



# Executive Summary

**Report on the Status of Women in India**

High Level Committee on the Status on  
Women, 2015

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## INTRODUCTION

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In May 2013, the Government of India (Ministry for Women and Child Development), based on the recommendation of the Committee of Governors constituted by the President of India, established a High Level Committee on the Status of Women in India.

Forty two years ago, in 1971, the Ministry of Education and Social Welfare, Government of India also appointed the Committee on the Status of Women in India (CSWI) to study the status of women in India. The Ministry was acting on a UN request for a status of women report for International Women's Year in 1975.

The 1971 Committee had two tasks: One, to examine the constitutional, legal and administrative provisions that have a bearing on the social status of women, their education and employment. Two, to assess the impact of these provisions. The Committee concluded that there was an increase in the marginalisation of women in the economy and society. The CSWI report *Towards Equality* found demographic trends of declining sex ratio, disparities in the life expectancy and death rates between men and women; and the difficulties involved in women's access to literacy, education and livelihood. It was of the view that the Indian State had failed in its constitutional responsibility of gender equality.

The 2013 Committee's mandate was to undertake a comprehensive study on the status of women since 1989, and to evolve appropriate policy interventions based on a contemporary assessment of women's economic, legal, political, education, health and socio-cultural needs.

Since its appointment the Committee did extensive literature surveys in the mandated sectors. A situation analysis was developed from quantitative and qualitative data available. Special attention was paid to the most marginalised groups of women; background papers were commissioned; and domain taskforces provided the broad contours of enquiry for certain chapters of the report. Policy and programmatic analysis accompanied the situation analysis. This research was additionally enriched by numerous consultations organised by the Committee on specific themes and interface and dialogues with experts, invited resource persons and government officials.

In the 23 months of its work, the Committee had 29 meetings of two to four days each, using a participatory and democratic process to the best of its abilities. The Committee also organised a regional consultation. It visited seven Indian states interacting with senior officials in 15-17 departments in each state, the State Social Welfare Board Chairpersons and Members, and the State Commissions for Women. It made field visits to villages covering several districts of the states visited. This Committee interacted with women at the grassroots - elected women representatives, Self Help Group (SHG) leaders, women entrepreneurs, women survivors of violence and women running Nari Adalats etc.

The preliminary versions of various chapters were then peer-reviewed by reviewers or getting feedback from consultations with area experts.

This report is a culmination of two years of examining data and reports, widespread consultations, intense and insightful meetings, independent research and more importantly many hours of listening to women in the field.

## SOCIO CULTURAL CONTEXT OF WOMEN IN INDIA

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In 2015, the socio-cultural landscape for women is a complex mixture of the new and the old. Numerous modern institutions rest on the base of the traditional. Industrialisation, globalisation, urbanisation and modernisation have led to some irreversible changes for women - some positive and some problematic. On one hand a liberalised economy has offered better education, jobs, decision making powers and opportunities for women. On the other, women have been targets of a strong backlash with increased violence in and outside the home, acute wage differentials and discrimination and continuing commodification in society.

Migration, skewed sex ratio, environmental degradation have added to the women's vulnerability.

India is a male dominated society in which the economic, political, religious, social and cultural institutions are largely controlled by men. This control over women's livelihood choices and sexuality has existed and evolved over centuries through various discriminatory social practices and institutions. A combination of family, caste, community, and religion reinforce and legitimise these patriarchal values. Stereotyping of women and their roles continues in public and private

institutions. Media, both state and private, with its huge potential to influence and change mind sets unfortunately has not been harnessed for this.

This paradoxical situation of women in India is alarming. On one hand they are worshipped as goddesses, while on the other burnt for dowry. Boys are more desirable and seen as a support for parents in their old age as necessary to continue the family lineage. Girls are considered an unwanted burden yet used to support their brothers and men and suffer in silence as atrocities such as abuse, violence, rape and early marriages. When and if they break their silence, the repercussions are immense.

Discriminatory practices such as child marriages, dowry, honour killing, witch hunting and gender biased sex selection indicate profound vulnerability of and inequality towards girls and women in Indian society. Child marriage is a denial of childhood, with irreversible consequences, especially for girls. Dowry devalues women. Witch hunting is a way to control a woman who do not conform. Gender biased sex selection eliminates girls from the families and societies, altering the social fabric and causing further vulnerability to abuse and violence for those who live. Honour killing is a barbaric violation and humiliation girls and women.

The government has recognised these paradoxes and attempted to address these in policies, legislation and programmes. Development programmes introduced to bring gender equality have produced mixed results. Legislative changes have faced resistance in their implementation due to social, cultural and religious mores.

The change in social norms and mind-sets towards girls and women can be brought about through institutional initiatives. This involves the family, the community, religious and educational institutions. The state, as the largest public institution can initiate, strengthen and ensure implementation its economic, and social policies for gender equality. This will have a strong and effective impact the subjective changes in perceptions and expectations towards girls and women. Change is needed at the macro and micro level.

## Key Recommendations

### National, state, district and village level

1. A monitoring agency for national level data on gender (for e.g. a gender atlas) done every five years.
2. A gender scorecard (details of which can be worked out with experts) for people in public life such as politicians and bureaucrats, every five years.
3. Rigorous implementation and monitoring of the laws and schemes and strengthened enforcement of legislation on girls and women (child marriage, sex determination, domestic violence, sexual harassment, etc.)
4. Strong support services to women for shelter, medical, legal aid and counselling services, witness/victim protection programmes and other services that help them to live in dignity.
5. Developing a plan for ensuring gender friendly public spaces, which includes workplaces, transport, street lighting, toilets etc. within two years.
6. Develop a plan for large scale gender sensitisation and capacity building of stakeholders (parliamentarians, police, judiciary, media, government officials, duty bearers, healthcare professionals and workers, Anganwadi workers, youth and other stakeholders), within two years.
7. Investment in community based programmes and services to create public awareness and motivation to influence mind-sets at large.
8. Documentation, replication and scaling up of best practices.

### Reforming public and private institutions

1. Ensure and encourage engendering of sectors and institution -family, school, workplace, peers, mass media and information and communication technologies (ICTs) - to explore ways in which they discriminate and marginalise women and perpetuate stereotypes.

### Behaviour Change Communication (BCC)

1. Identify networks and organisations that can support the implementation of Behaviour Change Communication initiatives at the national, state and local level and working towards large scale social mobilisation and communication.

2. Support training of frontline workers, community and social mobilisation activities, awareness campaigns with self-help groups, federations, mothers' clubs, religious leaders, priests, teachers and NGO.
3. Support and encourage studies at the community level to foster consensus and collaboration for knowledge building and dissemination. Incorporating targeted interventions and dialogue for and with boys and men to engage them in the process of making change is equally important.
4. Develop effective communication tools for families and communities to work to change attitudes and stereotypes.

## MISSING GIRLS – A NATIONAL SHAME

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In India, the sex ratio has historically been unfavourable to women. While it has shown an upward surge in the last two consecutive censuses from 934 in 2001 to 940 in 2011, it is a matter of concern. According to the 2011 census, the child sex ratio (CSR) is at an all-time low of 914 girls to a 1000 boys.

Changes in CSR at the district level are more pronounced. Of the total 640 districts in the country, 429 have experienced decline in CSR. According to the 2011 Census the largely urban and prosperous phenomena has spread to rural, remote and tribal areas. In 2001, 120 tribal districts had CSR of 950 or more. In 2011, this figure declined to 90 districts.

There are several reasons for this situation. These include biased sex selection, neglect of girl children and discriminatory practices towards them. The issue of 'missing' girls, also referred to as the daughter deficit, cuts across regions, economic classes, and castes.

An ancient and current practice of infanticide eliminates girls. Neglect, poor nutrition and higher under five mortality contribute to the dramatically low child sex ratio. The 2011 Census suggests that there is a drop of girls and young women in the age group of 7-15 years and the skewed sex ratio worsens with age.

The 1994 Pre Conception and Pre Natal Diagnostic Techniques Act (PCPNDT Act) and its amendment in 2003 regulates sex selection before or after conception. Its purpose is to prevent misuse of technologies for determination. However, implementation of Act has been difficult and convictions have been negligible. The

desire to have a male child is so overwhelming in Indian society that the various players in this practice collude to continue it and evade the law.

Several Girl Child Protection Schemes have been launched at Central and State level. However, the initiatives have not yielded the desired results. Despite the efforts of the government, civil society organisations, NGOs, UN agencies and the media to keep the issue of gender bias sex selection high on the public and policy agenda, the practice continues. A rethinking of the effectiveness of the policies and strategies to tackle the issues surrounding the missing girls would be useful.

Focusing merely on promoting the value or image of girls is not enough to counter son-preference, as is evident. Son preference has to be understood and addressed through policy measures. Daughter preference can be advocated through increased economic, social and political worth of daughters. Ensuring equal entitlements for girls and women in property rights, employment and income generation, equal access to nutrition, health, and education have to take centre stage of discourse and planning on development.

## Key Recommendations

### Comprehensive National Policy on Sex Ratio

1. Design a gender sensitive policy on sex ratio within the rights based framework.
2. Review the two-child norm and its correlation to missing girl children, on an understanding of the underlying factors and addressing the contributory factors.
3. A nationwide campaign to sensitise people on the value of girls and women and the contributions that boys and men, girls and women, separately and together, to society.

### Rigorous implementation of Acts addressing discrimination against girls and women

1. Effective enforcement of PCPNDT Act. Mapping and monitoring of clinical, diagnostic facilities, medical audits and strengthening the supervisory boards on an annual.
2. Other laws and policies, such as the Dowry Prohibition Act, Hindu Succession (Amendment) Act, 2005, Prevention of Child Marriage Act, Prevention of Sexual Harassment at Workplace etc. must also be rigorously

implemented and monitored and annual reports produced on the implementation and status of the Acts..

#### A life cycle approach to empowerment of girls and women

1. From the cradle to the grave, design and implementation of interventions in all of girls and women's development: education, nutrition, health, skill development, work participation, maternity, access to micro finance and credit, asset creation and ownership, support to most deprived groups, women's security, empowerment and their participation in governance and decision making.

#### Gender sensitive socialisation in institutions

1. Gender sensitisation for girls and boys, young men and women, in and out of school and college.
2. Gender sensitisation and large scale awareness generation of government officials.
3. Professionally designed awareness raising campaigns on CSR at national, state and community levels through various mediums of communication.

#### Engagement of key stakeholders and creating community safety nets

The Women's Self Help Group (SHG) movement can be involved in developing a multi partner community-based accountability framework at the ward, mohalla and village level. Including men and youth is vital.

#### Evaluation and simultaneous monitoring of Schemes to incentivise and promote value of girl child and adolescents

1. An effective mechanism to monitor, evaluate and revise schemes every 5 years.
2. Better coordination between schemes: In the ICDS scheme, with the NRHM, the government has introduced a Mother and Child Protection Card (MCPC) for monitoring the mother and child. The government can store this data electronically and track girl children. Frontline workers and senior officials of the NRHM and ICDS should be accountable for ensuring that the girl child survives through the vulnerable stages of infancy, malnutrition and morbidity.

### Political will and accountability

1. An inter-ministerial group made up of key line departments such as health, women and child, education should be formed to ensure effective implementation and monitoring of policies and schemes relating to girls and women. The group would publish a report every two years.
2. Each MP, MLA, PRI/ULB member must be accountable for their respective constituency, district and village. Rewards and recognition could be instituted for progress and detection, prosecution for negligence, inaction, and complicity. For example, very recently Haryana and Himachal Pradesh governments announced incentives for villages with improved sex ratio.

## VIOLENCE AGAINST WOMEN AND GIRLS

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There is an urgent need to focus on prevention of violence against women (VAW) and girls, protection of their rights, provision of quality, sensitive and adequate services to survivors of violence, including speedy administration of justice. This can be done effectively through a state and civil society partnership.

Lack of reliable and periodical data on VAW and girls leads to a situation of speculations and sensationalism, creates an atmosphere of fear and anxiety, and inhibits targeted policy initiatives. The World Health Organization (WHO) estimates that more than one-third of women worldwide (some 35 percent) experience gender-based violence over the course of their lives. This ranges from about 37 percent in women in the WHO African, Eastern Mediterranean, and South-East Asia regions to 23 percent in the high-income region and 25 percent in the European and Western Pacific Region. Global estimates indicate huge economic cost of violence in different countries. There are no reliable estimates on the economic cost of VAW in India.

In the urban areas, lack of infrastructure such as safe spaces for women, safe transport systems, proper toilets make it a dangerous place for women and girls.

The government must fulfil its obligation to gender equality and women's human rights in line with the UN Beijing Platform for Action and commitments made to the UN CEDAW Committee. The government must take cognisance of and implement the recommendations of the Justice Verma report as speedily as possible.

## Key Recommendations

### A National Policy including a National Action Plan to End VAW

1. A national policy and plan of action to zero tolerance to VAW and girls. This would cover all forms of VAW in and outside the home.

### Generate High Quality Data on VAW and girls

1. Government to institute a high quality data gathering exercise every 5 years to gauge the prevalence and incidence of violence.
2. Government to review the various crime record data systems and evaluate them for their quality and completeness.
3. Government to undertake systematic and regular micro studies to assess the ground realities of VAW and girls in different contexts to inform programmes. It could involve the gender research institutes and Universities.

### Violence Prevention Programs

1. The government, in collaboration with multi stakeholders, can conduct sustained, large scale, national public education campaigns through national print and audio visual media to change mind sets and increase awareness of rights, current laws and policies.
2. Gender equality and violence prevention programmes can be introduced in schools and colleges on the lines of Gender Equality Movement in Schools (GEMS) with clear monitoring framework and accountability mechanisms. Men and boys must be engaged to dispel and redefine the traditional, harmful, and violent notions of manhood and masculinity by supporting networking among men's groups like MASVAW, MAVA and evidence based programming like *Yari Dosti*.
3. Encourage and promote exercises on the lines of Women friendly Gram Panchayats in Kerala that did detailed crime-mapping exercise to prevent VAW.
4. Engage with civil society and police to set up Mohalla Committees in urban areas on the lines of what civil society and Mumbai police carried out in Mumbai soon after 1992 riots.
5. As alcohol is a serious factor promoting violence against women, policies of alcohol trade, taxation, regulation etc. could be examined along with community movements against alcoholism and their success rates.

### Smart cities for safety of women and girls

1. Assessing and mapping safety risks and defective infrastructure such as hidden walking routes, deficient lighting and unsafe public spaces. Tools such as smart phones and central electronic monitoring of streets and neighbourhoods can make spaces safer for women and girls.

### Effective implementation of the PWDVA and other legislation

1. The budget for the implementation of the PWDVA is insufficient for effective implementation. The central government needs to increase its allocation for effective implementation of the PWDV Act.
2. Better and effective coordination between the protection officers (PO), service providers, police and the legal services authority.
3. Allocate sufficient resources for One Stop Crisis Centres and adequate staff with access to medical attention, psychological counselling, legal aid, shelters, and other support services.
4. In a time bound manner, ensure resource allocations for the establishment of special courts, complaints procedures and support services that come under the legislation of VAW.
5. Ensure speedy implementation of relief orders.
6. Sensitisation of the Judiciary to domestic violence issues.
7. Ensure that all laws, policies and services are accessible, and take into account the needs of women and girls who face multiple discriminations due to class, caste, religion, disabilities, sexual orientations, and other marginalisation.
8. Ensure justice and gender sensitive interventions as and when women and girls are displaced due to ethnic violence and conflict, paying special attention to reproductive health, psychological, legal and socioeconomic needs.

### Effective implementation of violence prevention schemes and support services

1. Government to provide holistic, accessible, quality, sensitive, sufficient and coordinated support services for women and girl survivors of violence including legal, police and medical support, counselling, shelter, employment and compensation.
2. Adopt a Standard Operating Procedure for police accountability and sensitivity as they deal with cases of violence against women.

3. A well-coordinated interface between various departments and institutions dealing with the sexually abused and support services for ensuring comprehensive care to survivors of sexual violence.

#### Appropriate legislative changes, repeals and changes in customary laws

1. Enact special measures for punishing perpetrators of acid attacks, and strictly regulate the sale and distribution of acid.
2. Eliminate efforts to criminalise same sex relationships.
3. Repeal the Armed Forces Special Powers Act (AFSPA), which gives unbridled powers to security forces in areas where the Act is imposed.
4. Devise mechanisms for dealing with cases of extra judicial killings and arbitrary detention of women by state officials and security forces.
5. Check and ban practices of customary laws that obstruct women's participation in decision making both in conflict and post conflict reconstruction.

## WOMEN AND LAW

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In the past two decades many laws in the public and private sphere were passed to improve the status of women and to empower them. However, despite these laws, gender based violence and discrimination against women continue to be a pervasive feature of Indian society. There are, clearly, lacunae in the laws and gaps in their implementation.

Additionally, not all laws, regulation and policies address the subordinate status of women. Improving their legal status, therefore, involves a multi-pronged approach that addresses legislative inadequacies, state policies, schemes and inadequate implementation of laws by the State, police and courts.

Legislation does not necessarily indicate judicial or executive sensitivity to women's rights. Faithful implementation of the laws are essential for good governance.

The CEDAW Committee, in its concluding comments on the recent 4<sup>th</sup> and 5<sup>th</sup> India Country Report, recommended that the State put in place an effective system to monitor and evaluate the implementation, effectiveness and impact of legislation to combat sexual violence and allocate sufficient resources for the immediate enforcement of legislation on violence against women and establishment of special

courts, complaints procedures and support services envisaged under that legislation in a time bound manner.

According to the 2011 Census, the total number of women workers in India is 149.8 million. Though, most Indian women make an economic contribution in one form or another, much of their work is not documented. Owing to societal norms and family responsibilities that women shoulder, their participation in the formal economy is limited. They tend to face gender discrimination, less wages, often working in hazardous situations and long hours. Back home they have a double burden as homemakers and child bearers and care takers.

Access to justice is a fundamental right according to the 189th Report of the Law Commission of India. However, the structure of judicial remedies is still insufficient to serve the needs of women, particularly poor and marginalized women, in accessing justice.

Women, notwithstanding many efforts both from the State and NGOs still lack awareness. There is inadequate implementation of laws and enforcement agencies especially the police personnel at the police station level including women thanas are found to be lacking in the knowledge of laws. Further, there is also a lack of sensitivity amongst the personnel of the criminal justice system.

## Key Recommendations

### Women and Family Laws

#### *Marriage and Divorce*

##### **Hindu Law**

1. Provisions relating to restitution of conjugal rights under various statutes should be deleted.
2. Amendment of Section 497 of the Indian Penal Code, 1860 relating to adultery. Women are not possessions of their husbands.
3. Irretrievable breakdown of marriage (IBM) should not be a ground for divorce at present.

##### **Muslim Law**

1. A complete ban on the oral, unilateral and triple divorce (*talaq*). It makes wives extremely vulnerable and insecure regarding their marital status.

##### **Christian law**

1. To ensure consistency amongst all laws relating to marriage and divorce the period of two years prescribed for mutual consent divorce under the Divorce Act, 1869 should be amended to one year.

#### **The Special Marriage Act, 1954**

1. Under the Special Marriage Act, 1954 the notice of intended marriage to be displayed at some conspicuous place in the registrar's office should be deleted and the notice period must be reduced to 7 days.

#### **Age at Marriage**

1. Uniformity in laws regarding age at marriage.

#### **Registration of Marriages**

A Central enactment for registration of marriages should be passed which is applicable to all religious groups.

#### **Maintenance and common marital property - Section 125, Code of Criminal Procedure**

1. There must be a time frame for the execution of the interim maintenance u/s 125 Cr.P.C.
2. Section 125 should be amended to include maintenance for women in live- in relationships which are in the nature of marriage and for unmarried dependent daughters.

#### **Common Matrimonial Property**

1. A Community of Property regime must be discussed and any proposal on Community of Property should be separate from personal laws and be applicable to women from all communities.

#### **Inheritance and Succession**

##### **Hindu Law**

1. Appropriate changes should be made under Section 15 and Section 16 of the Hindu Succession Act to ensure that in absence of her husband and children, the property of the women would go to her parents.

##### **Property rights for Christian and Parsi women**

1. Necessary amendments can be carried out in the Indian Succession Act to ensure that rights of widows do not get effected by the presence of such remote relatives.

### **Women and Criminal Laws**

#### **Rape and Sexual Assault**

1. Marital rape should be made an offence irrespective of the age of the wife and the relationship between the perpetrator and the victim.
2. The age of consent should be revised to 16. There should be a close-in-age exception for young people in consensual sexual relationships when the two are above the age of 16.
3. Rape by armed personnel in the place of or during their duty must be penalised.
4. There could be schemes for rehabilitation and reparation.

#### **Acid attack**

1. Sale of acid and similar corrosive substances should be effectively regulated and stringent penalty should be imposed on violators of such provisions.
2. Immediate and effective disbursement of funds/monetary relief to the victim or family of acid attack should be institutionalised.

#### **Sexual Harassment of Women at Workplace**

1. Section 14(1) of the SHWA is prone to misuse and may act as a deterrent against lodging a complaint. This should be deleted.
2. The Act must clearly address measures for women who work in smaller offices or in the unorganised sector or as domestic workers.

#### **Domestic Violence and Dowry**

##### ***Cruelty***

1. The definition of “cruelty” under Sec 498A should be reviewed to include the various forms of violence against women within the home, so it is in line with the definition of “domestic violence” as defined in the PWDV Act, 2005.
2. Section 498A should not be diluted from its current form.

### *Dowry*

1. Widen the definition of dowry. Under the existing law, property or valuable security given or agreed to be given either directly or indirectly, at, before or any time after the marriage in connection with the marriage is defined as dowry. This should be broadened to include property or valuable security demanded even much after marriage.
2. There should be less penalty for the giver of dowry.

### **Honour crimes**

1. Introduce a separate legislation, as recommended by the NCW and women's organisations, to address honour crimes.
2. Make police and legal protection mandatory for couples, women, children and families who approach any institution with the apprehension of harm at the hands of their family member(s) or community.
3. *Khap* decisions, and all those involved in them, that lead to honour killings or violent crimes must be criminally punished.

### **Witch-hunting**

1. Strict and immediate action from police to prevent such forms of violence.
2. Develop schemes for proper counselling, rehabilitation and compensation for women who have suffered.

### **Women in Conflict**

1. Review the continuance of AFSPA and AFSPA-like legal protocols in internal conflict areas.

### **Surrogacy**

1. Regulation and policies for surrogacy. Compensation should not be left to the private contract between the surrogate and the commissioning parents – two unequal parties.

### *Women and Labour laws*

#### **The Equal Remuneration Act (ERA), 1976**

1. Within the existing government machinery for implementation of the ERA, special cells should be formed to monitor discrimination against women workers in wages, categorization and promotion.

### **The Maternity Benefit Act, 1961**

1. Universal availability of maternity benefits and childcare facilities to all women workers across the organized and unorganized sectors.
2. Amending the Act to make it illegal to preferentially employ based on marital status and pregnancy, including warnings against becoming pregnant.

### **Unorganized Worker's Social Security Act, 2008**

1. Need for specific provisions regarding women workers - equal pay and remuneration, decent work conditions and protection from sexual harassment at the workplace.

### **Domestic Workers**

1. Draft a comprehensive umbrella legislation for domestic workers that defines domestic work and workers broadly and accounts for their security and fair work conditions, including applicability of provisions in other legislations.

### **Access to Justice and others issues**

#### **Remove substantive barriers to justice**

1. Marital Rape should be made an offence.
2. Age of consent should be revised.

#### **Re engineer procedural laws**

1. Ensure that independent protection officers and dowry prohibition officers are appointed under the PWDVA and the DPA and adequate budget is allocated.
2. Monitoring constitution of Internal and Local Complaints Committee (ICC) in every workplace and ensure timely disposal of complaints of sexual harassment.

#### **Women in Judiciary**

1. Courts and legal offices must develop support services for women. These include toilets and sanitation facilities, crèche and day care for children, medical benefits, maternity and childcare leave, counselling and mental well-being, an informal mentoring/friend system for new entrants in the judiciary.
2. Efforts should be made to increase the representation of women in the Judiciary, both at the higher and the lower levels.

3. The National Judicial Appointments Commission proposes for a transparent and broad-based process of selection of Judges of the Supreme Court and High Courts. With reference to its composition it is recommended that it should include at least one woman member.

### **Family Courts**

1. The family courts committed to simplification of procedures must omit the provisions relating to Court Fees Act.

### **Prison Reforms**

1. Gender sensitive training in human rights and human skills for prison officials is essential.

### **Police Reforms**

1. All police stations must have a women and child protection desk, staffed as far as possible by a woman police officer.
2. The number of women in police should be increased.
3. A gender specific training policy for all ranks and categories of police personnel should be formulated.

### **Bill of Rights**

1. The State should commission a draft Bill of Rights for women, in keeping with the Bill formulated by the Verma Committee. It should supersede legislation.

### **Curriculum**

1. Engendering of the curriculum of the Police and the Judicial Academies.
2. Law Schools should be mandated to have courses on women's rights and feminist jurisprudence.

## **WOMEN IN THE ECONOMY**

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Only 25 percent of Indian women are working, less than half a percent are seeking work and total labour force is a mere 25.3 percent. There has been a steady decline over the last decade. Within this, Muslim women in the workforce are less than 10 percent.

Only 15.5 percent of women in urban India are in the labour force compared to 30 percent of women in rural India. In urban India, 42.8 percent of women are self-employed, 42.8 percent are in regular employment and 14.3 percent are casual labour. The growth in regular employment is in service and tertiary sectors. Self-employment in urban India is tantamount to informal employment, with over 95 percent accounted for by informal sector jobs.

Only 4 percent of total women employed in India are in the organised sector and with prospects of enjoying formal job security and benefits. Public sector remains one of the largest employers of women in the organised sector although the share of private sector has been growing. Nevertheless, this is a negligible fraction of the female workforce of the country.

The gender wage gap persists across both rural and urban, agricultural and non-agricultural jobs, regular and casual employment.

While 'social' and 'regional' pockets of poverty exist and are identifiable, it is difficult to assess the incidence of poverty by gender estimates of which are made on a household basis.

Migration of women for employment has increased in recent years and evidence shows that compulsion is a substantial factor that is pushing women to migrate for work.

There is a growing phenomenon of 'informalisation' and 'casualisation' across rural and urban work opportunities for women. When viewed in combination with weak to non-existent social safety nets, this indicates growing vulnerability for women.

## Key Recommendations

### Work, Livelihoods, Earnings and Poverty

1. Re-think and integrate macroeconomic policy with social policy. Foregrounding women's unpaid work is critical to this need which has to be *recognized, reduced and redistributed*.
2. Include social infrastructure in infrastructure budgets and plans in cities and rural areas for community centers with child care, water, and fuel and sanitation facilities.

3. Recognise women's work – in labour markets (underpaid/undervalued) and at home and farmand include unpaid work by women from marginalised and vulnerable groups.
4. Generate higher levels of 'quality' employment for women with higher output levels and better remuneration.
5. Women' skill development and improvement s they can better access opportunities in the labour market.
6. Special programmes to enable women to enter new sectors as wage earners and as entrepreneurs.
7. Special efforts to improve women's access to credit, skills, marketing, and other infrastructure facilities.
8. Upscale women's manufacturing activities. Primarily these are micro units run by SHGs – such as garment making or food processing as part of 25 thrust industries for job creation and skill enhancement. These micro units could be upgraded with innovative methods with modern designs and products.
9. Facilitate women's entry into the 'Make in India' programme with special programmes for training and skill development. Increasing the share and quality of women's employment in the manufacturing sector must be a policy priority.
10. Provide work spaces for home based workers.
11. Pay regular wages tothe Asha workers, Anganwadi teachers and helpers, cooks for mid-day meals and regularise their employment.
12. Appoint a Commissionor Committee, similar to the Pay Commission, tobe set up and examine the situation of women workers in public service and to fix a fair wage and social security entitlements.
13. The Securities Exchange Board of India (SEBI) in February 2014 issued guidelines asking companies to appoint at least one woman director on their boards by October 1, 2014, which was later relaxed to April 1, 2015. The HLC recommends that this number be increased to 33 percent of the total Board size.
14. Regulate and monitor working conditions of workers in domestic services and construction and stricter monitoring of sub contracted home based work.
15. Government of India to ratify the ILO Convention Concerning Decent Work for Domestic Workers (Domestic Workers Convention, No. 189) adopted on June 16, 2011(ILO 2013).
16. Improve working conditions for women. Mandate investments in childcare facilities and toilets for women at all workplaces.

17. Investments in housing for the urban poor and mass transit systems that are women-friendly will also go a long way in boosting economic participation.
18. Sensitisation on issues such as sexual division of labour and care within the home through large scale media advertising with slogans such as *\*Ghar aur dekhbhaal ka kaam sabka kaam, isme koi sharm nahin (The work of the home is the work of all. There is no shame in this.)*
19. Since the household is the sampling unit in household consumption expenditure surveys, sex-disaggregated household consumption data is not captured. Hence, the poverty head count ratio is not sex disaggregated. Alternative pilot surveys that canvas questions to both men and women must be explored to understand intra-household differentials in wellbeing.
20. Implementation of minimum wage laws, creation of employment opportunities, mobilisation of women in collectives, transfer of skills and access to assets.
21. Proper education and skill development of girls and boys enables them to get adequate work which is critical to eliminate poverty.
22. Allocation of adequate resources to enable universal access to high quality public health care facilities and support for women care givers is extremely important.

### Urban Informal and Unorganised Sector

1. Social security cover for all the workers in urban areas. All women workers should have identity cards and be covered under the Unorganised Sector Social Security Act, 2008.

### Home-based Workers

1. Recognise home-based sub-contracted workers as dependent workers in an employment relationship.
2. Recognise that the homes of home-based workers are their workplaces and grant them de facto tenure and basic infrastructure services.
3. Provide housing finance and other housing services to allow home-based workers to upgrade their homes-cum-workplaces and make them more productive
4. Negotiate more secure work orders and higher piece rates for home-based sub-contracted workers and protect them against arbitrary cancellation of work orders or rejection of finished goods.
5. Negotiate worker benefits and social protection, including health insurance and pensions, for all home-based workers, both self-employed and sub-contracted.

## Farm and Non-Farm Livelihoods

1. Secure and uphold women's ownership rights over basic productive resources like land, forests, seeds etc.
2. For ensuring land rights, tighten accountability mechanisms on revenue department officials, while incentives are created for voluntary transfer of land titles in the name of women.
3. Large scale legal literacy and gender sensitisation efforts, in addition to motivation efforts, both at the community level, as well as with the frontline officials.
4. Gender disaggregated data on land ownership should be ensured by adding a column on the sex of the land owner in all basic land records. This is missing at present.
5. Create equal rights to property across all social groups of women. Apart from ensuring private land ownership through inheritance rights being actualised, there is a need to set up land purchase schemes, especially for Dalit women.
6. Fresh efforts at public land distribution, including the proposals of the draft Land Reforms Policy of 2013, to ensure that land is assigned to women who are landless. Commons should be controlled by women's collectives.
7. Special efforts to secure de-facto rights on land for women's collectives including through land lease. Forest Rights Act should be implemented in its true spirit, even as overall land alienation and grabbing from rural India minimised. Lease rights over inland water bodies should be given to women's collectives, in the fisheries sector.
8. For securing recognition and support due to women farmers, the government has to make special efforts to de-link its support to farmers with land ownership.
9. Credit, insurance and marketing support should accrue to women farmers in their own right.
10. Land development, participatory varietal development, diversity-based crop planning, low external input agro-ecological approaches, reduction of drudgery through appropriate tools and implements further supported by village level tool banks are all important interventions that should reach all women farmers.
11. Engendering agricultural research as well as extension is important in a visible, tangible and ambitious manner, to empower women farmers.

12. Women's forest-based, livestock-based and fisheries-based livelihoods should be supported with marketing support.
13. Forest-gathering roles of women should be strengthened in a non-monetised fashion too, for both practical and strategic needs to be met.
14. Governance of all institutions that are meant for supporting and improving farm livelihoods should have representation of women farmers whereby their needs can be prioritized and addressed.
15. All line departments and other agencies related to women's farm livelihoods should have more women at all levels, in addition to systematic orientation and sensitisation towards women farmers and their empowerment.
16. MGNREGS' full potential to empower women in the farm as well as non-farm sector should be utilised fully. Women's quota for should go up to 50percent. Further, the works chosen should be based on women's needs and priorities.
17. In the Rural Non-Farm Sector, it is important to invest in appropriate skill building, accompanied by right choice of skills for employability, as well as by stipend support.
18. Employment in RNFS should be regulated to provide benefits of job security, maternity benefits, insurance, leave provisions etc. The scale at which women's RNFS enterprises run should be optimized and increased, by relying on women's collectives and their federations.

### Financial Inclusion

1. Universal access to bank accounts and ease of payments access is vital for women to benefit from various Direct Benefits and Transfer schemes as well as under special schemes for women like the Janani Suraksha Yojana (JSY).
2. Multipledistribution points within easy walking distance of households (urban and rural) so woman have easy access to payments.
3. The RBI's proposal to license Payment Banks has the potential to make an important contribution.
4. Currently, RBI's Basic Statistical Returns throws light on access to credit (number of accounts and value outstanding) by gender. It is important that all financial inclusion schemes including the PMJDY systematically track and periodically publish gender-disaggregated data on access and usage.
5. All Government schemes for financial inclusion must remove reference to 'head of the household' and make sure that insurance and pension benefits are available to all adult members of the household.

6. Policy biases against consumption finance must systematically be eliminated given their vital link to women's wellbeing in low-income households. An example of this is placing policy restrictions on the extent and magnitude of consumption finance that is permissible for MFIs. When faced with an income shock, consumption needs of women tend to get threatened first. Therefore, the ability of women to access resources to smooth their consumption is of paramount importance.
7. Emphasis on universal healthcare with health insurance as an integrated mechanism and sufficient focus on primary health so that private expenses and indebtedness on account of health and hospitalisation can be eliminated. A lot of borrowings by low-income households is to cope with shocks such as ill-health or accidents.
8. A minimum social security package available to all citizens that includes life insurance, disability insurance, health insurance, and pensions offered through multiple distribution channels.
9. Legislation of a customer protection framework for financial services for a growth in outreach of financial services. The Justice Srikrishna Financial Sector Legislative Reforms Committee made important recommendations in this regard that may be evaluated. The responsibility of financial service providers to follow processes that ensure access to suitable products and services is emphasised in this context.

## ENGENDERING MACRO-POLICY: GENDER MAINSTREAMING THROUGH GENDER RESPONSIVE BUDGETING (GRB)

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In India, since the early 90s the focus has been on a market-oriented economic reforms package reflecting greater global economic integration. The components include trade and financial liberalisation, fiscal restraint and deflationary macroeconomic policies, privatisation of public sector enterprises, labour market liberalization and (very importantly) applying the market principle into public management and provisioning of public services.

These policies have shifted the burden of social reproduction onto households within which women bear a disproportionate share of the unpaid care and household work necessary to maintain households, has been well documented.

Macro policy takes the social reproduction economy for granted assuming that it can continue to function adequately no matter how much its relation to the economic production economy is disrupted. The government will step in when the market fails, that is the residual approach to social policy. The residual approach originated from the earlier period of the fifties but the much higher social dislocation caused in the era of market led economic reforms since the 80s and 90s prompted a new interest into examining macroeconomic policy.

This led to the emergence of gender mainstreaming as a strategy for promoting gender equality endorsed globally in the Beijing Platform for Action, 1995 and later enshrined in international agreements and commitments.

Gender Mainstreaming is a strategy that makes it imperative on the State (amongst other actors) to assess the differential implications on men and women of any public policy action and intervention (including legislations and programmes) in all areas, at all levels, so that it brings about an equitable focus on women's empowerment and development needs.

One of the most important areas of macroeconomic policy *and a point of entry* which has gained widespread acceptance is introducing a gender perspective in government budgets. Gender Responsive Budgeting (or Gender Budgeting/Gender Sensitive Budgeting) contributes to gender mainstreaming by focusing on the gender dimensions of the Budget, both the expenditure and revenue sides. These budgetary initiatives are therefore a crucial means by which governments finance gender equality and women's empowerment.

A Gender Responsive Budget is a strategy for changing budgetary processes and policies so that expenditures and revenues reflect the differences and inequalities between women and men in incomes, assets, decision-making power, service needs and social responsibilities for care.

The Government of India attempted to gender sensitise the Budget initially through the Women's Component Plan (by state governments also) and then more intensively with Gender Responsive Budgeting institutionalized through the Gender Budget Statement published every year since 2005-2006 with the Union Budget (in some states as well). This highlights the budgetary allocations for 100percent women specific programmes (Part A) and those programmes in which at least 30percent flows to women (Part B) in the annual expenditure budget.

The process of Gender Budgeting, accompanied by Gender-based Outcome Budgets and Gender Audits is a powerful strategy and tool to get all Ministries/Departments to incorporate gender concerns and objectives in their plans, implementation and reviews.

By issuing a Charter for Gender Budget Cells (composition and functions), setting up GBCs in increasing numbers of departments and ministries over the years, by evolving guidelines for preparation of Outcome Budgets, and by initiating and running a scheme on Gender Budgeting for capacity building and research, some broad institutional matters with regard to operationalising Gender Budgeting have been addressed.

Certain Ministries and Departments which have traditionally considered themselves gender-neutral have also set up GBCs, realising that all departments and ministries are after all women-related, in some way or the other. The Ministry of Coal, Chemicals and Petrochemicals, Civil Aviation, Heavy Industry, Petroleum, Steel, Defence etc. are all part of the list of 56 Departments/Ministries that have set up GBCs.

Despite the fact that 30 departments and ministries including the ones that have a more or less direct impact on women's condition and position in India (including Women and Child Development, Health and Family Welfare, School Education and Literacy, Higher Education, Rural Development, Agriculture, Food and Public Distribution, Labour, Panchayati Raj, Social Justice and Empowerment) have reflected allocations that are 'women-specific' (100 percent for women) and 'pro-women' (at least 30 percent provision for women) in Statement 20, it is still a meagre 5.8 percent of the

## Key Recommendations

1. Gender Budgeting to be integrated with the Planning process. Government's commitment to gender mainstreaming as part of overall macro policy and reflected in the Plan and Budget documents.
2. A nodal agency/team to coordinate the activities of GB consisting of the Planning, Finance and Women and Child Development Ministries and Departments. It would hold consultative dialogues with sectoral ministries during budget formulation process to ensure gender issues are adequately included in the budget.

3. Review format, methodology and implementation plan of the Gender Budget Statement which has been revised by a MWCD Task Force.
4. More inclusive budgeting focusing on vulnerable and marginalised groups - Dalits, Tribal and others.
5. Capacity building of staff of each Ministry, to improve gender integration in the budget formulation process. Trained officials need to be retained in the Department/Ministry for a cycle of at least 3 years.
6. Gender disaggregated data collection.
7. A Gender Audit and a regular monitoring of women's programmes and use of existing accountability mechanisms.
8. A gender disaggregated expenditure incidence analysis, beginning with a few large women focused programmes.
9. GRB at the state level.

## WOMEN AND EDUCATION

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Education has been an important tool for development in India. There are a large network of educational institutions across the country. Yet, 35 percent of girls and women are illiterate, constituting probably the largest number of illiterate women and girls across the world.

An analysis of the enrolment and dropout rates reveals highly gendered phenomenon with enrolment levels for girls decreasing with the level of education. Girls dropout of school for any number of reasons - which include distance of school from home, care of siblings, need to take up a paying job, the irrelevance of education, increasing violence against women and withdrawal of schemes for girls such as free transport, among others.

Schools perpetuate gender role stereotypes and schooling and gender based violence is particularly significant in the context of the recent spate of rapes in schools of small children by teachers and other workers.

In higher education, there is a large gap between men and women, in enrolment or in subject choice. Although the situation is changing and women are enrolling in what are perceived as more traditionally male subjects, the gap between women and men remains.

Some of the critical gaps in higher education are: privatisation of public universities, distance education, and changing subject choices of women and women in science. . The gendered impact of these requires attention if the goal of social change and gender equity has to be achieved.

An area of concern is the Early Childhood Care and Education (ECCE), which requires an enabling environment for all children from birth to eight years of age. Lack of gender disaggregated data is an obstacle to estimate the gaps in gender equity and the extent of gender based discrimination in early childhood education. It will facilitate evidence based planning for older girls' education by evaluating impact of ECCE with regard to its objective of providing surrogate care to young children and thereby releasing older girls for primary education and women for work.

While the gender gap in enrolment has decreased slightly, it is nowhere nearing closing especially for girls from the marginalised sections which includes Scheduled Castes, Tribes and the physically and mentally challenged.

The school curricula, across the board, needs engendering. The textbooks, notwithstanding the rigorous checking by NCERT continue with various gender stereotypes and the teachers are not sensitised to gender issues.

The links between gender, education and the labour market are direct and indirect. Several studies confirm the relationship between the level of education and employability and earnings. Girls' education continues to be beset by a patriarchal socio-cultural ethos, negative attitudes towards education of daughters, gendered curriculum, child marriage, female seclusion, daughter discrimination, distance between school and home, violence against women, lack of facilities in schools, particularly sanitation facilities, gender socialisation, lack of sensitisation of teachers, lack of women teachers, inherent inequalities in the social structure and the intersectionality of caste, class, religion, language, disability and so on.

These create multiple deprivations which adversely impact access to education. Liberalisation and globalisation have further increased the educational deprivation of girls particularly by promoting corporatisation of education.

## Key Recommendations

1. Engendering of the new education policy.

2. Provision of infrastructural facilities such as sanitation, clean drinking water, hostels, crèches.
3. Gender sensitive teachers, especially women teachers.
4. Engendering the school curriculum from the primary level.
5. Monitoring of private schools.
6. Special provisions for safety and security of girls
7. Special provisions for counselling and guidance.
8. Incentives, such as fee waiver, for disadvantaged girls, whose admission in open school programmes.
9. Schemes and schooling to be expanded and universalised, so every child especially a girl who enters Class 1 has an opportunity to complete Class XII.
10. All secondary and senior secondary Schools must offer all streams – science, commerce, arts, math and others.
11. A proactive policy on promotion of women in science and the IT sector.

## WOMEN AND HEALTH

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The recent draft National Health Policy, 2015 proposed a target of raising public health expenditure to 2.5 percent from the present 1.2 percent of GDP. It notes that 40 percent of this would come from central expenditure. The policy focuses on critical healthcare issues and it is possible that the government may pass the health rights bill to ensure health as a fundamental right.

However, the policy makes no commitment to Universal Health Coverage nor the Twelfth Plan document. The policy framework lacks clearly identified goals and the National Human Rights Commission's core group on health has observed that a rights perspective is missing from the draft. Additionally, the proposed 2.5 percent expenditure is inadequate. It should be increased to 4.5 percent.

An important step to improve the health system is to streamline procurement, supply and management of medicines and essential drugs in public health system. In this regard, the initiative taken by the Tamil Nadu Government to launch the Tamil Nadu Medical Service Corporation (TNMSC) to streamline procurement, supply and management of medicines/ essential drugs in public health system is worth examining and scaling up.

The government should reduce reliance on the private sector to provide health services to poor and marginalised women. Increasing incidences of hysterectomies and C-section deliveries and infertility treatments by the private sector are worrying. Government must proactively check the private sectors and push the public health system to provide these services, especially to marginalised and poor women.

## Key Recommendations

### Policy and strategy

1. Develop and implement a transformative gender health policy and strategy.
2. Recognise women's reproductive rights as a driving and central principle in the design, execution and evaluation of the health system.
3. The public health spending should be increased to 4.5 percent of GDP.

### Address malnutrition and anaemia

1. Review nutritional programmes to ensure they reach the poor and socially and economically excluded communities, especially Adivasi and Dalit women.
2. Focus on and reach out to young mothers and adolescent unmarried girls.
3. The Public Distribution System (PDS) should include nutritious food items like millets, pulses and oils as part of the Food Security Scheme.
4. School based food programmes should include nutritious meal programs on the line of Tamil Nadu diet program.
5. Enforcement of child marriage prevention programs.

### Review and strengthen maternal health services

1. Improve outreach and implementation. Researchers and programme evaluators say that poor quality services including non-availability of doctors and providers and lack of trust in providers are important deterrents.
2. Emphasis on safe delivery in institutional set ups.
3. Improved post-natal care.
4. Screening of nutritional status of women.
5. Improve perinatal and neonatal care and to curb malnutrition in children
6. Expand the role of staff nurses to qualify as skilled birth attendants and develop competency in providing life saving measures.

### A comprehensive programme to address health needs of adolescent girls

1. Adolescent girls' programmes should focus on protecting girls from early and unwanted childbearing.
2. Address their needs comprehensively in creating alternative identities apart from their roles as current or future wives and mothers.
3. Address violence against adolescent girls both in public and domestic spaces.
4. Adolescent girls' empowerment programmes should be evolved using 'safe space' concept underscoring the importance of physical places where girls can find opportunities to interact with each other, build networks, find mentors to seek help and guidance, access skills, and gain information and appropriate attitudes to deal with day to day challenges comprehensively.

### Strengthen programmes to delay age at marriage

1. Encourage young women to delay marriage age by promoting education and skill development.
2. Work with communities and parents to convince them to delay the age of women and men.
3. Encourage young couples to practice family planning and delay their first child.

### Strengthen the family planning programme

1. Assess community needs while implementing the family planning programs by closely-monitored implementation of community needs assessment strategy as originally envisaged in the National Rural Health Mission.
2. The family planning programme is dominated by a single method - female sterilisation. The programme should focus to wider choices and men's participation.
3. Ensure that the selection and use of a contraceptive is a woman-led.
4. Improve the conditions under which surgical operations on women are carried out.

### Health of elderly women

1. Set upgeriatric care services as envisaged in the NPHCE and allocate resources for the purposes.

2. Enable the elderly to contribute significantly to the household economy besides protecting their property rights.

#### Improve mental health services for women

1. Situate women's issues and mental health problems in the center-stage of this policy document and subsequent programmatic efforts.

#### Enhance health systems that address violence against women

1. Upscale models like DILASA and BHUMIKA under the NHM in all mega cities and other urban hospitals.
2. Train social workers in hospitals, and the community health workers under the national health mission to provide VAW related services and that the training on GBV must be included in the ANM and other nurse's teaching courses.
3. Implement national protocols and guidelines for responding to sexual violence that have been formulated by the MoHFW in all hospitals and other such centers set up under NHM.

#### Address stigma, discrimination and violence against HIV-positive women and female sex-workers

1. HIV programs must incorporate and address gender-related components especially VAW prevention strategies in its HIV prevention and treatment programs.
2. HIV programs must specifically address violence against sex workers especially from police and other stakeholders.

#### Address infertility problems in public health sector

1. Infertility treatment should be made available in the public health sector.
2. Assisted Reproductive Technologies (ART) should be reviewed for their implications to increase women's choices and also reduce vulnerabilities. Of these ARTs, surrogacy seems to have gained much greater momentum in recent years with severely negative social and health implications for women.
3. A draft legislation on surrogacy prepared by ICMR should be reviewed and brought forward.

### Improve cancer diagnosis, prevention and treatment services

1. Promote systematic cancer screening.
2. Enhance awareness about various forms of cancers.
3. Increases access to affordable cancer health services.

### Address health problems of women in informal sector

1. Conduct extensive studies of women in hazardous sectors and propose solution in collaboration with women's groups.
2. Increase awareness and ensure the registration of families in RSBY from BPL families; improve the system of distributing smart cards in particular to women from the most marginalized groups and extreme poor communities.
3. Improve the quality of RSBY services in the private hospitals and monitor them continuously.

### Improve water and sanitation situation for women

1. The Swachh Bharat Mission is a right step in this direction and it must promote home-based toilets where spaces are available or encourage neighbours to share toilets.
2. Promote community toilets with women's involvement in the design, implementation and monitoring of water and sanitation services.

### A policy framework for a public-private partnership

1. Ensure that the outcomes of PPP would be to improve efficiency and quality; improve access and reach; improve quality by reducing out of pocket expenditure and regulate services, accountability and opportunity to pool in and augment resources.

## WOMEN IN POWER AND DECISION-MAKING

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Gender parity in governance and political participation is a pre-requisite to the realisation of gender equality. A 33 percent reservation for women is ensured through Constitutional amendments. In some States it is 50 percent. However, there is nothing like 'natural transition' from the Panchayats to the State Assemblies and the Parliament, where the representation of women continues to be dismal.

There is an inverted relationship between the levels of political participation and the extent of women's participation –the higher the level of participation, lower the number of women at the highest levels of participation. Politics and political parties continue to be a male bastion.

As the history of the political participation among women shows, there is a huge gap between men and women in political activities beyond voting. Some visibility of women as campaigners is present, but few women became contestants. The proportion of women who contest as compared to that of men continues to be quite low - women are generally not seen as having winnability and therefore, are denied tickets.

Women do not form a politically important constituency and hence are rarely wooed during the electoral process. Every political party has a women's wing but it is meretokenism. Women are involved at the lowest level of party politics. They are given soft roles and pulled in during elections to campaign among women voters.

Political parties continue to pay a lip service through their manifestoes. Beyond a point, women within the political parties find it difficult to rise within the party hierarchies. The decision making positions of the parties have negligible presence of women. Even senior women with large experience are sidelined when it comes to allocating positions of responsibility within the parties. The only way to rise in politics for women is through the family connections.

Most of the women who are visible in politics and have made a mark, have entered through a family connection. The formal politics still is governed by the public-private divide of patriarchal nature. Even while crossing the boundaries of this divide, women are essentially defined with reference to the private familial roles and politics being in 'public' domain provides various challenges to women. Women therefore either are not oriented towards the career in politics or if oriented towards it, find it difficult to pursue

The 5 P's - patriarchy, property, power, propensity and physiology - are major barriers with increasing criminalisation of politics and violence against women, that play a distinct role in keeping women out of the political process and governance.

## Key Recommendations

### Reservation at all Levels

1. Ensure at least 50 percent reservation of seats for women in the Local bodies, State Legislative Assemblies, Parliament, Ministerial levels and all decision-making bodies of the government.
2. State needs to take effective steps to combat criminalisation of politics in general and elections in particular.
3. There should be State funding of elections.

### Gender sensitization of political parties and Government bodies at the National and State level

1. Where there is nomination to any political body, the governing criterion should not only be political loyalty but also proven record in promotion of women's rights.
2. Misogynist language used in the Parliament and State Assemblies should be treated as un-Parliamentary. Use of such language even outside the Parliament or Assembly should attract penalty.

### Changing role and obligations of Political Parties

1. Political parties must focus on women's concerns, give tickets to women candidates; take strict action against those accused of gender violence or discrimination; include women at all levels of party hierarchy

### Role of Women's Studies Centres

1. Regional women's studies centres should be identified on the basis of expertise as a Nodal Centre to serve as a regional Leadership Development Training Centre for the elected representatives and potential and emerging women leaders.

### Research

1. Involve researchers engaged in studying women's political participation, identifying factors that impede or promote women's active participation in electoral politics.

### Mahila Gram Sabhas

1. Mahila Gram Sabha's as set out in the Maharashtra Act would provide women with the playing field for garnering political experience and would also help raise women's issues. These must not only be made compulsory, but steps should be taken to ensure that they are made functional.

## MARGINALISED WOMEN AND WOMEN IN DIFFICULT CIRCUMSTANCES

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Indian women reflect a pluralistic India, one in which in practices and discrimination thrive - based on class, religion, caste and ethnicity. Women from all classes, religions, castes and ethnic backgrounds are marginalised in multiple ways, given that patriarchy and gender based discrimination cuts across all these sectors.

Using the concept of intersectionality, where women experience overlapping and interconnected systems of oppression and discrimination, the focus in one Dalit, Muslim and Adivasi women, in addition to single women including widows, elderly women, differently abled women, transgender persons and women in sex work.

Despite the fact that the idea of 'intersectionality' is gaining ground in discourse and understanding, when it comes to implementation of many policies, laws and schemes, the approach is still piecemeal. In state and civil society interventions, the most marginalised women fall through the cracks.

Dalit, Muslim, Adivasi, elderly and differently abled women have very low levels of educational attainment. While Adivasi and Dalit women have a relatively large workforce share, Muslim women have the lowest work participation rates. Still, poverty levels are high for all these groups. Financial services hardly reach them. While the sex ratio amongst Dalit, Adivasi and Muslim communities is better than the total population's, it is a matter of concern that even in these communities, there has been a decline in child sex ratio between 2001 and 2011 Censuses

The health and nutrition status of these women is a matter of great concern and healthcare services and facilities are not easily accessible to them – this applies to all these groups of women. These women are seen to experience high levels of violence at home and outside.. When it comes to customary practices and personal laws, Adivasi, Muslim and Dalit women are far from being equal to their male counterparts and these laws and practices are in fact actively used against them by the community's men.

**Dalit Women:** Dalit women are particularly marginalised because of continuing practice of untouchability and other forms of discrimination and segregation. While they have made remarkable strides in terms of literacy, Dalit girls still constitute a large proportion of girl children drop-outs. In the economic sphere, Dalit women's opportunities are limited given the caste biases and stereotypes that are perpetrated. They are usually in menial and underpaid jobs and a large majority are in agricultural labour. Caste-based discrimination is faced even in urban India.

**Muslim Women:** Muslim women lag behind in almost all key socio-economic indicators of development. They are economically and educationally marginalised, have low social status, and experience domestic as well as communal violence spurred by identity politics. They are second lowest on WPR and lowest on labour force participation rate. Health services rarely reach them due to lack of existing schemes, and partly due to the limited mobility on account of ghettoisation, as a result of riots and communal violence. They suffer the male-centric legal provisions of triple oral *talaq* (divorce), polygamy, customs such as Halala and lack of maintenance.

**Adivasi Women:** Adivasi communities in many places struggle for survival and dignity. There is dispossession, displacement, poverty and malnutrition noted, and women are worst-affected. There is severe malnourishment amongst Adivasi women and children.

Maternal and reproductive health care does not reach Adivasi women and grassroots studies show that there are tribal villages where women have never received any antenatal care. Health insurance coverage is the lowest. Drinking water facilities and toilet facilities are the worst. Poverty was the highest amongst Adivasi's. Violence against women is very high, including spousal violence – rapes are on the rise, conviction rates low. Customary practices like witch-hunting and ostracisation are ways by which Adivasi community keeps the women subordinate and under control.

**Single Women:** The incidence of singleness is much higher for women than men, and numerous socio-cultural, psychological and economic factors make them vulnerable and marginalised. Within single women divorced/separated women are more stigmatised. Widows are the largest category of single women (86percent), and face high levels of deprivation, social taboos, limited freedom to remarry, insecure property rights, social restrictions on living arrangements, restricted employment opportunities, emotional and other forms of violence and lack of social support.

The number of divorced/separated women is increasing for all ages in India, and their numbers compared to men are increasing too. 'Half Widows' are another category of single women who face unique challenges when their husbands go missing for a long time. Unmarried or never married women is the last category of single women, where society blames them for remaining single, and they live with constant fear of insecurity with advancing age. Health is a major neglected area for all these categories of single women, besides access to property rights and violence.

**Elderly Women:** According to predictions, 20 percent of India's population will be elderly by 2050, and most of them would be women who have attained 60 years of age (also called feminization of ageing in India). Many live on their own and face neglect, isolation and destitution. Many also face abuse, including physical abuse, even as reporting of such violence is low for a variety of reasons. Their health needs are neglected and poor nutrition and food intake makes them more vulnerable.

**Transgender Citizens:** In India, transgenders face numerous forms of discrimination and injustice, exclusion from participation in social and cultural life, education, and economic sphere, political and decision-making processes. The landmark Supreme Court judgement of April 2014, giving them the status and recognition of the Third Gender holds great hope for ensuring their basic rights. Lack of livelihood options and coverage under healthcare services, in addition to violence and abuse that they face, are major areas of concern here.

**Differently Abled Women:** Apart from the gender based injustice, women who are differently abled also face invisibility, social exclusion, vulnerability and injustice due to their disability. Pity, segregation and stigmatisation usually accompany the disabled in India. A majority live in poverty and are highly vulnerable to violence. Employment levels are quite low, especially for particular kinds of disabilities. Disabled girls are less likely to attend schools than disabled boys and have limited access to skill building trainings to suit their abilities. Health services, especially as related to sexual and reproductive health, are often seen to be denied to disabled women. Sexual abuse is quite common especially among women who are mental challenged.

**Women in Sex Work:** These women, like the other women discussed in this chapter face discrimination, experience social exclusion, stigmatisation and lack access to basic services and support systems. Healthcare, housing, livelihood opportunities, protection from violence etc., are not accessible to them. In the name of rescue and

protection, many are confined to protective homes as well as corrective institutions for 'disciplining' and 'correcting'. There is a moralistic approach taken to sex work by the regulatory framework, even as inadequate support is available for checking trafficking in the first instance.

## Key Recommendations

### Dalit Women

1. Provide optimum loans, infrastructure and market facilities for Dalit women's cooperatives and groups, and guarantee marketing of their products.
2. Recruit Dalit women into all levels of the police force.
3. Amendments suggested by Dalit groups to the PoA Act should be implemented.
4. Swift disposal of legal cases will encourage women to seek such justice proactively.
5. Set targets for improving access to maternal healthcare and girl child nutrition. Proactive selection of Dalit women as service providers/health-link workers, trained and deployed to administer schemes and programs that are meant to reach out to Dalit women, would help in ensuring effective outreach of such schemes.
6. Training and awareness programmes for Dalit women representatives in the Panchayati Raj institutions.
7. Inclusion and equality of Dalit women with more pro-active measures for improving the enrolment and retention at every level of education, especially in higher education.
8. A fixed, 50 percent allocation of funds for Dalit women within the SCP.
9. Disaggregated data systems are maintained to understand the situation of Dalit women.

### Muslim Women

1. Appointment of a Commission on Muslim women that will map and recommend actions on issues related to them.
2. Review and update current schemes for Muslim women to assess their effectiveness in terms of social indicators.
3. Special schemes in collaboration with the Mahila Bank and Nationalised banks for availability of credit to Muslim women.
4. Improve accessibility to girls' schools, hostels, and implement RTE provisions in letter and spirit in favor of Muslim girls and parents.

5. Review the curriculum to add latest vocational life skills and make it more friendly and flexible for migratory communities like Muslims.
6. Healthcare schemes should be monitored for Muslim women's participation and a social audit done to assess inclusiveness of such schemes.
7. Programmes such as Mahila Samkhya be introduced in Muslim concentrated areas so they can develop leadership and socialization of the women.
8. Speedy rehabilitation of women in relief camps, along with speedy justice.
9. In implementing government schemes, authorities need to be properly sensitised so that the community gets empathetic support.
10. A panel of experts, individuals and representative organisations be constituted with a mandate to build consensus and propose reforms in personal law in favor of women.
11. An immediate ban on practice such as Fatwas which are mostly against the interests of women.
12. Justice through courts should be accessible and fast so that women are not required to go to unconstitutional arbitration courts.
13. Create leadership development for Muslim girls and women, building upon existