and poor performance states is different from the situation in better-off states showing consistently good overall performance.

Infant mortality differentials for example, are accounted for not only by education of mother, residence (urban-rural) or place of delivery (health facility or home) but also by the fact of belonging to particular social groups. The mortality differentials between children of SC, ST and “others” are striking. These differentials are also widening. In NFHS I, the IMR amongst SC's was 24% times higher than the national average. Similar differentials exist in the treatment of morbidity among children. Education of mother and location of residence account for as much of the differentials as the fact of belonging to SC and ST (Shiva Kumar 1999)

Though there do exist separate agencies working within the government for the welfare of different caste and religious groups, it has been the experience that they tend to club gender along with caste, tribe or religion and community. Gender is not seen as crucial, so progress is measured by the steps taken by the group as a whole.

Human Development indicators of these groups and communities tend to be much lower than that of the ‘general’ population. But within these groups, women tend to do much more poorly. Unless focused attention is paid to gender and caste (or religion, tribe, region, race, etc. as the case may be) in plans and programs, the progress achieved will be one-sided. The active intercession of MWCD on behalf of the women and girls of these

marginalized groups is an imperative in the interests of “inclusive” growth. It is well known that in all development indicators women tend to be crowded at the bottom. But it is lesser known that within women, human development indicators show a definite pattern.

While this active involvement by MWCD may not (or need not) take the shape of program interventions, a continuous watch dog and monitoring role is necessary, backed up with collection of feedback and data. .

Recommendations

- ✍✍ Intersectionality should be taken on board as a guiding principle of gender planning. Discrimination is doubled, trebled and multiplied further in case all the different axes intersect – caste/tribe, religion, economic and work status, residence, geographic location, asset-ownership, marital status, age, health status, etc. The gender framework should incorporate this.
- ✍✍ A comprehensive data base will enable MWCD to keep track of the progress achieved in basic human development indicators by women and girls belonging to these groups as well as women in general.
- ✍✍ Apart from human development indicators such as health and education, etc. women of some of these groups suffer from a multitude of handicaps, ranging from legal barriers to being exposed to superstitions.
- ✍✍ In all programs an exercise should be done to establish the existing patterns of discrimination, lower participation and performance. This necessitates the collection and arrangement of data (on program participation etc.) by caste, tribe etc. This should be introduced. Reporting of this data in the Annual Report should also be considered, again in the interest of inclusive development.

Tribal women have been conventionally held to be better placed than women in other communities since they are not subjected to segregation within the community nor are their life styles dictated by purdah values. Both in the overall tribal population and in the child population the female: male sex ratio is higher than those in the general Indian population. However, the tribal population consists of many diverse groups spread throughout the country and is located at different stages of development. Drawing general conclusions may not reveal the whole picture. There is also a decline in the child sex ratio between the last two Censuses.

The strength of belonging to the “community” is a typical feature of tribal life and women feel a strong sense of their own group identity. This identity is also linked to their livelihoods and to their own norms of inheritance and asset ownership. However, tribal women are also dominated by male led local institutions

With modernization, tribal women have experienced loss of livelihoods and also access and control to natural resources, including land, forests, water etc. Tribal communities are often involved in conflicts relating to these and other issues. The entry of private companies has exacerbated this process. There are also the problems associated

with displacement caused by the introduction of huge development projects in tribal areas. Women have taken part in many of the agitations surrounding these projects.

The loss of livelihoods has led to tribal women's increasing dependence on migration. Their work load has increased with the loss of traditional rights. They are also subjected to sexual violence, exploitation and trafficking. They are in conflict with many powers and interests – ranging from the state agencies to builders and landlords.

Against this general background, which affects both men and women, tribal women have to fight for their rights with the men of their communities as well. New practices of controlling women's freedom to move and travel freely are now noticeable. Customary rights over land are being eroded. Older practices of witch hunting are also continuing. The custodial rights of women over their children are also beginning to be threatened.

Women themselves have started questioning the prevailing convention of treating their status within the community as egalitarian. Though still community-centered and reposing pride in their collective identity, they are now looking at their own position in the current period of transition, especially in inter-generational terms. Child marriages are increasingly taking place and witch hunting is now increasingly linked not only to women's property rights but also to bigamy. Women do not participate in the traditional decision making forums and there is an increase in the incidence of alcoholism and the resulting domestic violence. A major area of neglect is tribal women's health.

Recommendations

- ☞ Tribal women's status is an extremely multifaceted and complex issue, given the multiplicity of tribal customs, cultures, norms etc. There is an urgent need to document the changes in status of women belonging to particular groups resulting from socio-economic development, while respecting the inherent variety.
- ☞ Women's participation in traditional decision making forums as compared to their access to the bodies created under the panchayati raj laws should also be studied.
- ☞ Customary laws – not recorded – of different tribes should be documented in order to gain a better understanding of the emerging issues.
- ☞ MWCD should try to make all its support programs, such as awareness generation, short stay homes, Swadhar etc. accessible to tribal women by means of mounting a special campaign.
- ☞ Economic programs in tribal areas being implemented by MWCD should incorporate decrease in migration of women as one of its objectives.
- ☞ Better collaboration between MWCD and the Tribal Ministry should become a special area of attention.

Women from Minority Community

The main issues of Muslim minority women stem from three major factors: a) insecurity b) exclusion and c) poverty.

Recommendations

- ✍✍ Muslims need to be integrated into the list of BPL population.
- ✍✍ Provide Government Scholarships for education from primary to higher levels.
- ✍✍ Address the whole range of basic needs by first listing the areas of disparities, including- but not confined to – education, health, employment, credit, civic infrastructure, poverty strategies, etc. holistically.
- ✍✍ Basic civic infrastructure is lacking in most areas inhabited by the Muslim poor population; implementation of the same must be undertaken with the participation of NGOs.

Disaster Affected Women

Experiences have shown that disaster, however ‘natural’, is profoundly discriminatory. Wherever they hit, pre-existing structures and social conditions determine that some members of the community will pay a higher price. Among the differences that determine how people are affected by such disasters is that of gender.

Women’s lower status in general results in various kinds of exclusions and vulnerabilities in a disaster setting. Low mobility and lower access to information implies that women are often the last to receive relief resources. Women are disproportionately represented within the informal and agricultural sectors, which are the most adversely affected by disasters. This adversely affects their claim to relief and rehabilitation. Thus, women experience high rates of unemployment, even further decreasing their bargaining power within households and communities. Unlike men, they are the primary household caretakers and thus are not able to migrate for work. All these factors involving structural biases and gender discrimination results in the compensation amounts awarded being directed invariably at men.

Furthermore, domestic violence against women sharply increases after disasters and women face additional kinds of physical and sexual violence in relief camps. In the face of disasters where men die, are injured or migrate, women are left to lead households and communities, with few marketable skills and opportunities and even more vulnerability to violence and extortion. Women take on the responsibility for both caring for families and meeting livelihoods while having the least access to information, resources and opportunities.

Disasters create the potential to engage in longer- term rights and equity- based development through critical and practical strategies for gender empowerment. Successfully incorporating women within disaster management and mitigation is one way to increase women’s social, political and economic status in general, and to minimize the currently disproportionate impact of disasters on women. Strategies include strengthening the marketable skills of women, promoting livelihood options, enhancing women’s leadership in micro-planning, relief and disaster mitigation and increasing their role in local governance.

Practically, women have immense knowledge of their local environments and information about how to mitigate risks that lead to disasters. This knowledge can be transformed into actionable expertise by involving women within disaster management. Furthermore, women are the most effective in mobilizing communities, networks and institutions to pool resources, respond to disaster and create safety mechanisms. Women are also most knowledgeable about those living within their communities, in terms of identifying marginalized groups and community trends.

Recommendations

- ☞☞ A policy framework to plan the re-construction process of women is essential within disaster management planning. Re-building should address the root causes of vulnerability including gender inequalities.
- ☞☞ Promote joint entitlements like Patta, Compensation.
- ☞☞ Have appropriate gender and disability-sensitive infrastructure/community assets.
- ☞☞ Availability of suitable insurance and prompt settlement of insurance claims for life and assets are crucial aspects of disaster management. While India is a high-risk region for natural disasters, there is currently a lack of adequate community-accessible risk management insurance. The insurance market remains under-utilized. Policies can play an important role in promoting community-accessible insurance schemes for those in ecologically-fragile and disaster-prone areas.
- ☞☞ Increase resource allocations for gender-sensitive interventions. These include trainings, as well as modifying institutional structures and mechanisms.
- ☞☞ Develop and adopt codes of conduct for government, aid workers and armed forces that are sensitive to the vulnerabilities and needs of women.
- ☞☞ Collect and use gender-disaggregated data for all vulnerable groups, to inform relief and rehabilitation policies. Conduct social equity audits after critical stages of relief and rehabilitation are completed.
- ☞☞ Examine and review the relief code and Disaster Management Bill to ensure gender mainstreaming.
- ☞☞ Greater accountability for ensuring gender mainstreaming in disaster management, should be instituted via performance management systems.
- ☞☞ Poverty alleviation programmes should create opportunities for gainful employment for women, especially in disaster-prone areas.
- ☞☞ Convergence of various line departments and civil society organizations, before, during and after a disaster.
- ☞☞ Community participation, particularly involving women, including socially excluded and vulnerable groups, must be an integral part of disaster preparedness and management interventions.
- ☞☞ Existing community structures such as women's SHGs, health (Swasthya) committees, watershed groups and local panchayats should be involved in disaster preparedness issues and sensitized about gender.
- ☞☞ Pre-disaster convergence meetings at district and block levels must take up preparedness issues such as availability of essential medicines, safeguarding against trafficking and other violence against women.

- ✍️ Information and communications systems should be gender-appropriate and accessible, e.g., early warning groups, health committees, etc.
- ✍️ Identify tools and yardsticks by which performance with respect to women can be monitored at all levels – district, block and village.
- ✍️ All block, district and panchayat/village contingency plans must be made public (shared with key stakeholders)

Women in the North-East

The conflict situation in the North East is rooted in lack of income and employment. The Look East policy of the GOI could be a valuable device to open opportunities. Of special attention are issues related to introducing new avenues for non farming activities of women - food processing, bottling, canning and packaging. Attention needs to be paid to creating job oriented skills for manufacture of indigenous products, popularizing indigenous cuisine in the potential tourist areas and highways, skills in hotel management, creating travel guides to depict north east histories, cultures and traditional assets etc.

Women are the most vulnerable section of society in Border trade centres and areas, which are adjacent to international borders and normally a ‘no-man’s land’ controlled by anti-social elements and organizations that are inimical to the interests of the country. Under the circumstances, women, who are the major component in border trades, especially in agriculture and allied activities, are under severe threat. Matters are compounded by problems of infrastructure and facilities, which are either most rudimentary or simply do not exist. Access to health, education, drinking water, and sanitation, etc, is almost impossible, which adversely affect health.

Border Trade Centres/Areas besides normally being hot beds of smuggling, particularly of narcotics, also are centres of trafficking of women and children. Women are rendered vulnerable to all kinds of diseases, especially STD, HIV/AIDS. Women are also used or forced into smuggling of narcotics, which makes them further vulnerable to law-enforcing agencies that are not sensitized to dealing with women law-breakers. The circle gets more vicious for women in these areas, many of whom are either illiterate or have received only rudimentary education and cannot be expected to be aware of their fundamental, human, legal and other rights. Problems of communication, organized marketing and non-implementation of labor laws also adversely affect women’s economic power, which in turn reinforces them to play subservient roles and their empowerment continues to remain illusionary and elusive.

It is therefore suggested that some mechanism is set-up in Border Trade Centres and Areas to enforce the law of the land, as also to implement and monitor all fundamental, human, legal and other rights to ensure that no citizen of this country is denied and deprived of them.

Enhancing the utilization of the region's local and rich natural resources with appropriate technology for producing and marketing herbal products and processed food/fruits is another avenue to meet with the challenge posed by anti-social elements. Cold storages can be located in appropriate areas of the region, to sustain perishable items before they are transported to larger markets.

Recommendations

- ☞☞As a result of conflict in the area, trauma and fear among women and children is high. There is evidence that homes and counseling centres in the region are mostly dysfunctional, and there is a need to revamp the existing night and counseling centres for women.
- ☞☞Resource allocation is a priority for healthcare services and counseling for women.
- ☞☞Up gradation of support services such as health care for women; refresher courses on counseling have to be initiated to upgrade the quality of counseling.
- ☞☞Violence against women has to be seen as a public health issue because of the repercussions of its increase in the north east region as well as the general apathy to such incidences. Strict measures need to be established by the government to safeguard visiting tourists, especially women, from sexual harassment.
- ☞☞On the lines of the Supreme Court Guidelines on Sexual Harassment at the workplace, women involved in the tourism industry, buying selling and marketing should be safeguarded too.
- ☞☞There should not be any stationing of military and paramilitary forces near girls' schools, hostels etc.
- ☞☞Gender Sensitization of Military and Paramilitary forces is a crucial need and should form part of the priority agenda. .
- ☞☞Fast track criminal courts should be set up for dealing with cases against military, paramilitary and other State officials who inflict atrocities against women.
- ☞☞Provision for women's safe mobility and their physical access to common Property Resources should be ensured
- ☞☞Land should be transferred to Female – headed households impacted by conflict and death of husband, etc.
- ☞☞Due to increase in the number of orphans free orphanages are required with facilities for food and education up to class X
- ☞☞Special attention needs to be paid to capacity building of both boys and girls in order to sensitize them to especially cultural and social issues.
- ☞☞Introduce State insurance to cover victims.
- ☞☞Vocational and technical training of women in particularly non-traditional areas along with appropriate skill training, technical up-gradation, and entrepreneurship under public-private partnership within a region specific context.
- ☞☞Increase allocation to SHGs and develop them into independent Cooperatives.
- ☞☞Resource allocations should be part of the planning process in order to implement market concepts.
- ☞☞Given a history of women's collective role in livelihood practices, a group approach should be adopted where women of the region, especially that of tribal and ethnic communities, can work together both in agricultural and non- agricultural sectors.

- ✍✍ There should be a separate quota for conflict affected female headed households under *Indira Awas Yojana*.
- ✍✍ Suggested funding for the above can perhaps come out from the funds available in the Non-lapsable Pool.

Internally Displaced Women

Recommendations

- ✍✍ Formulate a national policy for the resettlement of internally displaced within a specific time frame.
- ✍✍ Attention should be given to ‘Internally Displaced People’ with special emphasis on women & children in conflict areas like Assam, Manipur, Nagaland and Tripura. Displacement also leads to internal migration where women have become totally vulnerable. They are reported to have left their homes and have resorted to work as domestic servants, liquor vendors, sex work and the like. Such issues and their solutions should be incorporated into policies
- ✍✍ Conduct surveys of physical structure, livelihood and job opportunities, and basic requirements of people.

Urban Poor

Urbanization is an increasing phenomenon as the nature of activities pursued by an economy progressively shifts from primary to the secondary and tertiary sectors. Urban poor settlements in India are around 40 million and the average family size is 5. It has been projected by the Planning commission (Working group on 9th Plan) that by the end of the 9th Plan and at the beginning of the 10th Plan, the shortage of housing in urban areas would be 16.76 million houses. Of this 10 million houses would be needed for the economically weaker sections, which can be broadly categorized as below poverty line population.

Recommendations

- ✍✍ Women’s rights to housing need to be understood in terms of their entitlements. This means they have rights in, access to and control over land, housing and property. The state must evolve policies and programmes that are sensitive to the nuances of women’s status-linked needs - aged, widows, divorced, and single.
- ✍✍ There is a need for greater commitment to institutional re-orientation by adopting a more ‘enabling’ approach to the delivery of basic services accessible to the poor through the more effective mobilization of community resources and skills to compliment public resource allocations.
- ✍✍ Major areas of attention include: town planning, land management, adequate housing, poverty alleviation, and provision of basic amenities, access to social services such as health, education, access to credit etc. all of which are crucial for women’s human capital development and for reducing the incidence of poverty

- ✍️ Improved access to social services would also help in building up the capacities of poor women and empowering them to improve their own living conditions and quality of life.
- ✍️ Effective delivery of these services would also reduce social and gender inequities and promote integration of people residing in slums into the social and economic networks of the city as a whole, thereby enhancing the overall productivity of the city.
- ✍️ Various physical infrastructure components such as water supply and sanitation have a direct bearing on improving health conditions in slums, especially of women.
- ✍️ There is a need for formulating a National Urban Settlements for the Poor Policy, which would cover the above said components. Women's needs arising from their gendered position as well as their being poor, should form part of the policy

The 'Missing' Girl Child

The most critically endangered sub-group (out of the five age groups listed earlier) is that which does not figure in the above list. This sub-group is not eligible for listing because the numbers are 'missing' – and what is not counted, does not exist on public record. This sub-group consists of the unborn girl children in their mothers' wombs, who are deliberately disposed of (in contravention of existing laws) before birth only because they are female. Their disposal is an instance of the most extreme instance of gender discrimination, (forbidden both by domestic and international laws and conventions), but seldom regarded as such, it being more commonly referred to as a 'social' issue. Estimates drawn from the 2001 Census indicate a figure of 15 lakh "missing" girls in the 0-6 age group in a period of 6 years. During the period 1991 to 2001, the female: male sex ratio in this age group has declined from 945 to 927.

Not having been born, this category has no presence in a five year plan; yet the burgeoning size of this "missing" group is now receiving attention as a factor crucial to the health of the social fabric and to the well being of communities, both of which are fundamental goals of socio-economic planning. The high numbers of missing girls seriously affect the status of the living girls and women and their prospects for a safe and secure life. Less realized is the strong possibility that increasing numbers of 'missing' girl children are also inimical to the safety and health (including mental and psychological health) of mothers. Repeated abortions weaken the reproductive health system and increase the risk of infections. There is evidence of regression to earlier marital practices such as polyandry. Women from lower socio-economic strata are also being trafficked from 'supply' centres to 'demand' centres to make up for the deficit of females in the marriageable age groups. Reports are also surfacing of women being auctioned in public after being trafficked from far away places. All such women are treated as merchandise, as 'inferior' wives and many of them are abandoned as soon they carry out their apportioned task of giving birth to children.

In 'deficit' areas, there is also some evidence emerging of increased surveillance over young girls and their physical movements at the village and local level, by

traditional male-dominated councils such as the khap panchayats. The incidence of violence against women is on the rise, giving the lie to the myth that lesser numbers of women means better and more humane treatment, resulting in higher status.

The female deficit in the younger age groups today will soon make its presence felt in the older age groups of women as well – amongst women who are of marriageable age. Whereas now, there are ‘deficit’ areas and ‘surplus’ areas, the situation may become quite starkly different in the near future and this will have far reaching consequences.

Factors responsible for female feticide are many, complex and interlinking. A succinct summarization is given below:-

- ?? The obsession to have a son
- ?? The discrimination against the girl child
- ?? The socio-economic and physical insecurity of women
- ?? The evil of dowry prevalent in our society
- ?? The worry about getting girls married as there is the stigma attached to being an unmarried woman
- ?? Easily accessible and affordable procedures for sex selection during pregnancy
- ?? Failure of medical ethics
- ?? The two child norm policy of certain state governments

“The two child norm implies that the State promotes two children per family and has a system of incentives and disincentives/punishments for achieving it. A two child norm has the potential to cause immense harm to women’s health in the existing social situation where son preference is high and women’s status is very low. One of the gravest risks includes increase in sex selective abortion and consequent reduction in (the numbers of) girl children. We feel that the compulsion to have no more than two children would result in increased female feticide. This happened in China when Government declared that no couple should have more than one child. There are lessons to be learnt from the Chinese experience”.

The first report on Census 2001, “Provisional Population Totals Paper I of 2001 India” was the first to ‘break’ the news on the alarmingly low sex ratios. To quote from the Report,

“One thing is clear – the imbalance that has set at the early age group is difficult to be removed and would remain to haunt the population for a long time to come. To say the least, demographically, the sex ratio of 927 of the population in the age group of 0-6 does not augur well for the future of the country”

Women are victims of iniquitous gender relationships. If they fail to produce sons, they face desertion, humiliation and witch-hunts. Yet, they are also deemed to be the wrong doers when they attempt to dispose of the female children in the fetal stage or in infancy. In almost all cases, this action is collaborative, taken in consultation with other family members, both male and female. In certain parts of the country, women are punished under the law for committing female infanticide and are imprisoned. The compulsions behind these acts by the women can be imagined. Stories emerging from field surveys show how the act of giving birth to girls becomes a justified ground for abandonment of the mothers. In some cases, the 'guilty' women themselves, opt out of the marriage, locating a sister or any close relation or a stranger to take her place, who would produce a child of the 'right' gender

The Mid Term Review of the Tenth Five Year Plan (2005) in its Chapter IV on "Women, Children and Development" has observed as follows:-

"There are two important issues of policy associated with this decline in the child sex ratio. One is the obsession with population control, which assumes that all the failures in development can be mono-causally linked to population explosion. The other more recent issue is the intrusion of the two-child norm into the Panchayati Raj Acts of many states, despite its absence from the Population Policy of 2000, leading to disqualification of many elected representatives. Most of the excluded belong to the SCs and STs. Some experts have suggested a link between the imposition of the two-child norm and sex selective abortions. Imposition of the two-child norm, then, cannot be the route to population stabilization, for it may lead to a disturbingly unbalanced population. The reworded sentence in NCMP stating that population stabilization would be achieved by strengthening primary health care focuses on reducing infant, child and maternal mortality. This philosophy needs to underpin all schemes and all programmes. The Centre, should, therefore urge the chief ministers of the state governments that are implementing coercive population control programmes to immediately withdraw the programme".

Within the Government of India's Rules of Business, subjects such as women's physical and mental health, sex ratios, the two child norm, violence against women, population control and stabilization programs, trafficking and prostitution, child health and nutrition, abortion rights, female feticide, child survival etc. do not fall neatly into the purview of one or the other government ministries or departments. A number of agencies (both at the central and state level) are responsible for these and other allied subjects. It is difficult to fix accountability for the safe survival, healthy development and well being of the girl child and the mother at a single point. Inter-agency coordination is the mechanism that is conventionally resorted to; yet, inter-agency coordination has been one of the weakest links in government working, where the system tends to function in hierarchies, leaving little space for lateral thinking or action. Plans of action for the girl child at national and regional levels, in which effective level coordination has been the key requirement, have therefore not been either successful or effective.

The entity of Girl Child was brought into public focus only since the late 1980s. Prior to this, a 'gendered' view of childhood was seldom taken. Public agencies as well as most child lobbies saw childhood for both boys and girls as a uniformly vulnerable and critical period, when children needed the same levels and types of services, such as nutrition, health care, education, cognitive stimulation, shelter, play opportunities, etc.

This general, non-gendered view remained predominant, even though data collected by researchers from the field did show that girls had less access to breast milk and were less often likely to be taken to public hospitals when ill as compared to boys. Immunization figures showed higher drop out as well as lower completion. Enrolment and drop out figures carried the same tale.

To the same extent, the girl child tended to remain invisible in the eyes of members of the "women's rights" or "women's development" constituency. Here, the tendency was to identify "women" only in terms of adult age groups and to deal with patriarchal oppression and exploitation of women who had reached the child bearing age. In other words, the girl child fell between the two stools of age and gender and remained submerged. There were no separate planning provisions for the girl child either amongst children or amongst women. The gendered links with childhood or womanhood were also not apparent.

From the 1990's, MWCD has included the girl child on its agenda and in its programming and budget allocations, albeit to a modest degree, given the question of adequacy of resources. It has accepted that discrimination against the girl child is not merely a result of poverty and illiteracy; but is rooted in traditionally ingrained attitudes and mindset.

The perspective that is now needed for the MWCD to play an effective and meaningful role has to be a much larger one and has to take on board not only State Governments, but other organizations such as local bodies, media, medical doctors and lawyers, etc. Most of all, MWCD has to play a continuous gender monitoring and auditing role in terms of keeping in touch with the field on the repercussions of coercive policies such as the two child norm and incentives and disincentives being offered by several state governments in favor of this norm.

There is also the need to link this initiative with the issue of the status of women overall and not confine it to a stand alone theme. If the issue of missing girls and the precipitous decline in the female: male sex ratios across the country is seen in a wider context of cyclical neglect of the female population, from birth (or pre-birth) to old age, it would be possible to mount an even more effective response, through a "comprehensive strategy to promote and protect the rights of girls, starting with the younger generation. Four guiding principles can lay the foundation for this strategy viz.,

- ?? Gender Equality Starts Early
- ?? Women's Rights and Girl's Rights are interdependent
- ?? Children's Rights cannot be achieved without girls' rights

?? Civil Society partnerships are needed to end the marginalization of women and girls.

Instead of seeing children and women as separate entities, this approach serves to emphasize the linkages and the interdependence, even while respecting the values of childhood and girlhood independently.

Recommendations

- ✍ In addition to funding workshops, primary research on exploitative marital and other practices should also be taken up, especially in the ‘red’ states of Haryana, Punjab, and Gujarat etc. Studies on the gender outcomes (not only in terms of declining numbers) of various incentives offered by different states for adhering to the two child norm.
- ✍ Studies on trafficking of girls and women involving both ‘deficit’ and ‘surplus’ areas, involving not only research organizations and NGO’s but also various parts of the State apparatus.
- ✍ SAARC Convention on Trafficking be followed up
- ✍ Locale-specific media and investigative campaigns (not very large) in ‘deficit’ areas should be encouraged and funded.
- ✍ The ICDS network of women workers needs to be galvanized into action as it is they who are in the midst of the community and are aware of the situation. ICDS women workers need to be oriented about this complex issue from the perspective of the girl child and her rights so that they themselves do not become amenable to local pressures. Women and Disability

Women with Disability

The 2001 Census estimates that there are over 9 million women with disabilities in India constituting 3.5% of the population. Some researches estimate that there are over 35 million women with disabilities in India (Bacquer and Sharma 1997). Others put the figure at 20 million, 98% of them are illiterate: less than 1% can avail healthcare and rehabilitation services (Action Aid 2003 15)). But these statistics are only the tip of the iceberg when it comes to gauging the level of neglect, isolation stigma and deprivation that characterise their lives. The majority of women with disabilities in India suffer the *triple discrimination of being female, being disabled and being poor*. Indeed not only are they a socially invisible category but their plight is worse than both men with disabilities and other non-disabled women. Table No.1 gives the total number of disabled according to different disabilities.

Disability	Census 2001
Locomotor	61.05 (27.86%)
Visual	106.35 (48.54%)
Hearing	12.62 (5.78%)
Speech	16.41 (7.49%)
Mental	22.64 (10.33%)
TOTAL	219.07

While being a man and being disabled are very incongruous, being female and being disabled also implies a certain level of continuity as both are to varying degrees associated with notions of weakness, passivity and dependence. But the likeness is only superficial because a disabled woman is also considered incapable of fulfilling the normative feminine roles of homemaker, wife and mother. Then, she also does not fit the stereotype of the normal woman in terms of physical appearance. Since women embody family honour, disabled girls are kept hidden at home by families and denied basic rights to mobility, education and employment. They are less likely to be given in marriage than disabled men. Doubts around the capacity of women with disabilities to be sexual partners, homemakers and mothers abound. They are not considered capable of performing household chores, efficiently, having meaningful sexual relationships or producing and rearing healthy children. Under these circumstances, they may be married off to older already married or men in poor health. In short, women with disabilities do not have the same options of marriage and motherhood as non-disabled women. Being nurturing and caring are core characteristics of normative constructions of femininity, but women with disabilities are themselves in need of care. This inversion reduces them to the status of being lesser if not than women. Table No. 2 highlights the different disabilities according to sex and sector (urban/rural).

Table No. 2: Prevalence of Different Types of Disabilities by Sex and Sector per 100,000 Population

Type of disability	Prevalence per 100,000 population (rural)	Prevalence per 100,000 population (urban)	Prevalence Among males (Rural)	Prevalence among females (rural)	Prevalence among males (urban)	Prevalence among females (urban)
Locomotor	1046	901	1274	804	1058	750
Blindness	296	194	191	230	116	166
Hearing	310	236	379	301	234	238
Speech	210	187	242	176	221	151
Mental Retardation	110	100	113	69	118	81
Mental Illness	92	89	128	91	105	71

Source: NSSO 2002

Prevalence of all types of disabilities except blindness is uniformly higher among males. In the case of blindness there is an over-representation of women both in urban and rural areas. While speech impairment is again higher in males, more in-depth analysis reveals that muteness or total absence of speech is much higher in females than males. Like hearing and visual impairment, mental illness was also more often reported as a problem of old age. This raises the need to address the special needs of elderly women with disabilities, many of whom may be widows. The combination of physical/mental disability and widowhood raises the spectre of a very precarious existence.

Being powerless, isolated and anonymous women with disabilities are extremely vulnerable to abuse and violence. In addition, care-giving involving activities of daily

living like dressing, eating and other bodily activities renders the disabled woman more vulnerable to abuse both at home and in institutions. She will be less able to defend herself in a risky situation because she may not be able to run or scream for help. Then, persons with developmental disabilities may be too trusting of others and hence may be easier to trick, bribe or coerce. They may not understand differences between sexual and non-sexual tactile behaviour. Persons with speech and hearing difficulties may have limited communication skills to report abuse. Furthermore since disabled persons are often taught to be obedient, passive and control their behaviour, this will render them easy victims

Women with disabilities face violations of their rights at every level. They are considered a financial burden and social liability by their families; they are denied opportunities to movement outside the home and access to education; they are viewed as asexual, helpless and dependant; their vulnerability to physical, sexual and emotional abuse is enormous; their aspirations for marriage and parenthood often denied; they grow up ensconced with the walls of home or special institutions isolated and neglected with no hope of a normal life.

Although a rights-based approach has entered the disability rights movement, the specific concerns of women with disabilities have found a place neither in the government policies and programmes nor the voluntary sector. Ironically or expectedly, the disabled rights movement all over the world including India is male dominated. It may even be blatantly sexist. Even within the women's movement, women with disabilities rarely figured as a distinct group in international covenants until the Beijing declaration in 1995. In its platform for action this document specifies women with disabilities as a particularly vulnerable group with little access to information on their fundamental rights. This is a serious lacuna, which needs to be rectified at various levels.

Recommendations :

1. The legal framework on disability makes no provisions for women with disabilities. The PWD Act is gender neutral. It does not address the specific concerns of women with disabilities in the areas of health, education and employment. A gender-based analysis of existing legislation on disability would go a long way in highlighting both the obstacles faced by women with disabilities and their possible remedies
2. Anecdotal reportage by doctors reveals that they see most disabled females only as children when parents come for treatment for the disability. Rarely are they seen in obstetric and gynaecological settings as adults. Reproductive health of women with disabilities in another grey area which does not even find a mention in the RCH programmes.
3. Women with disabilities are particularly vulnerable to violence and abuse. They may not have accurate knowledge about their bodies, abuse prevention and self-protection. Being often viewed as asexual, lacking intelligence and non-credible victims, they can easily be taken advantage of. There are sporadic media reports on assault of women with disabilities in the family, on the street and in institutions, but there is again no systematic data on this phenomenon. Violation of their reproductive rights in the form of forced

sterilisation, contraception and abortion especially in institutions are not uncommon. Self-defence should be made a part of the special education system for adolescent girls. Violence against women is a central concern of the women's movement and this issue should feature both as an agenda for research and advocacy.

4. Women with disabilities are quite often excluded from gender equity programmes. They should be included not only as beneficiaries but also as fieldworker and project facilitators, survey designers and field investigators in projects with disability components. This will enhance their visibility in highly positive roles and challenge negative attitudes that reduce them to objects of pity and helplessness.

5. Various levels of state administration and NGO sector dealing with welfare of women need to be oriented on the problems of women with disabilities. This would ensure that the diversity of women's experiences is part of the agenda of the women's movement and the structures within the state that focus on women and child development.

6. There is a need for more sensitisation workshops especially with women's groups and govt. departments like Women's Commission, Ministry of Women and Child Development.

7. There should also be a separate wing for women with disabilities in the Disability Commissioners office. Women with disabilities should be represented on the Central and state co-ordination and executive Committees.

8. Besides personnel dealing with women's welfare, health care staff should also be trained to respond to needs of women and girls with disabilities. Similarly, police and judiciary should also be trained to handle cases involving women with disabilities in a sensitive manner.

9. Negative media representations of women with disabilities further reinforce their negative public perceptions as women with defects. There is an urgent need to develop and propagate more realistic and positive images of women with disabilities as capable and productive persons in the mass media especially radio and television. Inclusive programming and highlighting the achievements of women with disabilities will go a long way in changing entrenched mindsets and creating positive role models for disabled girls. Such role models provide a subject with a face and success story worthy of emulation.

10. There is a need to develop support services for families with a disabled member. As principal caregivers, mothers are particularly vulnerable to emotional stress. The situation is exacerbated for mothers of disabled daughters, who also suffer the taint of disability as those who did not only produce sons but instead gave birth to a bigger burden for their families in the form of a daughter with a disability.

11. There is immense scope for gender mainstreaming within pedagogy. Whether it is courses in special education, rehabilitation or women's studies, the concerns of women with disabilities should feature as a special module if not as a separate course in itself. Rehabilitation Council of India can go a long way in promoting this process, since it is the agency responsible for standardising teaching and curricula in the disability sector in the country. So a two-pronged approach in training is the need of the hour, namely gender mainstreaming in curricula on disability and rehabilitation, and disability mainstreaming in curricula on gender and women's empowerment.

12. Allocation of funds to NGOs in the disability sector is also an area amenable to gender mainstreaming. Projects focusing on the welfare of women with disabilities should be promoted or a gender component built into any project that receives support. NGOs started by women with disabilities should be provided extra support.

13. Technology is also a path to empowerment. Government policies in the disability sector encourage development of innovative adaptive technologies. For instance, the scheme on science and technology projects in mission mode in the Ministry of Social Justice Empowerment provides 100% research funding for such work. There is a need not only to make such technologies women-friendly but also to involve women with disabilities in their development.

Migrant Women

Internal short-term migration for work (which may be seasonal or simply for very short periods regardless of seasonality) is now a widespread feature of rural India and reflects the continuing crisis of inadequate livelihood opportunities in rural areas. Increasingly, women are moving for work, not only with husbands or male members of families, but even on their own or in groups in search of work. Since the consequences of such migration are highly gendered, policies generating greater and more prolonged job opportunities for men and women within particular rural areas must be considered.

The estimation of migrants based on NSS 55th round (1999-2000) for India is 245 million persons, that is 27 per cent of the population. More than half of total migrants were in the category of rural females. In general, females are more migratory than males and the percentage of migrants to the total population was higher in urban areas (33 per cent) than that in rural areas (24 per cent). The share of female migrants in both urban and rural females population reflects the high propensity to migrate –around 42 per cent.

The migrant laborers generally work at whatever they can find, which is a combination of contract work of the Nirman departments (PWD etc.) or casual work in fields, or any other casual work they can get. The condition of migrant workers away from their homes is often pitiable. They get paid very less; they do not have access to clean water or sanitation. Often they do not have access to health care. They do not have access to public distribution system and have to buy their essentials at open market prices. Their children travel around with them and do not get an education.

Male out migration, when the families are left behind, affects the work burden of the women in rural areas. Women have to put in extraordinary amount of time to eke out a living – working in the field- for wages or for subsistence, in addition to fetching fuel and fodder. The absence of men adds to material and psychological insecurity, leading to pressures and negotiations with wider family. Women may have to cope with a number of problems which are exacerbated due to the uncertainty of the timing and magnitude of remittances on which the precarious household economy depends. This, in turn, pushes women and children from poor labouring households to participate in the labour market under adverse conditions. The impact of male migration can be especially adverse for

girls, who often have to bear additional domestic responsibilities and take care of younger siblings. The absence of male supervision further reduces their chances of acquiring education. (Srivastava and Sasi Kumar). Incidence of women headed households may also increase and it is to be noted that female-headed households are generally poorer than male-headed households.

The wages of the migrant husbands are either too infrequent or not enough for constant sustenance of the family left behind. Several micro studies have shown that infact, it is the free and hard work of women in sustaining the domestic economy, which helps to keep a large number of men working in town and cities at extremely low wages.

Migrants suffer from a lack of access to health services both at home and in the work places, although they are known to be especially vulnerable to health problems, and can serve as carriers of communicable diseases like HIV/AIDS to the women and children left behind. Mobility and migration of workers make them more vulnerable, as a result of separation from spouse and release of social sanctions leading to high-risk sexual practices and consequently may contract HIV, which in turn is carried to their spouses and to their children. The highest percentage of "out-migrants" (to destinations both within India and outside) is in the 15-24 age group, the very age-group in which the highest number of new HIV infections is occurring. Low literacy levels among the women leading to low awareness makes the women potential high risk groups. Gender disparity and the low status of women further enhance their vulnerability to infection.

Additionally, explicit public policy with respect to migration should cover issues affecting households of migrant workers, who are left without adult caregivers. It should also cover issues of protection and basic needs of migrant workers at their destination. Since women migrant workers face much greater threats to security and possibilities of violence, special measures should address this problem.

All the above are only an illustrative list of the action areas for women in vulnerable situations. There are many more such categories of women , as seen from the list compiled in Chapter I. As and when the need arises specially designed projects will be formulated to address their problems.

CHAPTER V

SOCIAL EMPOWERMENT

Health

Women and girls in India face a crisis of growing, yet un-addressed, health needs. From the moment of conception to the end of life, the challenges to the female sex are enormous, especially poor women who have limited access to health care.

The child sex ratio continues to plummet and is as low as 793 in an economically prosperous and progressive state such as Punjab. Malnutrition begins during infancy and sets in motion a life long cycle of poor health. Over half of all Indian women suffer from anemia, which acerbates maternal morbidity. More women die of maternal death related causes in India than in any other country in the world. While NACO data highlights that many new HIV cases are of married women, the National Family Health Survey, 1998-99 shows that only four out of ten women in the reproductive age have heard of HIV/ AIDS. Furthermore, every form of violence against women has steadily increased since the last decade, including rapes, dowry murder and domestic violence.

Despite the alarming health crisis of women and girls, the national policy focus prioritizes family planning and reproductive health without addressing underlying issues such as women's low participation in decision-making, which adversely affects her health status. Another important point to note is that the leading killer of women in India is tuberculosis. Yet due to the focus on maternal and reproductive health this fact is little known nor are there any gender specific policies or programmes in place with regard to this disease.

Recommendations:

- ☞☞The National Health Policy 2002 needs to address issues of women's survival and health through a life cycle approach. The policy should ensure women friendly accessible, free, comprehensive primary health care accessible to all, specially marginalized groups with full preventive, promotive and curative care.
- ☞☞The policy should address occupational health hazards and needs of women working in adverse situations- mines, plantations, quarries, construction, informal sector, free trade zones, garbage disposal etc.
- ☞☞A holistic perspective on women's health (moving beyond reproductive health) needs to be mainstreamed in the education system, from primary to higher and non formal sectors.
- ☞☞An independent regulatory commission should be set up to regulate the private sector from a gender and equity perspective as well as to suggest reforms of existing bodies in the health sector including the Medical Council of India.
- ☞☞Create a gender focal point in health ministry and in the departments of health in the States, in order to incorporate the life- cycle approach to women's health.

Violence as a public health issue

NFHS-2 shows disturbing evidence that women have internalized domestic violence as a necessary part of domestic marital relationships. More than half of all Indian women believe that husbands can beat wives if they have an appropriate reason for doing soⁱ. Half of non- working married women in India don't make personal healthcare decisions, almost three-fourths (72%) need permission to go to the market and just over one- tenth (11%) are not involved in any household decisions at allⁱⁱⁱ.

Violence, neglect and abuse not only result in long- term physical injuries and poor health, but also create chronic low- self-esteem, depression and other mental health issues for women. Despite the high rate of violence against women, including neglect, rape, dowry murder and domestic violence, violence is not seen as a public health issue.

Recommendations

- ✍️ State should recognize Violence as a public health issue and include it in medical education. This should in addition to the recognition of violence as a breach of women's human rights.
- ✍️ ANMs should be trained to deal with violence and the trauma that follows
- ✍️ Counselors should be appointed at the PHC level.
- ✍️ The medical and health establishment should be targeted and sensitized on VAW issues, as they are often the first point that women go to in a crisis situation.
- ✍️ The medical and health establishment should be sensitized on recognizing and dealing with injuries resulting from various forms of VAW like domestic violence, rape etc.

Low budgetary allocation

Despite the health crisis of women and girls, India is consistently among the lowest of all countries in terms of its investment in health, as acknowledged in the National Health Policy of 2002. India's investment in health as a proportion of GDP has vacillated from 1.3% in 1990 to .9 in 2001, making it amongst the lowest global spenders on health. In 2002, India's public health expenditure as a proportion of GDP rose to 1.3%.

A great deal of rural indebtedness in poor rural families is linked to rising health costs. The importance of public provisioning of quality health care to enable access to affordable and reliable health services cannot be overestimated in the context of preventing the non-poor from entering into poverty or in terms of reducing the suffering of those who are already below the poverty line.

Low investment in health and the under- utilization of funds has resulted in health delivery systems that are increasingly inaccessible, inefficient and unaffordable. Currently, little investment is made on front-line public health care workers, who have

extensive workloads, multiple areas of responsibility and multiple lines of accountability with little compensation.

Recommendations

- ☞☞ Adequate budgetary provision should be made for women's health and these funds should be timely disbursed and properly utilized to reach the target groups in time.
- ☞☞ Expand the women's component plan to cover chronic health problems of women such as anemia/ under nutrition, morbidity, etc. and commit 30% of the funds specifically towards this.
- ☞☞ Upgrade at least 50-60% sub- centers and public health centers and make the phase wise information of the plan available to all women in the community.
- ☞☞ Allocate funds for training, treatment in alternate medicine and recognize the role of TBAs and upgrade their skills.
- ☞☞ Make provisions for regular fundamental and refresher training and capacity building with strong public health & gender perspectives for all functionaries.

Healthcare access

Health care access remains low for many women, especially those who are poor; suffer from multiple exclusions, including caste, class, geographic isolation and tribal status. Health policies have few specific strategies for improving access to marginalized groups.

Recommendations

- ☞☞ Specific IEC and training strategies should be developed in all programmes to target excluded groups, including tribal and low- caste communities.
- ☞☞ Ensure women-friendly free comprehensive primary health care, based on a life cycle approach, with full preventive, curative and promotive care at the PHC level with free ambulance referral and/ or alternate transport mechanism by identifying a pool of transport in the local area and reimbursement by the State.
- ☞☞ Integrate grievance cell and help lines with health services to ensure speedy investigation and facilitate redressal for users and health workers. Set up special counters in all health centres and easy referrals for improving access to free comprehensive health care particularly for stigmatized groups such as sex workers, hijras etc.
- ☞☞ Ensure access to women with disabilities through provision of ramps, lifts in public offices, transport etc and provide rehab and equipment (wheelchair, hearing aids etc) as a right.

Reproductive Health

The high rates of MMR and IMR, poor pre natal and post natal care combined with the low proportion of institutional deliveries is a grave cause of concern. Therefore the reproductive health care of women needs special attention in the XI Plan. For this purpose :

- ☞☞ Ensure full enforcement of Supreme Court guidelines on sterilization.
- ☞☞ The current policy focus on female sterilization should be broadened to providing people with greater reproductive choice. This includes better access to contraception, more information about birth spacing, increasing male responsibility for small families, as well as providing greater education and economic opportunities for women
- ☞☞ Reproductive and maternal health programs, including RCH, should not be combined with the goals and strategies of population stabilization
- ☞☞ The NPP, Health plan and NRHM policy documents must include institutionalized mechanisms and for ensuring that states comply with the no-target policy of the national government. This includes preventing states from denying women participation on the PRI, or accessing other benefits for having more than two children
- ☞☞ Policies should promote strategies for involving men that foster equitable gender relationships. This includes equitable decision-making and resource-sharing amongst couples, how men can take more responsibility for birth control and foster greater opportunities for their wives/daughters
- ☞☞ Policies should address how women's non- reproductive health status impacts reproductive health. This includes understanding trends in how TB, malaria and HIV interact with one another and impact women's maternal health
- ☞☞ Ensure a clearly defined package of essential Reproductive health services including ante and post natal care, emergency Obstetric care, information about and services for contraception and safe abortion and counseling at the PHC, free to all women and adolescents (married or unmarried).
- ☞☞ The Janani Suraksha Yojana should be extended to cover all poor women irrespective of their age, parity, or place of childbirth
- ☞☞ Extend maternity leave to 6 months and provide maternity benefits for ALL women of all sections irrespective of the parity
- ☞☞ Ensure regular collection of data on maternal morbidity and mortality (as done with fertility and demographic data through the NFHS and DLHS), to facilitate decentralized planning and monitoring as envisaged within the NRHM
- ☞☞ Provide adequately trained attendance at delivery- at home or in institutions- with emergency referral backup and a continuum of care from pregnancy through childbirth and 42 days hence
- ☞☞ Recognize the role of traditional birth attendants and upgrade their skills
- ☞☞ The health insurance schemes being implemented by government and private sector should also cover the pregnancy period (both normal and caesarian cases). The premium of these schemes should be kept to the minimum so that the poor women can have access to these schemes.

Communicable and Non Communicable Diseases

Women as a whole are especially susceptible to many diseases because of their poor nutritional standards and discriminatory practices in health inputs right from their birth. The access and availability of health care women is generally poor and scanty. There is an imperative need to upgrade facilities for women to tackle the various health problems. Some recommendations include :

Recommendations

- ☞☞ Allocate adequate budgets for all Communicable Diseases and Non Communicable Diseases – IEC, prevention, early detection, treatment, equipments etc.
- ☞☞ Horizontally integrate the vertical National Cancer Control Programme into the public health system by imparting health awareness, making available the test of Visual Inspection and appropriate referral.
- ☞☞ Ensure universal availability of ART, access to drugs for treatment of opportunistic infections, provision of safe blood banking and palliative care

Mental Health

Recommendations

- ☞☞ Ensure availability of required mental health professionals- psychiatrist, psychologist, psychiatric social worker, and mental health nurses at all levels.
- ☞☞ Undertake periodic assessment of treatment facilities including rehabilitation at district level
- ☞☞ Develop a National Policy on Mental Health with adequate budget provision at both Centre and State level.

Occupational health hazards

Recommendations

- ☞☞ Address occupational hazards and needs of women working in adverse situations, including mines, plantations, quarry, construction, informal sector, free trade zones, and garbage disposal.

Welfare of the girl child and adolescent

Recommendations

- ☞☞ Health policies and plans should promote strategies that empower adolescent girls through information about health, community activism roles and increased awareness about how to negotiate power with families, future partners and in the workplace.
- ☞☞ Ensure regular check ups of newborn and monitoring of growth parameters through maintenance of growth charts of children, lactating mothers, and adolescents.

- ☞☞ Allocate funds for comprehensive education and counseling for adolescents, with special emphasis on Life Skill education, sex education and education against substance abuse.

HIV/AIDS

HIV in India is spreading from high-risk groups to the general population in many areas, and from urban to rural areas. Increasingly the face of HIV/AIDS is female. According to estimates of the National AIDS Control Organisation (NACO) 1 in 3 persons living with HIV in India is a woman. In 2004, it was estimated that 22% of HIV cases in India were homemakers with a single partner. The increasing HIV prevalence among women can consequently be seen in the increase of mother to child transmission of HIV and paediatric HIV cases.

Women are increasingly becoming the face of the HIV epidemic and there are biological, social, legal, cultural, political and economic factors that make them more vulnerable to HIV/AIDS. In turn these factors have an impact on women's access to services, resources, and information. Women have limited ability to negotiate safer sex and the risk and reality of sexual violence also means an increased risk of HIV transmission through unprotected non-consensual sex.

In India, testing for the HIV virus is rare until symptoms set in. The numbers suffering from HIV/AIDS are therefore likely to be far higher than estimated. Once HIV/AIDS enters the home, family budgets are reversed forever – often loss of income earning opportunities and expenditure on medical care on the other. Women are the major caregivers in most cases.

A multi-sectoral and decentralized, gender sensitive community based health services is needed. The health care systems in the region are inequitably gendered in terms of accessibility, priorities and services provided. As such, effective strategies that address the relationships between gender and HIV/AIDS require a focus on gender within health care in general. There is perhaps an urgent need that the response to the HIV/AIDS epidemic be made multi-sectoral and be integrated into comprehensive, decentralized, participatory community based health services and promote the highest mental and physical health, including empowering women to make decisions related to their sexual and reproductive health. A focus on increasing women's ability to access preventive and treatment and care services is crucial.

Recommendations

- ☞☞ Legislation to be enacted to protect HIV positive women against discrimination in education, livelihood opportunities, workplace, medical treatment and community.
- ☞☞ Women should participate in the formulation and implementation of HIV/AIDS policy.

- ☞☞Widen the outreach for the positive women to access information, spread awareness, build capacities and services by setting up self help groups and networks at the local, state and national level;
- ☞☞Address the socio economic problems faced by women; care and support for most vulnerable women and children of HIV positive parents; political and media advocacy to address issues of stigma and discrimination; Mobilize resources for accessing health services, ARV treatment, and providing child care services
- ☞☞Information on a mass scale for prevention and treatment of HIV/AIDS is crucial more specifically on symptoms, opportunistic illness, exposure, prevention and use of condoms, testing facilities for determining HIV status, follow-up CD-4 tests and antiretroviral (ARV) treatment.
- ☞☞Training and infrastructure needs of health care providers at all levels need to be identified and met with. Behavioral and attitudinal change at all levels is an important intervention, and can be achieved through training sensitization workshops and follow up. Counseling and access to condoms are needed for women to reduce the risk of exposure in situations where they do not have money to even buy food.
- ☞☞Education on HIV/AIDS must be introduced into the school curriculum
- ☞☞Community care homes to be provided for HIV positive people
- ☞☞HIV positive women to be provided livelihood opportunities.
- ☞☞Rural women and children's access to Anti-retroviral should be ensured as well as provision of free transport both for HIV positive and those accompanying them.
- ☞☞Adequate funds should be allocated for ARV treatment.
- ☞☞Health Insurance should be made available for covering chronic illnesses such as HIV/AIDS, TB and including mortality and morbidity.

EDUCATION

Education is a key intervention in initiating and sustaining processes of empowerment. Good quality education can help women and marginalized communities improve their status, enable them to have greater access to information and resources and to challenge various forms of discrimination. Education helps strengthen democratic processes as it allows for greater and more equitable participation. Being educated or literate leads to greater self-confidence and self-esteem. It enables engagement with development processes and institutions of governance from a position of strength. Poor women from socially disadvantaged communities are invariably not literate and therefore find themselves at a disadvantage when participating in development processes. They are unable to take full advantage of progressive measures like reservations in PRIs. Many of the negative fall-outs of being outside the education net for women are quite recognized, however, the articulation of the problem tends to remain at the level of rhetoric.

It is however, important to recognise that while being literate or educated is necessary for empowerment it does not automatically ensure it. For that we need an

education that is of good quality and promotes critical thinking. From the perspective of gender this means that education and literacy should enable women and girls to critically analyse their situations, raise questions about their subordination and help them make informed choices. It is well known that the institution of schooling is an important site for socialisation, that actually can actually reinforces rather than challenges patriarchy and gender discrimination. It is in this context that the content and pedagogy of education become critical considerations.

The focus of educational planning is on formal education but this is only one dimension of the educational provisioning. Especially when considering the needs of deprived women and when women's empowerment is our main aim, there is a need to think about well-developed and structured educational interventions outside the formal system. Capacity building interventions are in essence educational and learning processes and must therefore be invested in, well-designed and conceived as a sustained, rather than ad hoc process. Such interventions must necessarily be broad based and flexible and address a number of different needs, including literacy.

While a great deal has been done in the field of girls and women's education in the last decade, there continue to concerns and challenges with regard to gender issues.

2. *EMERGING CONCERNS*

2.1 *Gender gaps in enrolment and retention in Elementary Education*

Elementary education has emerged as the key policy and programmatic concern of the Indian Government. Some important schemes have been launched. The Sarv Shiksha Abhiyan (SSA) or Education for All with very ambitious goals was launched in 2001. Specific programmes within SSA (National Programme for Education of Girls at Elementary Level (NPEGEL) and Kasturba Gandhi Balika Vidyalaya) focus exclusively on girls in educationally backward districts. Another landmark scheme –the Midday Meal Programme- has been introduced. The scheme has been welcomed as it positively impacts nutritional levels and school participation of girls and children belonging to poor and marginalized sections. Such positive measures have led to improvements in enrolment at the primary level - from 97.4 million (40.40 girls, 57 boys) in 1990-91 to 122.40 million (57.3 girls and 65.1 boys) in 2002-03 (Select Educational Statistics, 2003). There has been a 14.18 percent increase in the number of primary schools, 50.65% increase in the number of upper primary schools and 38.43% increase in the number of secondary schools between 1993 and 2003 (NCERT, 6th and 7th Educational Survey).

However despite the improvements several gaps with regard to gender persist. The gaps also point to the fact that strategies need to be targeted as the girls belonging to SC, ST and the Muslim community are still lagging behind.

Persisting gender disparities

The Gross Enrolment Ratio (GER) of girls drops sharply primarily to middle school levels

- From 93.07 at primary level to 56.22 at middle school and 47.35 % in rural areas in 2002-03.

The situation of girls (and boys) of Schedule Castes (SC) and Schedule Tribes (ST) communities is far worse than the general category (Select Education Statistics, GOI 2003).

- GER for SC girls is 89.35 girls at the primary level and 48.64 at the middle school level.
- GER for ST girls 92.25 at the primary level and 40.78 girls at the middle school level.

The educational situation of Muslim children, especially girls are worse than SC/STs^v

- The aggregate figure for enrolment of Muslim children is 50.7 per cent as compared to 67.3 per cent for SC and ST 59.8 per cent, the enrolment for lower caste Muslim children falls to as low as 36 per cent.
- While over 70 % ST and 55 % SC girls among those enrolled attend school regularly, this figure falls off to around 35 per cent for Muslim girls.

It is clear from the section above and the data below that girls fall out of the education net as they move up from the primary level. The availability of upper-primary and secondary schools are still not within easy walking distance and as they are fewer in number, are invariably overcrowded and frequent dropouts results. Therefore the move to extend the SSA scheme to the secondary level should be urgently considered.

Drop out Rates by Gender and Social groups in 2003-04 (Select Educational Survey 2003-04)

	<i>ALL GIRLS</i>	<i>SC GIRLS</i>	<i>ST GIRLS</i>
PRIMARY	28.57	36.2	48.7
ELEMENTARY	52.9	62.2	71.4
SECONDARY	64.9	75.5	81.2

2.2 Gender gap and low priority to women's literacy

The 2001 Census recorded a significant increase in literacy rates (from 52 % in 1991 to 65 % in 2001), particularly female literacy rates, which increased by 14.8 % in 2001 as compared to 11.7 % in 1991. For the first time the absolute numbers of illiterates declined. However, despite the literacy gains, disparities in terms of gender, other social categories (like schedule caste and tribes), rural/urban situation continue to be glaring.

- The gap between male (**75.8 %**) and female (**54.1%**) literacy rates is **22 %**.

^v Jyotsna Jha and Dhir Jhingran: Elementary Education for the Poorest and Other Deprived Groups – the Real Challenge of Universalisation, Manohar, New Delhi 2005

- In 2001, illiterates numbered close to **296 million** of which **190 million** were *women*. **34.6% of the worlds non-literate population** resided in India in 2003-04.
- The female literacy rate is **below 50% in 253 districts**.
- In 2001, the gender gap in the literacy rate for SC was 19 % (male and female were 66% and 47.1% respectively) and for 24 % for STs (male and female literacy rates were 59.2 % and 34.8 % respectively).
- The educational status of Muslim women is another major cause for concern.

The Status of Muslim Women's literacy ... A Big Divide

- The literacy rate for Muslims is **59%**. (6% below the national average of 65%) and for Muslim women 50%.
- The all India literacy levels (as a % of their population) shows that **40.6% of the country's 67 million Muslim females were literate versus 46% of India's 430 million non-Muslim women**.
- It is important to note that the **urban difference is more marked**. The literacy rate of Urban Muslim women is 52.8% where as for the non-Muslim women is 65.5%.
- At a basic level of being literate Muslim women were **11% worse off than non-Muslims**. **The difference widened to 19% at the middle school level, 35 % at Class X; 45 % at Class XII and 63% for graduates and above.**
(Census 2001)

A major reason for the poor status of educational levels is the low value attached to women's education in the community, the prevalence of madrasas which are not amenable to modern education and the social evils of early marriage .

The momentum generated around literacy till the mid- 90's was impressive and resulted in improvements in literacy rates. Despite this and the fact that the Literacy Campaigns mobilized large numbers of poor women, the political commitment to adult literacy and education has reduced. For the most part the Continuing Education programme has failed to take off leading to women relapsing into illiteracy. It is very likely that India will not be able to meet the EFA and MDG goals pertaining to literacy (as was pointed out in the Unesco Global Monitoring Report 2006). The present situation means that critical literacy inputs that are required to sustain processes empowerment of women's collectives, including self-help groups are not being provided. Reports from the field show that there is a high-correlation between literacy levels, leadership opportunities and access to credit within SHGs. And since socio-economic status and education are correlated leadership tends to get concentrated in the hands of the better-off SHG members. Similarly, many of the women, especially dalit women, coming into institutions of local self-governance find themselves at a disadvantage. It needs to be remembered that this is the only programme providing literacy and continuing education to poor women.

Another area of concern is the lack of an equivalency system for adult literacy. This lack prevents women and girls who have learnt outside the formal school system to actually avail of many of the positions (like ASHA, ICDS workers etc. that open up within the development sector. The problem of finding qualified women from socially disadvantaged sections to fill these positions continues.

Mahila Samakhya, (Education for Women's Equality), an effective process-oriented women's education and empowerment programme targeting poor, socially disadvantaged women is now operational in 9 states. Women's collectives of the Mahila Samakhya Programme address several gender issues, including violence against women. It runs a number of innovative non-formal education programmes women and adolescent girls. The innovative approaches adopted by MS need to be mainstreamed.

The Mid-term Appraisal has also underscored the need and importance of lessening the wide gender gap in literacy and the role of literacy in catalysing mass-based community organizations.

2.3 Disparities in Higher and professional education

With regard to higher education the percentage of women accessing higher education and professional courses is very low. Moreover, the differentials with regard to disadvantaged communities are very pronounced.

Gender Differentials in higher education

- **BA courses** - 3.39 % (Schedule caste), 1.38% (Schedule tribe), 40 % (non-dalit women).
- At the levels of Graduation and above Muslim women are 48 % worse-off compared to

Muslim men and 33% worse-off than Non-Muslim Women.

- **science courses** - 2.8 % (dalit women), 0.58% (Schedule tribe), 34 % (non-dalit women).
- **post-graduate and doctoral levels.** 38% (MA) and 34% (MSc) for non-dalit women, the percentages for dalit women are 3.8% and 2.9% and 1.3% and 0.48% respectively.
- In **professional fields** like medicine 2.9 % dalit women and 1.1% ST women compared to 34 % non-dalit women. In BEd courses, the figure for dalit women is 4.4 % and ST women 1.4 % and non-dalit women is 40 %.

(Select Educational Statistics 1999-2000, Ministry of Human Resources Development, GOI).

2.4 Issues Pertaining To The Content And Quality Of Education

Though the content of education and classroom pedagogy are critical to altering gender and other social relations it has not been paid the attention it deserves. Efforts to make curricula gender-sensitive have been undertaken but can be considered initial attempts as they have remained largely at the level of removing stereotypes or increasing visibility and not have looked at gender in terms of social relations. Problems related to the representation of marginalized communities continue to exist and contribute to the deep sense of alienation of these communities from the mainstream education system and a reason for children dropping out. Sexuality is addressed in a problematic manner in educational materials. It is either related to population or reproductive health or seen as a problem associated with promiscuity and shame.

Classrooms need to be transformed into spaces that can help girls think critically. Discriminatory practices based on identity based prejudices need to be monitored and stopped. Corporal punishment, which is wide spread, needs to be checked. The role of the teacher is naturally crucial in this context. The present strategy of gender orientation sessions has proved to be ad hoc and ineffective. There is a need to incorporate gender and social equity concerns within the regular in-service and pre-service curriculum teachers.

2.5 Violence Against Women And impact on Education

Sexual harassment and violence against girls and young women within educational institutions is widespread but under-reported. There is however no data (or systematic mechanisms to gather data) that indicate the extent of the problem. While some universities have formulated guidelines and established mechanisms to deal with sexual harassment many educational institutions still do not have policies. Though technically the guidelines should cover schools no efforts have been made to implement the guidelines in schools, where sexual harassment is fairly common but is rarely reported. One only has the media to rely on for such information.

Another area that has not received much attention is the impact of impact of conflict and communal and sectarian violence on education. Communal and sectarian violence and long-term conflict severely impacts opportunities for girls and women's education. Reports from the ground show that the communal violence in Gujarat in 2002 have had

far reaching consequences, both immediate and long-term, on education in general, and girls and women's education in particular. In volatile situations girls are kept away from schools. Many of the riot-affected are living lives of migrants with little access to basic facilities. Ghettoisation, even in education, leads to further distance and mistrust between communities.

In parts of India, like the North East and Kashmir, that have been experiencing conflict for several years the ground level situation reveals that prolonged violence has negatively impacted the education systems there and the education opportunities for women and girls in various ways. Dropout rate of girls is high because of fear, extreme insecurity, restricted mobility, displacement, migration or economic compulsions. School participation and quality of education for girls is impacted by measures to control women's sexuality and mobility, like diktats imposing a dress code, by religious bodies, militants or separatist groups are not uncommon. There are alarming increases in panic disorders.

In such situations schooling and other educational interventions can bring about a semblance of normalcy and prevent alienation from the mainstream. *No systematic efforts have been made to understand and monitor the impact of conflict on education, especially women and girls. There are no policy guidelines on how to respond to the impact of violence and conflict. There are no mandated special provisions to deal with the particular problems arising out of such situations. Education provisioning from gender perspective, should find a place in any policy on internal displacement and relief and rehabilitation that are formulated.*

2.6 Resources

The budgetary allocation for education has hardly increased (from 3.49% 1997-98 to 3.97% in 2002-03) over the past five years and is still way below the 6% of GDP commitment. Within the overall education budget the greatest priority has been given to elementary education (1.93% in 2002-03) and the least to adult education (0.02%).^{vi} This low allocation to the sector whose main target group is poor, rural, socially disadvantaged women raises concerns. Women's studies is also under-budgeted and resourced.

There is need for greater transparency in fund utilization. The concept of gender budgeting has been introduced by the Ministry of Women and Child but needs to be operationalised and strengthened within different departments. At present the links between policy level situational analyses and the interventions and budgets being proposed are not always clear.

4. RECOMMENDATIONS

^{vi} Selected Educational Statistics 2002-03.

○ Notwithstanding the importance of elementary education and keeping in mind the role of education in bringing about and strengthening women's empowerment the educational policy framework and programme emphasis should be holistic and the specific educational requirements of each sector should be addressed and backed by resources. The focus of women's education should not be on elementary education alone but on also on secondary, higher, vocational, technological and professional education.

Sarva Shiksha Abhiyan

○ The XI plan through the SSA should pay attention to specific groups, contexts and locations and design programmes accordingly. The most difficult to reach groups should be reached through special projects within SSA.

○ Educational data should be gender disaggregated but should also be collected in terms of other social groupings. Systematic mapping of social groups should be undertaken to sharpen planning and programme design processes.

○ In order to improve the educational status of Muslim girls and women and to bring them into the mainstream, policy measures and specific programmes backed by resource allocation needs to be put in place on an urgent basis.

- A sub plan on Muslim girls education should be constituted, which can act as a national task force, which should draw on could be set in place.
- The number of formal schools in areas with a high Muslim population should be increased. However at the same time the community leaders should be sensitized to enable their girl children to attend schools and for retaining them in school system.

○ In order to arrest high drop out rates after primary school attention SSA should be extended to the secondary school level. Attention should be paid to infrastructural issues like sanitation etc. Incentive schemes can be thought of after a review of the existing schemes.

○ Programmes like the NPEGEL and KGVB which focus on girls should be continued and strengthened.

○ The policy of hiring female teachers should be continued. Strategies to increase the pool of female teachers from socially disadvantaged groups like SC, ST, OBC and Muslims should be adopted.

Adult literacy and learning

○ Given the important role it plays in sustaining women's empowerment, women's collectives including self-help groups and its criticality in reaching EFA targets the commitment to adult literacy and education should be re-articulated and backed by adequate resources. The National Literacy Mission should be adequately resourced and revitalised. The CE programme should be revamped and innovative programmes

designed with the participation of women's groups and other civil society organizations. As the literacy rates of women from marginalised communities is far worse such programmes should address the specific needs of different groups. The programme content should combine literacy with livelihoods and other survival issues and organization building. Lessons from the Mahila Samakhya Programme should be taken on board.

- Equivalency programmes and certification systems should be set in place for adult learners to enable them to take advantage of the various opportunities opening up. This can be done through the open learning mode and by expanding the mandate of NIOS.
- A comprehensive capacity building programme which includes gender, legal literacy, livelihoods and literacy should be designed and a mechanism for its transaction put in place for women emerging in leadership positions through SHGs.

Content and quality of education and training

- Textbook reform processes with the involvement of academics and practitioners should be continued. Gender needs to be looked at not as an add-on but integrated in all subjects and should be an important organizing principle of national and state curricula and textbooks. Issues of sexuality needs to be addressed to provide children with information, enable them to make informed choices, make them aware of the diversity of expressions of sexuality and gender and to equip them to deal with violations. A new curriculum for the accelerated learning programmes needs to be developed.
- Curriculum for Teacher training and training of student teachers (DIETS) should include a substantive module on gender issues. Gender should become a subject within the regular in and pre service training programmes.

Higher and professional training

- Women of schedule caste (SC), tribes (ST) and Muslims categories have lower access to higher education. The present efforts should be reviewed and a comprehensive strategy formulated to increase the participation of these groups in higher and professional education.
- Strategies for affirmative action to increase the number of women and girls in professional and technical courses should be developed. The private sector should be approached to come with a time bound plan with monitorable goals to provide training facilities.

VAW and education

- Guidelines for sexual harassment at all levels of educational institutions including schools (upper primary upwards should be put in place) and monitored. Teachers training programmes should include awareness on sexual and other forms of violence against girls and women. The issue should be sensitively covered in the school curriculum.

Educational institutions should be made responsible for spreading awareness about these issues.

- At present there are no policy framework in place that addresses the particular educational needs emerging from different situations of conflict. Specific programmes and policy guidelines to address these concerns should be designed specifically to restore confidence, address feelings of fear and insecurity and alienation from the mainstream specifically keeping in mind the needs of women and girls in such situations. As this is an under researched area some studies can be commissioned.

Resources

- Ensure that 6% of GDP is invested in education at all levels and of all types with specific allocations to enhance girls' education at all levels including higher, technical and professional education.

- Gender budgeting mechanisms should be put in place, strengthened and regularly monitored. There should be a tracking of funds allocated to girls education both in terms of expenditures and programming.

CHAPTER VI

POLITICAL EMPOWERMENT

Much of the country's governance has been left to the hands of elected representatives and the official machinery. It has been increasingly recognized that such a centralized approach has not produced desired results, especially in terms of the inclusion of marginalized sectors within governance processes. Notable Constitutional, legislative and policy reforms within the last decade, including the 73rd and 74th amendments and the continued administrative decentralization through programs like NRHM, have demonstrated the Government of India's commitment to increasing the political participation of marginalized groups, especially poor women.

Women's increased political participation has yielded positive results. First, issues central to development, including health, nutrition, family income and education, take center stage as women participate in the PRI, village development boards and other governance structures. Secondly, women have shown that they have critical information about community resources, are adept at managing funds, result in more inclusive governance and learn quickly about how to lead effective community-centered development.

Despite such positive results, women remain largely excluded from the PRI and other local governance structures. Proxy politics, power brokering and gender discrimination continue, and many women sarpanches have had to face extreme violence for challenging existing societal power centres. In other cases, women are only within the PRI in name, but in reality, it is male family members who hold the power. In spite of the affirmative action in panchayati raj in favor of marginalized communities, exclusion of caste, poverty, tribal status, gender and caste sharply demarcate those who have political power from those who do not.

Governments at both Centre and State should not delay any further, to complete the devolution and decentralization of powers from higher bodies (Government of India or State Governments) to the panchayati raj structures. This devolution right now is lagging in almost all the States. The three 'F's' – funds, functions and functionaries – in most States are still in the same position prior to 1993, especially the latter. In the absence of this basic requirement, the Constitutional provisions are not only being violated, but there is lack of clarity at the field level which leads to dysfunctional situations. Other program bodies are being referred to as 'parallel' structures and since they are often better trained and energetic, their presence is seen as being "genuine" people's organizations. The legal and political status of PRI's as laid down in the Constitution gives them a unique status; mark them quite separately from all other grass roots' bodies created for other development purposes. All these bodies should work together. The delay in genuine devolution and decentralization is causing a serious set back to the political empowerment of the locally elected bodies.

Recommendations

- ✍✍ Amend the provision of the no-confidence clause, often used to remove women sarpanches, to ensure that a no-confidence motion cannot be passed for a year and a half of having taken office.
- ✍✍ If a no-confidence vote is passed, the replacing incumbent should also be from the same social group as the earlier incumbent.
- ✍✍ Ensure that two-child norm laws that prevent those who have more than two children from holding office are repealed across states. These laws are most often used against women and disproportionately impact poor, Muslim and tribal women. More tragically, the norm leads to increasing female feticide
- ✍✍ Electoral reforms should provide for state funding for women contesting for elections to Parliament, state assemblies, urban local bodies and PRIs
- ✍✍ Greater attention needs to be placed on how central and state policies can promote local governments to monitor the meaningful participation of women on the PRI
- ✍✍ Increased resources need to be placed in the political skill- building of women within the PRI.
- ✍✍ Greater efforts should be made towards the inclusion of poor and other excluded women on state planning boards and commissions.
- ✍✍ Allocate funding for time- series evaluation of the impact of women on the PRI, and what policy and other contextual factors promote and enable women's political participation
- ✍✍ Governments at both Centre and State should not delay any further, to complete the devolution and decentralization of powers so that PRI's are not handicapped in carrying out their mandated duties.
- ✍✍ Promote programmes that create greater political leadership training for women and girls.
- ✍✍ All development programmes should be created with an intention to empower women's participation within the PRI and through other governance structures.
- ✍✍ Bill to reserve one-third seats for women in Parliaments and Assemblies to be passed soon.

CHAPTER VII

GENDER BUDGETING AND WOMEN COMPONENT PLAN

The National Common Minimum Program lays down empowerment of women politically, educationally and legally as one of the six basic principles. To provide an impetus to this objective, the Finance Minister in the budget speech for 2004-05 highlighted the perceived need for budget data to be presented in a manner that highlights the gender sensitiveness of the budgetary allocations. This was followed by a more emphatic commitment in the budget speech of 2005-06, wherein the budgetary allocations under 10 demand for grants estimated at Rs. 14379 crore were highlighted in a separate statement as a part of the Gender Budgeting exercise. The 2006-07 Budget Speech revealed an estimated allocation of Rs.28,737 cr. for benefit of women under 24 demand for grants in 18 Ministries and Departments.

In spite of these commitments and focus on women's development and empowerment, the present status of women continues to be quite dismal in terms of important human development parameters like health, nutrition, literacy, educational attainments, skill levels, occupational status etc. There are a number of gender specific barriers, which prevent women for gaining access to their rightful share in the flow of public goods and services. Unless the felt needs of women are incorporated and mainstreamed in the planning and development process it is apprehended that the fruits of economic growth are likely to completely bypass a significant section of the country's population which does not augur well for the future growth of the economy. This calls for a focused priority in the Eleventh plan for the strengthening, expansion and universalisation of Gender Budgeting in all its aspects.

Gender Budgeting

Gender Budgeting is defined as the application of gender mainstreaming in the budgetary process. It encompasses incorporating a gender perspective at all levels and stages of the budgetary process and paves the way for translating gender commitments to budgetary commitments and carrying out an assessment of the budget to establish its gender differential impact.

In other words Gender Budgeting looks at Government budget from a gender perspective to assess how it addresses the needs of women not only in traditional areas like health, education etc but also in so called 'gender neutral' sectors like Transport, Power, Telecommunications, Defence etc. It does not seek to create a separate budget but seeks to put in place affirmative action for meeting women's specific needs, thus bringing into effect gender responsive Budgeting.

The ultimate objective of gender budgeting is to transform and transcend traditional perceptions and mind sets towards women and awaken a gender sensitive

consciousness which will not only enable women to come into the mainstream but also give them their due recognition as equal citizens of the country.

Budgeting for Gender Equity: A step forward in Gender mainstreaming

The Ministry of Women and Child Development (MWCD) in 2004-05 adopted the mission statement of 'Budgeting for Gender Equity'. In 2005-06 the task was to carry forward this exercise of universalizing gender budgeting exercises in the Centre and the States. Several initiatives have been undertaken by MWCD to operationalize Gender Budgeting. A strategic framework of activities to implement "Budgeting for Gender Equity" disseminated to all Departments identifies areas for gender mainstreaming including quantification of allocation of resources for women in Union/ State/ Local Budgets, gender audit of policies of Governments, impact assessment of various schemes, analyzing programmes and strategies, institutionalizing generation and collection of gender disaggregated data, consultations and capacity building etc. Further, guidelines for gender sensitive review of public expenditure and policy were framed in the form of checklists both for beneficiary oriented sectors (such as Health, Rural Development, Human Resource Development, Labour, Drinking Water, Textiles, Agriculture etc) and for mainstream sectors that may appear "gender neutral" like defence, power, telecom, transport etc. The Ministry has conducted several workshops and training programmes to disseminate the tools of gender budgeting and has advocated that a review may be undertaken with respect to (1) Gender Based Profile of Public expenditure (2) Beneficiary needs assessment (3) Impact Analysis (4) Participative Budgeting and (5) Spatial Mapping. The MWCD has requested Ministries to set up Gender Budgeting Cells to undertake review of the public expenditure and policy, guide and undertake collection of gender disaggregated data, conduct gender based impact analysis, beneficiary needs assessment and beneficiary incidence analysis. As a result of these efforts 43 Ministries/ Departments have set up Gender Budget Cells as a nodal agency for all gender responsive budgeting initiatives.

Women's Component Plan (WCP)

The WCP was the first major initiative taken by the Government to address women related issues and requirements on a systematic basis involving the inputs from major Ministries/ Departments. The Women's Component Plan (WCP) involved efforts to ensure that not less than 30 per cent of funds/benefits were earmarked for women under the various schemes. However, performance on the WCP has been disappointing and the Mid Term Appraisal of the Tenth Plan notes that while "the Department of Education has confirmed a flow of funds of 42.37 per cent of the gross budgetary support to the WCP, the Ministry of Labour, which had reported flow of 33.5 per cent of its budget to the WCP in the Ninth Plan, has reported flow of funds of only 5 per cent of its budget during first three years of Tenth Plan." Several Ministries and/or Departments, which had earlier reported on the WCP in their sectoral budgets, have stopped doing so. It also noted that there are some Ministries and Departments, which have the potential to go beyond 30 per cent of funds under WCP as well as devise and administer women-related programmes. These include Education, Health, Family Welfare, Environment and

Forests, Rural Development, Agriculture, Labour, Urban Affairs, Drinking Water Supply, Tribal Affairs, Social Justice and Empowerment, and possibly others. It also pointed out that the Ministries and Departments “that have defaulted in providing WCP allocations or whose WCP is less than 30 per cent of their budgets are advised to immediately take the necessary steps to make amends.”

Taking the essence and intent of the Mid term appraisal of the Tenth plan, WCP would need to be extended to all Ministries and Departments and not confined to the realm of some Ministries and Departments which have historically been perceived as “women-related”. Simultaneously the implementation process of Gender Budgeting needs to be institutionalized and universalized in all the Ministries/ Departments at the Centre and States.

Recommendations

- ☞☞ WCP to continue as a bridging mechanism to ensure that the momentum of flow of funds to women related programs is sustained. WCP will require to be strengthened and to cover all sectors and schemes and all programmes both in the Centre and the States. Hitherto the emphasis of WCP has been on women related and women specific Ministries/ schemes. However, as women comprise nearly 50% of the population in the country, it is inevitable that all schemes and programs of the Government, irrespective of the sector, will impinge on women in one way or another. As such it is firmly believed that there is no sector /program / scheme that does not have gender implications. Hence the strong recommendation of the Sub Group is to extend the concept of WCP to all Ministries/ Sectors in the Centre and the States.
- ☞☞ At least 30 per cent of the funds for all schemes to be earmarked for women beneficiaries. For this purpose the Ministries should identify women related schemes or engender existing schemes so that women can get the benefits under such schemes. The essential earmarking of 30% funds for women under the WCP for all Ministries at the Centre and the States is, at the very least, a good exercise as it forces the policy makers to start thinking on the lines of gendered-impact of policies. This commitment of resources is both vital and necessary.
- ☞☞ Beneficiary incidence is an important part of WCP. It should be ensured that at least 30 percent of the beneficiaries should be women.
- ☞☞ PRIs should be intensively involved to ensure 30% earmarking for women. As per the Seventy Third Constitutional Amendment, 29 subjects have been transferred to the panchayats. The schemes falling under these subjects could be looked into by the Panchayats to ensure implementation of WCP.
- ☞☞ To ensure that funds actually reach the women, a ‘non-lapsable pool’ of women’s fund could be created in every State and also at the Centre. If there is under-utilisation of funds allocated for women specific programmes/schemes under any Ministry (Central or State), the balance amount of funds should be transferred to this pool.

- ✍️ Funds from this non-lapsable pool should be transferred to MWCD for utilizing the same in women related programmes/ projects.
- ✍️ At present, WCP treats women as one homogenous group but in reality, there are layers of discrimination even within women,. Thus some women are more vulnerable than others. For example, a dalit woman will be doubly discriminated and a differently-abled dalit woman will be even more vulnerable. Thus WCP needs to factor in this intersectionality-framework while addressing issues of most vulnerable women, like dalit women, adivasi women, HIV positive women, sex-workers, etc
- ✍️ Planning Commission should take quarterly meetings to review the progress of WCP. It should mandatorily obtain the information on WCP from Ministries/ States as a part of the Annual Plan exercise. The proposals submitted by the Ministries/Departments and the States should document the progress/review of the WCP during the current/previous year and the steps proposed to be taken during the forthcoming year. Revised proforma need to be devised which should be simple and user-friendly in order to collect information on WCP

Gender Budgeting

With the objective of gender mainstreaming as the ultimate aim, Gender Budgeting seeks to truly empower woman in every respect and enable her to realize her full potential in all spheres- political, economic, social, cultural and civil. Towards this end Gender Budgeting helps ensure better access of women to health and education facilities, vocational training, employment opportunity and social security etc. for women. Setting up functional Gender Budgeting Cells in all Ministries/ Departments in the Centre and the States with a view to mainstream gender concerns in all areas of Government is therefore vital and needs to be taken up on a priority basis.

Gender Budgeting cannot be restricted only to government programmes and schemes. If it is to be truly successful and beneficial to women, the process has to permeate and penetrate to all sectors (government and non government), policies and strategies and reach out to all sections of the governance and the community. Only then can gender budgeting completely fulfill its objective of truly empowering women keeping in view this macro vision of gender budgeting the recommendations for the Eleventh plan are as follows :

Important National macro-economic policies to be engendered

Policies of the Government form the genesis for programs and schemes providing the direction and describing the components of inputs that go into them. They determine the quantum of flow of the funds to different schemes, its components and also spatial spread of the programme. Unless the policies are engendered, it cannot be hoped that the programs and the schemes that emerge from this will be gender sensitive. Therefore, it is very essential that all policies of the Government from its very inception and formulation

stage be thoroughly examined from a gender perspective. The following paragraphs indicate the various possibilities and potential of engendering some important national policies.

The *fiscal and monetary* policies will need to be analyzed from a gender perspective as both have tremendous potential to have malefic or benign influence on the lives of women. Indirect taxation impinges heavily on women as the tax incidence, by and large, affects important items of sustenance which are generally highly price inelastic and even a small price rise in such items will have a negative impact on women; again the subsidy needs a re-look to ensure that withdrawal of subsidies do not adversely impinge on women. For example, withdrawal of subsidy on kerosene with no other alternative fuel options will result in the woman wasting valuable productive time in gathering firewood, twigs etc and in the process also face health hazards. Thus the ramifications of indirect taxes are quite significant as far as women's well being is considered. The gender affirmative role of direct taxation could be further enhanced through various incentives like reduction in stamp duties for women if assets are registered in their name, lowering of income tax slabs for women etc.

Monetary policy has to be viewed from a gender angle, especially in the case of credit and loan facilities and easy access of women to financial instruments and attractive saving options. In this context the spread of private micro credit lending instruments needs to be carefully regulated to ensure that women and SHGs are not exploited through high interest rates.

Agricultural policies are of prime importance in gender budgeting exercises as there is a growing feminization of agriculture in recent years with out migration of men moving to urban areas in search of work. It is estimated that 75% of all female workers and 85% of all rural female workers are in agriculture. Women constitute 40% of the agriculture force and this percentage is rising. The number of women headed households in the agricultural sector is also increasing. The prosperity of agriculture therefore will largely depend on how effectively these women are empowered.

Enhancing women's rights to land, providing infrastructure support to women farmers and advancing legal support on existing laws are some of the policy interventions needed. However, critical problems persist. The lack of formal titles to women on the land they cultivate is a big drawback. This adversely affects their access to credit, inputs and marketing outlets. It also reinforces the woman's position as unpaid farm labour which reduces their incentives to invest in the land. It further excludes them from receiving services of agricultural extension services, new production techniques etc. The lack of appropriate women friendly tools and agricultural implements is another drawback. Also the farmers' cooperatives basically comprise of men and therefore disadvantageous to women in terms of mind set and location and services profile. The agricultural policy will therefore need to be reviewed to provide a gender friendly perspective.

Policies for the *Non farm sector and information* is another highly important area that has to seriously reviewed keeping in view the gender perspective. As women tend to

remain in the rural sector they also undertake non-farm activities, which significantly contributed to the family's income. In times of agricultural stress, it is these non-farm activities of women that support the family. Therefore, the requirements of women in this sector needs to be identified and appropriate support facilities in terms of access to raw materials, micro credit, skill development, training, market linkages etc. have to be ensured.

Poverty alleviation programs should essentially focus on women as they are economically more disadvantaged than men and chronically poor. These alleviation programs should be geared and designed to meet women's needs with strengthening of SHGs, easy access to cheap credit, equal wages for equal work and a judicious mix of cash and non cash in the wages etc. With the advent of mega poverty alleviation schemes like the National Rural Employment Guarantee Scheme, more and more women are coming forward to work. It is important that the work place should be made safe from harassment and woman friendly with adequate provision of sanitation, drinking water and crèche facilities.

The existing *public distribution system* has failed to deliver the required food grains to the vulnerable groups on time in the requisite quality and quantity. The persisting problems of under weight, malnutrition, anemia are primary causes for early mortality, morbidity, high rates of MMR etc. There is urgent need to review and streamline the policy and strategy of PDS to ensure easy and timely distribution of food grains to women. The institution of food /grain banks and managing the same by women SHGs could be considered to enable uninterrupted supply of food grains even in times of drought or other natural/ man-made disasters.

Public policy with respect to *migration* is another area for consideration. Due to extreme poverty or seasonal farm work, women are forced to migrate to semi urban / urban areas. There are large numbers of social and economic consequences, which these women face such as exploitation in work place, wages differentials, low paid work etc. Also their access to safe housing, food, sanitation and health remain precarious. A very alarming feature of unregulated migration is the trafficking of young girls and women by duping, luring or kidnapping them. Such women are forced into prostitution, bonded labour or slavery. These social aspects need to be looked into in greater detail while reviewing the *Migration policy*

The possibilities of gender differentials for social security *insurance* schemes is another area that need to be examined, as there is an urgent need for low cost and gender friendly insurance systems that cater to the specific life cycle needs of women. It must be acknowledged that a safety net /social security in the informal sector is almost non existent. As women comprise a large proportion of the informal sector, this implies that they are excluded from the insurance framework and therefore not protected against social, medical or economic emergencies. More importantly, it is absolutely necessary to put in place a well designed *Health Insurance* scheme (which can operate under the aegis of the National Rural Health Mission) for women in view of their inability to access

medical facilities. Also pensions policy needs a relook in view of the large number of widow population in the country.

Environmental concerns also warrant gender mainstreaming. Providing alternative sources of fuel for women especially in rural areas reduces both her drudgery with collection of firewood and exposure to pollutants; switching from fossil fuel to non conventional fuel based systems such as green fuels(bio-mass), solar power, hydel power etc. should be stressed. Women's SHGs should be encouraged to be actively involved in Watershed Committees, Joint Forest Management Committees etc. There is a double advantage from this exercise, as on the one hand environment preservation issues will be addressed and on the other women will be empowered.

Disaster management policy should become gender sensitive as experiences have shown that women are most affected by disasters whether manmade or natural. The tendency for trafficking, sale of women and children is quite common in these extenuating circumstances. The emergency response systems in the event of such disasters should have well thought out gender relief measures to cater to afflicted women and children without any delay.

Media policy needs to be gender proactive. There is a need to encourage media to project positive images and balanced portrayal of women and girls to enable attitudinal changes. The media policy should also help in generating awareness on gender issues and concerns so that the process of societal reorientation towards creating a gender just society gets widely disseminated.

Research and Development should also be geared with a view to identify technological needs of women and develop and adapt technology especially to reduce the drudgery of women, facilitating her health and also income generating activities. The Information Technology Policy should also be women oriented imparting skills and strengthening the knowledge base of girls and women in the field of computer software and hardware especially in rural areas. Dissemination of information in local languages on socio-economic and legal issues concerning women would encourage better awareness and instill confidence. Information Technology Kiosks need to be opened for women which would facilitate the Self Help Groups in using internet facilities to purchase raw material designing and marketing of their products.

The above is an illustrative list of engendering national policies. Similar gender perspectives and mainstreaming has to be built into all policies whether they are economic, social or political in nature as Gender Budgeting cannot be seen in isolation from the overall socio-economic-political scenario. The successful impact of these policies on women implies the successful implementation of Gender Budgeting.

Intersectoral convergence for Important gender development Indices/Parameters

While the gender sensitization of policies, programmes and schemes go a long way in empowering women, it is human development indicators, which reflect the

ultimate and true empowerment of women in the country. In a way, these indicators are the outcomes of the gender budgeting, yet in their own sphere they are also the process inputs for gender budgeting.

Unfortunately, the basic parameters of health (declining sex ratio, IMR, MMR, immunization levels, morbidity, mortality, anemia etc.), nutrition (Mal-Nutrition, under weight, anemia etc.), education, (literacy levels, poor enrolment, drop out etc) employment and training (unorganised, unpaid sectors, discrimination in wages, poor skill development, mainly in drudgery areas of occupations such as agriculture, construction) reflect the continuing dismal status of women in the country. While individual sectoral policies, be it health, education, employment etc. will be separately engendered, cross cutting holistic intersectoral policies also need to be converged effectively with a gender perspective, if Human Development Indices are to improve. Therefore along with sectoral policies, intersectoral policies too need to be gendered defined.

Review of and effective implementation of all legislations and laws with a gender perspective to eliminate all forms of discrimination and violence against women.

The laws and legalization are the framework that provide women her rights as equal citizens of the country. There are over 42 women specific and related legislations. Some women specific legislations include the Immoral Traffic (Prevention) Act 1956, Maternity Benefit Act 1961, Dowry Prohibition Act 1961, Protection of women from Domestic Violence Act 2005 etc which seek to protect the women from sexual exploitation and other violence and abuse; women related legislations which have economic implications include the Factories Act 1948, Minimum Wages Act 1948, Equal Remuneration Act, 1976 etc, many of which have provisions for providing economic justice and fair wages to women; there are other Acts which are Protection oriented such as Pre conception and Prenatal Diagnostic Technique(Regulation and Prevention) Act 1994, Child Marriage Restraint Act 1929; and those with Social implications like Family Courts Act 1984, Hindu Succession 1956, Indian Divorce Act 1969. Thus while there are a plethora of Acts existing for the protection and socio-economic equality of women, it is only through their effective implementation that women receive the intended benefits. However, gaps still remain and It is essential that specific laws are brought into effect which provide adequate safeguards and protection to women. One such very important Act is the Compulsory Registration of Marriage Act, which will protect the marital rights of the women and ensure her rightful share in the husband's property. A review of the legislations is also required to bring about conformity in the laws. In this context, it may be noted that necessary provisions of Indian Penal Code be brought in harmony with the provisions of the women related Acts so that there is no dichotomy between the different legislations.

Mainstreaming and sensitizing gender concerns in various organs such as police, legislation, judiciary and trade unions

While the planning process and public expenditure in terms of programs and schemes are sought to be included in Gender Budgeting, yet without gender sensitivity of important organs such as police, judiciary etc the implementation will not be successful. This is especially true of such schemes which have a strong element of protection or are rights based. For example, if the woman is not given her due share of property or other assets as per law it is essential that these agencies help and support her in getting her share without much delay or harassment. This can happen only if gender sensitivity is inculcated in such bodies, and they are made aware of the laws, policies, programs and other initiatives for women. It is also important that justice delivery is quick with the enforcement machinery being responsive and gender sensitive to women's needs especially in cases of domestic violence and personal assault. In addition, trade unions also need to be sensitized to play an active role protecting women's rights/interests.

A very effective method of ensuring that gender concerns are not lost sight of in such bodies is the induction of larger number of women at different levels. This will encourage women to actively participate in power sharing and active participation in decision-making. Efforts should be made to provide coaching facilities and support services so that women can compete along with men both at entry and to facilitate upward mobility of women in these institutions.

The setting up of "women" police stations, women's help desk in every police station, and increasing the strength of women police to 30% of the total force has been reiterated a number of times by the Ministry of Women and Child Development in a number of forums. The Ministry of Home Affairs should take requisite steps to fulfill their obligations towards gender budgeting by 'engendering the police force'.

Gender mainstreaming to be extended to corporate sector and other civil society organizations

While so far the focus of gender budgeting has been on public expenditure of Government only, an increasing quantum of funds is being invested by the corporate sector in their businesses as well as in fulfilling their corporate social responsibility. The development of the corporate sector as an employer has grown tremendously in the wake of liberalization and globalization, especially with its entry in those sectors which were hitherto the domain of the Government. Therefore the time has come to apply the strategy of Gender Budgeting to the private sector. There is a three fold responsibility that rests with the corporate sector – one of extending the scope of their employment opportunities to more and more women, provide them with level playing fields, equal wages and promotion opportunities; two, to support skill building, training, vocational courses etc; and thirdly, to fulfill their social obligations towards women employees in terms of extending maternity benefits, protection from occupational hazards and sexual harassment, provision of facilities like crèches, toilets, sanitation and hygiene, allowing formation of women's associations, legal protection etc.

The civil society organizations whether NGOs, or other community based organizations are partnering government in formulation and implementation of government policies and programs. Thus their voice and views have an important bearing on shaping economic or social issues pertaining to women. They have to function as 'watch dogs' ensuring that Gender budgeting and mainstreaming is actually taking place right at the grass root levels and helping in implementing gender concerns effectively.

Estimation of value addition by women in the unorganized, informal and rural non farm sector and systemized mechanism in place to monetize the labour, efforts and output and include the same in the GDP

Informal farm work and non farm work where women are increasingly employed are mostly non monetized and therefore cannot be captured in the national accounting system. Despite the sizeable value addition to the national economy, on account of home based and other non farm and informal activities, the contribution of women's work continues to be invisible. Women also spend considerable time in collecting fuel, fodder, and water and on care related activities, which is neither aid or recognized as an economic activity. The statistical invisibility of such unpaid work implies that the economic system is missing out on a substantial part of the income generated and value added. The Eleventh Plan should ensure that the National Income includes these activities in their accounting system so that it forms a part of the GDP.

Gender Outcome Assessment

Gender outcome assessment and evaluation is of utmost importance for ensuring the success of Gender Budgeting. For this it is necessary that the gender fund flow into schemes are properly and correctly assessed. The Finance Ministry has made it mandatory that Gender Outcomes form a part of the Outcome Budget prepared by every Ministry/ Department as part of the Budget documents.

Some anomalies have been observed in allocations reflected in Union Budget 2005-06, under various programmes/schemes for women. In 2005-06 this exercise covered 10 Departments and the total magnitude of Gender Budget (i.e., women specific allocations) was recorded at 2.8% of total Union Government expenditure. In 2006-07, 24 Departments of the Union Government were included under this exercise and the magnitude of Gender Budget went up to 5.1% of total budget estimates. However, it has been observed that schemes which do not have a 100% womens' component found a mention as women specific schemes. Therefore the first step towards proper outcome assessment of Gender Budget is that each Ministry/Department of both Centre and State should put in place a systematic and comprehensive monitoring and auditing mechanism for outcome assessment.

At present, the major task of the Gender budgeting Cells in the Ministries/ Departments is limited to identification of schemes and computation of allocations meant for women. To bring a qualitative improvement in the functioning of the Cells and make

Gender Budgeting exercises more meaningful and effective, the following approach can be followed by the Cells for extending gender outcomes.

- ?? Assessing budget allocations and proposing for additional allocations for gender related schemes / components ;
- ?? Analyzing and reviewing policy, strategies, programmes and schemes from the perspective of women as also improving the status of women, identifying constraints and taking into view their needs and requirements
- ?? Identify constraints in flow of funds to women through expenditure tracking studies
- ?? institutionalize generation, collection and compilation of gender disaggregated data through various mechanisms right from the grass root level and ensure that this should be an inbuilt part of the programme/ scheme.
- ?? Identify data gaps and design the future steps for building gender disaggregated data
- ?? Monitoring of spending and service delivery
- ?? Assessing the extent to which women are benefiting under the schemes and programs of the Ministry
- ?? Assessing beneficiary incidence
- ?? Identification of areas where existing schemes can be further engendered and Initiating new initiatives, innovative ideas and schemes for gender benefit

In addition to the above, which will primarily be the responsibility of the individual sectoral Ministries/ Departments, the Planning Commission and the Finance Ministry should enable assessment of national level gender outcome assessment through:

- ?? Spatial mapping of gender gaps and resource gaps by Planning Commission
- ?? Gender audit of public expenditure, programmes and policies
- ?? There is a need to collect gender disaggregated data at national, state and district levels. Standardisation of data is also necessary to facilitate comparison not only at national but also international levels. The data should flow on a regular basis and should be compiled, collected and analysed periodically.

Training and Capacity Building

Strengthening GB Cells

MWCD being the nodal Ministry for Gender Budget should have a full fledged Unit for Gender Budgeting with appropriate staff and infrastructural facilities. At present, there is no staff allotted for Gender Budgeting. As the MWCD undertakes all coordination, orientation and sensitization exercises for Gender Budgeting at Centre and States , it is very essential that adequate staff be provided for the unit. It is recommended that the Gender Budgeting unit should comprise of the following officers who have a strong base in formulation, evaluation, project appraisal, monitoring etc of economic strategies, policies and programmes etc.

- ☞☞ Joint secretary level officer (1)
- ☞☞ Deputy Secretary /Director level officer (2)
- ☞☞ Deputy Director(3)

- ☞☞Assistant Director (3)
- ☞☞Research Assistant/ Investigators (4)
- ☞☞Section officer and staff
- ☞☞The capacity of the Gender Budgeting Cells that have been set up in various Departments and Ministries too need to be strengthened, especially as the Cells will have a large number of activities to carry out. For this purpose it is suggested that each Gender Budgeting Cell should comprise of officers who have a strong base in formulation, evaluation project appraisal, monitoring etc of economic strategies, policies and programmes.

Setting up of Regional Resource and Training Centers for Gender Budgeting (RRTCGB)

With the basic objective of building a core team of resource agencies and trainers to disseminate the tools, strategy and process of Gender Budgeting throughout the country so as to enable a wider outreach and to decentralize the technical support and capacity building activities, there is a need to set up Regional Resource and Training Centers for Gender Budgeting (RRTCGB). Institutions/ centers which have the requisite Infrastructure and expertise in the related disciplines of gender budgeting and gender related issues need to be identified in different parts of the country. Such centres should have experience in promotional activities such as outreach, advocacy and in facilitating networking and linkages through convergence and with sound financial capability.

To enable such training programs and capacity building will require adequate funding under a new separate head of account titled ‘Training and Capacity building in Gender budgeting’.

Preparation of Training manuals

Detailed training manuals will need to be prepared which can be used by the Trainers. These manuals will give the approach and the methodology to be taken in the engendering policies, schemes, programmes and assessing their gender outcomes. The Manuals will be specially designed to cater to the requirements of the different stakeholders such as:

Central Government and State Governments

Ministries, which are administratively oriented

Corporate sector

Civil society organization and NGOs etc

Gender budgeting cannot be the sole responsibility of any one Ministry or any one sector. It is only through the commitment and efforts of all sectors of the Government, be it at the Centre or in the States, the Private Sector and Civil Society, can the objective of redressing the inequalities faced by women be achieved, thus establishing the true essence and spirit of Gender Budgeting in empowering women holistically.

CHAPTER VII

INSTITUTIONAL MECHANISMS

Institutional mechanisms for the advancement of women include institutions of different types which support the cause of women's advancement. The various institutional mechanisms that are contributing / will contribute to the achievement of women's empowerment and gender equality as laid down in the Eleventh Plan are listed below:

- ☞ Government structures with a mandate for women such as Ministries, Departments, focal points, bureaus, cells, desks, coordination units and committees, inter-agency committees etc.
- ☞ Government-sponsored dedicated agencies for women, such as Commissions, Boards, Committees, Councils, Corporations, Women's Resource Centers, Women's Studies Centres, grass roots formations such as Mahila Mandals, Self Help Groups etc.
- ☞ The Parliamentary Committee on the Empowerment of Women
- ☞ Institutions of local government such as the three tiered panchayats and urban local bodies which are to be delegated vast administrative, financial and legal powers across the development sectors, including social and women's development.
- ☞ Mechanisms and Plans such as gender budgets, component plans for women, action plans for women, monitoring and assessing instruments such as HDR's, audit systems such as gender and social audit, appraisals and evaluations using tools such as gender analysis, participatory exercises etc. To these can be added grass roots innovations capturing attention such as the Jan sunwais (public hearings within an informal space) in the style of courts or other judicial bodies.
- ☞ Women's bodies and groups working for the economic, social and political rights of women, all bearing the 'voluntary' and 'democratic' label, but with varying emphasis on different belief systems, ideologies and philosophies, etc. ranging from academia, research, education, feminism, to action research and advocacy.
- ☞ Federations, trade unions, cooperatives, youth and other age based groups ad-hoc groups formed for short term objectives, watch dog bodies, local groups etc.

The National Policy for Empowerment of Women (2001) had announced formation of National and State Councils to oversee the operationalisation of the Policy on an ongoing basis. The National Council was to be headed by the Prime Minister, and the State Councils by the Chief Ministers. They had to be broad in composition, with officials as well as Central and State Social Welfare Boards, National and State Commissions, NGO's, women's organizations, trade unions, academics, experts, social activists, etc. These bodies were to meet twice a year and review the progress made in implementing the National Policy. Further, the National Development Council, the highest body in the government hierarchy, which has to officially approve all the five

year plans, was also to be informed of the progress of the programmes undertaken under the Policy from “time to time” and their advice sought.

Other commitments made in the Policy on institutional mechanisms include setting up of State Resource Centres which would be linked with the women’s studies centres functioning in the country. At the district level, the existing institutions would be strengthened and at the grass roots women’s groups (SHG’s) would be helped to federate as registered societies at panchayat and municipal level. They would also be involved in the implementation of the Policy.

The Policy also announced the operational strategy for converting the Policy into concrete programs on the ground. This was to be done through the mechanism of the National and State Action Plans. These plans would be time bound and implemented in a participatory manner and also involve all the institutional machineries in the country.

The requirements of gender mainstreaming calls for close coordination between MWCD and the many other Ministries and Departments (as well as other agencies) that are involved in the empowerment of women and gender equality. The setting up of gender budgeting cells in more than 40 Ministries and Departments at the national level has the potential of taking the preparation and implementation of the Plan of Action forward.

Recommendations

- ✍✍ An apex body at the National level, as envisaged in the 2001 Policy (NPEW) should be set up at the earliest, so that a comprehensive picture of the Action Plans can be prepared and reviewed.
- ✍✍ Similarly, the Policy commitment of reporting on progress of women’s plans to the National Development Council from time to time should be implemented at the earliest.
- ✍✍ Action Plans for Women’s Empowerment at national and State levels should be drawn up in consultation with civil society including women’s groups, lawyers, activists, women’s studies centres etc.
- ✍✍ While Action Plans should receive inputs from all sectoral agencies, the format of the Plans should not be restricted to the sectors. Cross cutting issues such as unpaid work, land and asset entitlements, skill development and vocational training, child care, occupational health, wages, violence against women etc. should be mainstreamed across all the implementing agencies.
- ✍✍ The Action Plan should be made time bound and a system of accountability for each component or action point should be clearly laid down. Different deadlines may be set for different components.

- ✍✍ Since the Plans of Action are a Government commitment to the women of the country, all implementing agencies should be made accountable for its successful implementation, in the spirit of collective responsibility.
- ✍✍ Appointments to the National and State Commissions for Women should be made on the recommendations of a Search Committee comprising of eminent individuals from every walk of life, including women's development. The Search Committee should be set up by a decision of the Cabinet. The statutorily laid down systems for making appointments to other high level commissions and bodies can also be looked at.
- ✍✍ All State Commissions should have a statutory base, ensuring their legal status.
- ✍✍ National and State Commissions should have more functional and financial autonomy.
- ✍✍ Resource Centres for women should be set up at state levels and these centers both at the National and State levels should be linked with the Women's Studies Centres.
- ✍✍ Keeping in view the availability of resources and the need to deliver on commitments, MWCD should make synergistic use of the Gender Responsive Budgeting and Gender Mainstreaming processes. The building of budgets from below is a paradigm that can be attempted, in the spirit of devolution and democratic decentralization process.
- ✍✍ The new Ministry of Women and Child Development must be suitably strengthened with a larger complement of staff whose capacities must also be enhanced. Besides the competencies of gender and economics, the ministry must also have competencies in gender & trade and legal matters.
- ✍✍ In view of the vision of the Government to ensure the holistic and integrated empowerment of women using the tools of gender mainstreaming and gender responsive budgeting, the MWCD must have a stronger coordinating and monitoring role – being a kind of watch dog on behalf of the government, on gender issues
- ✍✍ The MWCD should take the lead in creating and maintaining a comprehensive sex-disaggregated data base, for quantitative and qualitative data. The purpose would be (1) to base new initiatives on facts and figures, (2) assess the gender impact of programmes and (3) assess the level of women's participation and involvement in the planning implementing and managing of programmes.
- ✍✍ A qualitative assessment of ongoing gender sensitization programmes for government officials being undertaken by different institutions should be carried out by MWCD, with the involvement of women's groups. Re-structured outcome oriented gender sensitization programmes must be a constant and recurring phenomena for all (in all departments) government officials, at all levels.
- ✍✍ The Parliamentary Committee on Women's Empowerment should clear all legislations before they are presented to Parliament for enactment.
- ✍✍ At the state and district level, the existing institutions including departments and women's commissions should be strengthened both with human and financial resources and powers.
- ✍✍ At the grass roots women's groups (SHG's) should be helped to federate as registered societies at panchayat and municipal level.

CHAPTER VIII

SCHEMES OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT

The Ministry of Women and Child Development, as the nodal agency for all matters pertaining to welfare, development and empowerment of women, has evolved schemes and programmes for their benefit. These schemes are spread across a broader spectrum such as women's need for shelter, security, safety, legal aid, justice, information, maternal health, food, nutrition etc as well as their need for economic sustenance through skill development, education, and access to credit and marketing.

The schemes of the Ministry like Swashakti, Swayamsidha, STEP and Swawlamban enable economic empowerment. Working Women Hostels and Creches provide support services. Swadhar and Short Stay Homes provide protection and rehabilitation to women in difficult circumstances. The Ministry also supports autonomous bodies like National Commission, Central Social Welfare Board and Rashtriya Mahila Kosh which work for the welfare and development of women. These schemes were run in the Tenth Plan. It is proposed to continue some in the Eleventh Plan and also to take up new schemes. Scheme-wise details are given in the following sections.

Schemes for Economic Empowerment

Swa-Shakti

The Project jointly funded by IFAD, World Bank and the Government of India was launched in October, 1999 and culminated on 30th June, 2005. The objective of the Program was to bring out socio-economic development and empowerment of women through promotion of women SHGs, micro credit and income generating activities. The project was conceived as a Pilot Project implemented in 335 blocks of 57 districts in 9 states. The Project established 17,647 SHGs covering about 2,44,000 women. This was a Centrally Sponsored Project.

Swayamsiddha

This is an integrated scheme for women empowerment through formation of Self Help Groups (SHGs) launched in February, 2001. The long term objective of the programme is holistic empowerment of women through a sustained process of mobilization and convergence of all the on going sectoral programmes by improving access of women to micro-credit, economic resources, etc. This is a Centrally Sponsored Scheme. The Scheme has been able to provide a forum for women empowerment,

collective reflection and united action. The scheme is expected to culminate in March, 2007. The programme is implemented in 650 blocks of the country. 67971 women SHGs have been formed benefiting 9,89,485 beneficiaries. The scheme comes to an end in March 2007.

It is proposed to take up Swayamsidha with a wider scope during the XI Plan. It is also proposed to implement a women's empowerment and livelihood project in four districts of Uttar Pradesh and two districts of Bihar with assistance from IFAD. The schemes of Swayamsidha and Swashakti would be merged and implemented as Swayamsidha, Phase-II in the XI Plan. The Mid-Term Appraisal Report of the Tenth Plan has also recommended merger of these two schemes as these have similar objectives. The next phase would be a country wide programme with larger coverage in States lagging behind on women development indices. Convergence is the basic concept in Swayamsiddha. The lessons learnt in Swayamsiddha and Swa-Shakti would be incorporated in the universalized Swayamsiddha giving an integrated set of training inputs relating to social and economic empowerment, including skill development and training in traditional and non traditional sectors.

The estimated requirement during the XI Plan period for both phase II of Swayamsidha as well as the IFAD Project is Rs.3000 crore.

Swawlamban Programme

Swawlamban Programme, previously known as NORAD/Women's Economic Programme, was launched in 1982-83 with assistance from the Norwegian Agency for Development Corporation (NORAD). NORAD assistance was availed till 1996-97 after which the programme is being run with GOI funds. The objective of the programme is to provide training and skills to women to facilitate them to obtain employment or self employment on sustained basis. The target groups under the scheme are the poor and needy women, women from weaker sections of the society such as Scheduled Castes and Scheduled Tribes etc. In order to ensure more effective implementation and for better monitoring/evaluation of the scheme, it has been transferred to the State governments from 1st April 2006 with the approval of Planning Commission.

Support to Training and Employment Program (STEP)

This program seeks to provide skills and new knowledge to poor and assetless women in the traditional sectors. Under this project, women beneficiaries are organized into viable and cohesive groups or cooperatives. A comprehensive package of services such as health care, elementary education, crèche facility, market linkages, etc. are provided besides access to credit. Skill development is provided in ten traditional skills amongst women. This is a Central Scheme launched in 1987. The Ministry is at present getting the program evaluated. Based on the results of the evaluation, the scheme is proposed to be revamped. Further, the possibilities of providing training and skills to women both in traditional and non traditional sectors and integrating with Rashtriya

Mahila Kosh for credit linkages are being considered. A sum of Rs.240 crore is proposed for the scheme in the XI Plan.

Support Services

Construction of Working Women Hostels

Under the scheme, financial assistance is provided to NGOs, Co-operative Bodies and other agencies for construction / renting of buildings for Working Women Hostels with day care centre for children to provide them safe and affordable accommodation. This is a central scheme. The utilization of funds under the Scheme has been unsatisfactory during the Tenth Plan period because NGOs are not able to avail funds due to strict norms of funding and lack of suitable proposals from the organizations.

The norms and financial pattern of assistance discourage the NGOs for construction of these hostels. At present, the norms are (i) availability of land in prime location so that they get sufficient number of working women, (ii) 50% of the cost of land (the land has to be acquired before the proposal for the government grant is submitted) and 25% of the cost of construction has to be borne by the NGO, (iii) construction of the hostel is required to be completed within two years, etc. Another issue needing review is the fixed percentage of trainees and students as a proportion to working women that is uniformly applicable across the country. There should be some flexibility especially for educationally backward states and regions, where rural girls are not able to find suitable accommodation when entering the portals of higher education.

This scheme is one of the oldest programs of the Ministry. But as now only 873 hostels have been constructed under the scheme. With the increasing number of working women, the need for adequate housing and shelter for working women is now felt not only in big cities but also in small towns and rural areas. Hence a Committee to revamp the scheme has been set up under the chairpersonship of Secretary, Ministry of Women and Child Development to make the scheme more viable and to attract more NGOs to come forward to apply for the scheme. NGOs are not able to avail of the funds due to escalating costs of land. The possibility of approaching the Land and Development Authorities for allocating land for Working Women Hostels in their States is also being considered. Construction would be taken up by the Departments/Ministries in charge of Women's Affairs and the constructed building handed over to an NGO for running the hostel. Recurring grants for maintenance would be given to NGOs. Then monitoring also would be easier unlike in the present scheme where once the construction is over, the Ministry has no control over the NGOs.

In the current scheme, a day care centre is optional. Women with small children would not prefer to stay in the hostel if the hostel does not have a day care centre attached to it. The Committee would look into this aspect as well. In view of these, it is proposed to totally revamp the scheme and the revamped scheme would be run in the XI Plan. Requirement of funds for the XI Plan is estimated at Rs.500 crore.

Creches

The Ministry runs a scheme of crèches that caters to the children of poor working women or ailing mothers. This provides a great help to women who are working as their children are being provided a safe environment when they are at work. This scheme is being covered in the Report of the Working Group on Child Development of this Ministry.

Relief, Protection and Rehabilitation to Women in Difficult Circumstances

Swadhar

This Scheme was launched in 2001-2002 for providing relief and rehabilitation to women in difficult circumstances. The main objectives of the scheme are as follows:

- ?? To provide primary need of shelter, food, clothing and care to the marginalized women/ girls living in difficult circumstances who are without any social and economic support.
- ?? To provide emotional support and counseling to women.
- ?? To rehabilitate destitute women socially and economically through education, awareness, skill upgradation and personality development.
- ?? To arrange for specific clinical, legal and other support for women/girls in need of those interventions by linking and networking with other organizations in both Government and non-Government sectors on case to case basis.
- ?? To provide Helpline or other facilities.

Beneficiaries covered under the scheme are widows deserted by their families, women prisoners released from jail, women survivors of natural disaster, trafficked women, women victims of terrorist/extremist violence, mentally challenged, and women with HIV/AIDS etc. At present 129 shelter homes are functional in the country.

The number of homes currently functional in the country is grossly inadequate. The requirements of women being catered to by the scheme are different. The needs of mentally challenged women are quite different from that of women rescued from trafficking or women survivors of disasters. Hence it is proposed to set up different homes for women with different needs. The recently introduced Protection of Women from Domestic Violence Act provides that women seeking shelter should be accommodated in the shelter homes. These call for increase in the number of shelter homes in the country. In the XI Plan, it is proposed to set up one home in each district. It is also proposed to revise the schematic norms.

The root cause of most of problems being faced by women is lack of economic independence among women. Providing training and skills in various vocations to women living in shelter homes will facilitate them to obtain employment on sustained basis. Though the scheme in the current form provides for vocational training, no separate funds are being provided for the purpose. Organisations are expected to seek convergence of the benefits of schemes like STEP, Swawlamban etc. In the XI Plan, it is

proposed to allocate funds for vocational training to the women as a part of the scheme. It is also proposed to revise the norms for food, medical expenses, clothing, rent etc under the scheme.

A provision of Rs.1000 crore is proposed in the XI Plan to set up more shelter homes as also to revise the norms of the scheme.

Compensation to Rape Victims

The Hon'ble Supreme Court in Delhi Domestic Working Women's Forum Vs. Union of India and others writ petition (CRL) No.362/93 had directed the National Commission for Women to evolve a "scheme so as to wipe out the tears of unfortunate victims of rape." The Supreme Court observed that having regard to the Directive principles contained in the Article 38(1) of the Constitution, it was necessary to set up criminal Injuries Compensation Board, as rape victims besides the mental anguish, frequently incur substantial financial loss and in some cases are too traumatized to continue in employment. The Court further directed that compensation for victims shall be awarded by the Court on conviction of the offender and by the Criminal Injuries compensation board whether or not a conviction has taken place. The Board shall take into account pain, suffering and shock as well as loss of earnings due to pregnancy and the expenses of child birth if this occurs as a result of rape.

Accordingly NCW has drafted a scheme titled "Relief to and Rehabilitation of Rape Victims". It is proposed to initiate the scheme in the XI Plan. The budgetary requirements for the scheme in the XI Plan is estimated as Rs.250 crore.

Pilot Projects for women in difficult circumstances

The schemes that are being run for women look at women as one homogenous group. In reality, there are different categories of women requiring different interventions. In the introductory chapter of this Report, vulnerable women have been grouped into different types. In the XI Plan it is proposed to take up pilot projects for the different categories of women. If these pilot projects prove to be fruitful, then the States would be asked to take them up on a wider scale. Rs.2000 crore is proposed for the pilot projects in the XI Plan.

Implementation of Protection from Domestic Violence Act and other Acts of the Ministry

The Protection of Women from Domestic Violence Act came into force on 26th October 2006. In the XI Plan it is proposed to take up the following for effective implementation of the PWDDVA:

- ☞☞Set up the required infrastructure and requirements to make the Act effective.
- ☞☞Provide training, sensitization and capacity building of Protection Officers, Service Providers, members of the judiciary, police, medical professionals,

counselors, lawyers, etc on the issue of domestic violence and the use of law (PWDVA and other criminal and civil laws) to redress the same.

- ☞ Monitoring the appointment of Protection Officers by regular feedback from the various states
- ☞ Set up an effective MIS to monitor its implementation.
- ☞ Give wide publicity to the Act.

Rs.500 crore is proposed to be provided for implementation of PWDVA in the XI Plan.

The Ministry is in the process of drafting an act to prevent sexual harassment at workplace. It is proposed to allocate Rs.100 crore for implementation of this and other acts that the Ministry may bring into force during the XI Plan.

Media

A number of women specific and women related laws have been enacted to protect them from social discrimination and to give them equal opportunity. Ministry of Women and Child Development is the administrative ministry for implementation of many of these Acts like Commission of Sati (Prevention) Act, Dowry Prohibition Act, Indecent Representation of Women (Prohibition) Act, Immoral Traffic Prevention Act and Protection of Women from Domestic Violence Act. In spite of some of these Acts being in place since a long time, these crimes against women continue unabated. Implementation of these Acts is very poor. The knowledge about the existence of these Acts is also very low among the public and other stake holders. Similarly, though the country is a signatory to the UN convention on elimination of discrimination against women and the convention was ratified as long back as in 1992, its dissemination has been very poor.

Further, to achieve gender equality and to stop crime against women, what is needed is a change in the people's attitude, both of men and women. Having any number of legislations, policies and programmes will not take us towards the desired goals unless the thinking, perception and attitude of the society changes.

Bringing about attitudinal change in the society as well as dissemination about the laws, policies, programmes etc of the Government can be achieved only through an effective multi-media publicity campaign through electronic media, print media and outdoor publicity tools.

In the XI Plan it is proposed to take up media activities on a much larger scale and a sum of Rs.1000 crore is proposed for disseminating women related issues alone.

To carry out the above women related media activities as also those relating to children, it is necessary that a separate media unit is set up in the Ministry with officers from Information Service posted therein so as to give a professional touch to the various multi media activities proposed to be carried out during the XI Plan. An amount of Rs.4.00 crore would be required for the purpose.

Research and Evaluation

Ensuring efficient implementation of policies and programs is the most important aspect of any intervention. The tools and strategies to assess these aspects are Research, Monitoring and Evaluation. Considering the importance and the necessity of research, monitoring and evaluation of all policies and programs, the Ministry of Women and Child Development is operating a GIA (Grant In Aid) scheme for Research, Monitoring and Evaluation.

During the 11th Plan, in order to give more thrust to the development of women and children, many new schemes such as integrated child protection scheme, Swayam Sidha Phase II, over hauling, rationalization and expansion of already running schemes such as ICDS are being conceived of. New acts and rules, amendment of existing rules and regulations, may also be brought out. The working of Domestic Violence Act 2005 and its rules recently notified need to be assessed for remedial actions; the outcomes and outputs are to be matched with outlays and the directions of the interventions are to be altered if necessary. It is proposed to include the following areas for research, monitoring evaluation and publication during the 11th Plan:

- ☞☞Prevention of Female foeticide / Infanticide
- ☞☞Working of Prohibition of Child Marriage Act
- ☞☞Issues relating to Child sex tourism, Pilgrim tourism, Tourism sex
- ☞☞Studies on children of prostitutes
- ☞☞Workshop/seminars on spreading awareness about ITPA act, ill effects of foeticide and infanticide, child marriages etc
- ☞☞Awareness campaigns/motivation campaigns for the police and other enforcement authorities/implementing officials of acts and rules
- ☞☞Concurrent monitoring / evaluation of schemes
- ☞☞Development of data bases on women, children
- ☞☞Preparation of gender development Index / gender empowerment measure
- ☞☞Preparation of child development Index
- ☞☞Create mappings showing comparative status of women/ children in different States/UTs
- ☞☞Creation of directory of facilities created under various welfare schemes
- ☞☞Information booklets/brochures to propagate the schemes of Govt. of India / M/o WCD for women and children
- ☞☞Statistical publications/brochures on women/child
- ☞☞In case of ICDS scheme workshops on district level awareness of ICDS in selected areas where the malnutrition is highly prevalent
- ☞☞Working of existing acts for women and children etc
- ☞☞All India surveys / impact studies / evaluation on various issues and schemes pertaining to women and children.

To undertake the Research, Evaluation, Monitoring and Publication activities during the 11th five year plan, a plan outlay of Rupees 15 crores is proposed.

Setting up a Gender Budgeting Cell and a Statistical Division in the Ministry

Statistical Division

Monitoring and evaluation of the progress made in improving the status of women is extremely important; systems should be in place for regular monitoring and evaluation of all gender development programmes implemented by various ministries. Gender development indicators may be compiled at all India, State and District levels and disseminated widely for use by the policy makers, planners and programme implementation authorities. Further analytical studies may be undertaken to bring out regional imbalances for enabling corrective action. Hence a cell for Development of Statistical Databases on Women and Child and other related issues may be set up, which may undertake the following important activities:

- ?? Statistical publications on women and children / creation and maintenance of data base of important parameters on women and children (all India, State/ UT, District levels) to reflect the progress by comparative analysis.
- ?? Compilation of GDI/ GEM and publication of India country report with annual periodicity.
- ?? Development of statistical data on emerging topics such as violence against women, feminization of poverty etc.
- ?? Identify gender related data gaps and organize sample surveys by reputed Government/ Non- Government agencies to fill up the data gaps and to monitor implementation of policies and programmes of M/o WCD and other tasks entrusted to M/o WCD.

Requirement of funds during the XI Plan is estimated as Rs.3.50 Crores.

Gender Budgeting Cell

As the nodal Ministry for women, the Ministry of Women and Child Development has been undertaking several initiatives for the empowerment of women. In this context, Gender Budgeting has been adopted by the Ministry as a tool for achieving the goals laid down for women in our plans and policies. Guidelines for implementing Gender Budgeting by the various ministries have been laid down and this Ministry is continuously taking up with the other Ministries as well as the State Governments and holding hands with them to carry forward this exercise. For the Ministry to take up this task more effectively, the Gender Budgeting Cell of the Ministry needs to be strengthened for which Rs.2.50 crore is required during the XI Plan.

Further, detailed training manuals need to be prepared for the use of the trainers. These manuals will give the approach and the methodology to be taken in the engendering policies, schemes, programmes and assessing their gender outcomes. A budget of Rs.50 crore is proposed for organizing training and capacity building workshops and preparation of training manuals'

Autonomous Organisations under MWCD

Rashtriya Mahila Kosh (RMK)

RMK was established in 1993 to provide micro-credit in a quasi-formal manner to the poor women for income generating, production, skill development and housing activities in order to make them economically independent. RMK mainly channelises its support through NGOs, Voluntary agencies, States Women Development Corporations, Cooperative societies, State government agencies, Urban Women Co-op Banks etc. to the women SHGs. It was started with an initial corpus of Rs. 31crore which has been recycled to reach cumulative sanctions of Rs.188 crores of loans. It has maintained a high recovery rate of over 90%.

It is proposed to expand the credit program from the present level of Rs.20 crore to Rs.100 crore per annum by 2010-11 and also to expand its operations in all States and Union Territories through nodal agencies and franchisees. Client friendly innovative loan/grant products would be launched make the credit programmes more attractive. During the XI Plan RMK will upscale its operations to target assistance to about 20 lakh SHG members and enhance the corpus to Rs.500 crore.

Vision for the XI Plan

- ❏ RMK would be the nodal agency/apex body for micro-credit for women.
- ❏ RMK would act as the premier advocacy organisation for the development of micro-finance sector at national and international level to enhance the flow of microcredit in the unorganised sector for women.
- ❏ Mechanism would be evolved to access credit from RMK for women SHGs instead of Banks as an alternative financial institution by all Ministries which are promoting / implementing subsidy-linked SHG programmes. To this end, institutional capacity of RMK should be expanded through organizational expansion by providing adequate financial support complemented with socio-political and economic inputs. Also, with the universalized Swayamsidhha in the 11th Plan, RMK is required to be expanded.
- ❏ RMK would expand its role from a mere credit disbursal agency to a genuine community based, women oriented, saving cum lending agency.

Central Social Welfare Board

CSWB was set up on 12th August 1953 by a Resolution of Govt.of India to act as an apex body at national level for welfare and development of women and children. State Social Welfare Boards were established in 1954 in all State capitals to support CSWB in achieving its objectives.

It is proposed to review all the existing schemes and restructure them looking into the current requirements. Programmes of CSWB would be merged with those of the Ministry like the schemes on Short Stay Homes and Working Women Hostels. New

schemes if need be would be taken up and the schemes like Condensed courses of education for women would be modified during the XI Plan.

There is a strong case for restructuring of the CSWB and the State Social Welfare Advisory Boards to meet the needs of development of women and children in the fast changing economic scenario. The State Boards in particular need to be more responsive and in tune with requirements in their areas.

Programs of CSWB

Family Counselling Centres

Objectives

- Counselling and rehabilitative services for women & families affected by domestic violence, marital discord or family maladjustment.
- Pre-marital counselling for preparing youth for healthy interpersonal relationships, responsible parenthood and strengthening the institution of family.

During the Xth plan 830 FCCs have been set-up in different districts, Mahila Jails, Police Headquarters & Red Light Areas catering to the needs of 2,98,312 clientele.

Vision for the XI Plan

- The programme would be expanded to respond to felt needs of the society.
- More impetus on training and orientation of counsellors to provide professional services and strengthening of the scheme through capacity building of voluntary organisations.
- To enlarge the coverage in a phased manner so that every district has at least two FCCs.
- To give wide publicity to the scheme and networking with other stakeholders for settlement of cases.

Short Stay Homes

Objectives

- Women and their minor children, in difficult circumstances are provided comprehensive institutionalised services such as shelter, counselling, vocational training and rehabilitation for a period of 6 months to 3 years.

During the Xth Plan, 360 SSHs have been set up to benefit 96457 women & children.

Vision for the XI Plan

- Training programmes for the functionaries of the Short Stay Homes should be geared up to sensitize them about the problems of women in distress and to improve quality of services.
- Networking of the SSHs with those agencies who can help in purposeful rehabilitation of women.
- Anomaly in the quantum of honorarium to counsellors under various schemes of GOI needs to be removed.
- Would be merged with the Swadhar Homes.

Condensed Courses Of Education For Women

Objectives

- Providing education to adolescent girls/women who are school drop outs or did not have opportunity of joining formal education system to pass primary/middle/matric level examination with inputs skill development

During the Xth Plan 1840 Condensed Courses were sanctioned for 46275 beneficiaries

Vision for the XI Plan

- Scope of curriculum of all courses to be enlarged to include component of life skills, social skills and negotiating skills.
- To include provision for training of teachers and office bearers of voluntary organisation on various aspects of the scheme.
- To enhance intensity and impact of the scheme by reorientation, duration and time of the courses and to incorporate provision for educational tours, creches and nutrition in the scheme.
- Schematic pattern of the scheme to be revised.

Rajiv Gandhi National Creche Scheme For The Children Of Working Mothers

Objectives

- Working women from the economically weaker sections are provided support services in terms of substitute care through creches for children in the age group of 0-6 years. They are provided day care services, supplementary nutrition, health care services and early childhood education.

During the Xth Plan 12600 creches were supported to reach to 3,15,000 children.

Vision for the XI Plan

- To provide training to creche workers for better management of creche centres.
- The programme is much in demand and has proved its utility over the years. There is a felt need to set up new creches in uncovered areas.
- More than one lakh creches should be set up in the first phase to cater to the needs of working women in the unorganised sector.

Awareness Generation Programme

Objectives

- Camps are organized in the community for generating awareness among masses on issues relating to status, legal rights, problems of women and other social issues.
- To create an enabling environment for effective participation of women in decision making processes and for asserting their social, economic and political rights

During the Xth Plan 26626 Awareness Generation Camps were organized for 6,65,400 women.

Vision for the XI Plan

- ☞☞Regular campaigns on issues such as female foeticide, physical abuse, trafficking, gender discrimination and domestic violence may be organized.
- ☞☞To develop audio-visual and print material in local language /dialect for dissemination of information during the camps
- ☞☞Duration of camps may be made flexible.
- ☞☞Organisation of special camps for school children, college students on stress management, family life education, self defence and personality development.

Working Women Hostel

Under this scheme, CSWB provides maintenance grants to those working women hostels which have not been constructed with assistance from the Ministry of Women and Child Development. The maintenance grant is restricted for a period of five years.

Vision for the XI Plan

- ☞☞The schematic norms need to be revised.
- ☞☞The schemes of the Board and the Ministry would be merged.

National Commission for Women

The National Commission for Women was set up in 1992 to protect and safeguard the rights of women. The activities of the Commission include receiving complaints or suo moto enquiring in cases of deprivation of rights of women, providing counseling, conducting Parivarik Lok Adalats and legal awareness programmes and organising public hearings.

The National Commission for Women being the nodal agency for protection of the rights of women needs to be strengthened. The NCW Act needs to be suitably amended to give the Commission more power. The requirement of funds for the XI Plan for the activities of the Commission is estimated as Rs.35 crore.

Requirement of funds during the XI Plan

Requirement of funds for the XI Plan is estimated as Rs.9491.00 crore for the various activities detailed above. Scheme-wise break-up of the requirement is given in the table below.

Name of the Scheme	Amount (Rs. in crores)
Swayamsidha including IFAD Project	3000.00
Swadhar	1000.00
Working Women Hostel	500.00

STEP	240.00
Setting up GB Cell, Statistical Division and Media Unit	10.00
Preparation of Training Manuals for Gender Budgeting	50.00
Research and Evaluation	15.00
Pilot Projects for Women in Difficult Circumstances	2000.00
Implementation of Domestic Violence and other Acts	600.00
Relief and Rehabilitation for Rape Victims	250.00
Media	500.00
Rashtriya Mahila Kosh	500.00
Central Social Welfare Board	900.00
National commission for Women	35.00
Total requirement	9600.00

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Annexure-I

Working Group On Empowerment of Women for the Eleventh Five Year Plan
(2007-2012)The **composition** of the Working Group:

1.	Secretary, Ministry of Women & Child Development, Shastri Bhavan, New Delhi	Chairperson
2.	Secretary, Department of Health & Family Welfare, Nirman Bhavan, New Delhi	Member
3.	Secretary, Department of Ayush Nirman Bhavan New Delhi	Member
4.	Secretary, Department of Elementary Education and Literacy, Shastri Bhavan, New Delhi.	Member
5.	Secretary, Department of Secondary Education, Shastri Bhavan, New Delhi.	Member
6.	Secretary, Ministry of Labour Shram-Shakti Bhavan New Delhi	Member
7.	Secretary, Ministry of Urban Employment & Poverty Alleviation, Nirman Bhavan, New Delhi	Member
8.	Secretary, Ministry of Rural Development Krishi Bhavan New Delhi	Member
9.	Secretary, Department of Agriculture & Cooperation Krishi Bhavan New Delhi	Member
10.	Secretary, Ministry of Social Justice & Empowerment Shastri Bhavan New Delhi.	Member
11.	Secretary, Department of Science & Technology Technology Bhavan New Mehrauli Road New Delhi	Member
12.	Secretary, Ministry of Information & Broadcasting Shastri Bhavan New Delhi.	Member
13.	Secretary, Ministry of Tribal Affairs Shastri Bhavan New Delhi.	Member
14.	Secretary, / Department of Women and Child Development Government of Gujarat New Sachivalaya Complex, 8 th Floor, Gandhi Nagar-(382 010)	Member
15.	Secretary, Department of Women and Child Development Government of Jammu & Kashmir Jammu /Tawi- (190 001)	Member
16.	Secretary, Department of Women and Child Development Government of Madhya Pradesh Block No.2, 4 th Floor, Paryavas Bhavan Bhopal - 462 001	Member
17.	Secretary, Department of Women & Child Development Government of Tamil Nadu Secretariat Chennai - (600 009)	Member
18.	Secretary, Department of Women & Child Development Government of Chhattisgarh B.K.S. Bhavan Raipur-496115	Member
19.	Secretary, Department of Women & Child Development Government of Rajasthan Secretariat Jaipur - (302 001)	Member
20.	Secretary, Department of Women & Child Development Government of Jharkhand Ranchi - 834 001	Member
21.	Secretary, Department of Women & Child Development Government of Orissa Bhubanewshwar - (751 001)	Member
22.	Secretary, Department of Women & Child Development Government of Punjab SCO No. 128-29, Sector - 34A Chandigarh -160 017	Member
23.	Secretary, Department of Women & Child Development Government of Nagaland Kohima - 797 001	Member

24.	Secretary, Department of Women & Child Development Government of Tripura Agartala - (799 001)	Member
25.	Secretary, Department of Women & Child Development Government of National Capital Old ITI Building, Canning Lane, New Delhi	Member
26.	Member-Secretary National Commission for Women, 4, Deen Dayal Marg, New Delhi-110 002	Member
27.	Executive Director Central Social Welfare Board (CSWB) B-12, Tara Crescent, Qutab Institutional Area New Delhi.	Member
28.	Executive Director Rashtriya Mahila Kosh (RMK), 1, Abul Fazal Road Bengali Market New Delhi-110 001	Member
29.	Director National Crime Records Bureau Ministry of Home Affairs East Block-7, R.K. Puram New Delhi-110 066	Member
30.	President All India Women's Conference 6 Bhagwan Das Road, New Delhi-110 001	Member
31.	Ms. Geeta Ramakrishnan Women's Struggle Committee No.I - 3 rd Cross Street United India, Nagaon, Azavariam Chennai - 600023 Tamil Nadu	Member
32.	Ms. Monalisa Chankeija Nagaland Page Post Box - 200 Dimapur-797 112 Nagaland	Member
33.	Ms. Indira Jai Singh 63, Masjid Road, Jungpura Extn., New Delhi-110 014	Member
34.	Ms. Malini Ghosh National Commission for Women B-64, Sarvodaya Enclave, II nd Floor, New Delhi-110 017	Member
35.	Ms. Mamta Jaitley 40/26, Swarn Path Mansarovar Jaipur	Member
36.	Ms. Yashodhara Das Gupta SAHYOG, A-240 Indira Nagar Lucknow - 226 016 U.P.	Member
37.	Ms. Kalyani Menon Sen Coordinator, Jagori, C-54 (Top Floor), South Extension Part-II, New Delhi - 49	Member
38.	Mr. Mahender Singh Voluntary Health Association of Punjab Sector-9A, Chandigarh	Member
39.	Ms. Kalpana Shastri Samuday Aashiyana Rusera Distt.-Samastipur Bihar - 848210	Member
40.	Ms. Kanchan Mathur Institute of Development Studies 8-B, Jhalana Institutional Area Jaipur - 302 004 Raj as than	Member
41.	Joint Secretary Ministry of Women & Child Development Shastri Bhavan New Delhi	Convener

Terms of Reference of the Working Group:

- i. **To review** the existing approach, strategies, priorities, on-going policies and programmes and their implementation for the welfare, development and empowerment of women, both within the women-specific and women-related Sectors and **suggest** rationalization/ minimization of the on-going programmes and effective inter-sectoral convergence;
- ii. **To review** the progress of NCMP related schemes for empowerment of women and **suggest** measures for their improvement;
- iii. **To review** the recent initiative of gender budgeting and outcome budget for the empowerment of women and suggest measures if any for their further improvement;

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- iv. To **identify** neglected areas and groups; gaps, weaknesses and bottlenecks in the implementation; and take note of the emerging problems/situations related to welfare, protection, development and empowerment of women in the changing scenario and **suggest** necessary interventions;
 - v. To **review** the progress of the implementation of Women's Component Plan and Gender Budgeting to ensure flow of benefits/funds from other developmental sectors to women and **suggest** necessary measures to improve its effectiveness;
 - vi. To **review** the implementation of the existing women-specific and women-related legislations and mechanisms for their enforcement and **suggest** corrective measures;
 - vii. To **review** the functioning of the existing institutional arrangements, both at the Central and State levels for implementation of policies and programmes for empowering women and **suggest** measures to make them more effective;
 - viii. To **review** and **assess** the involvement of Panchayati Raj Institutions/Local Self Government Bodies and NGOs in the implementation of programmes for empowering women, and **suggest** measures for their effective involvement in the planning process, and
 - ix. To **review** the physical and financial achievements in relation to the targets fixed under various programmes for women during the Tenth Plan and **project** programme-wise requirements, both physical and financial for empowering women during the Eleventh Five Year Plan: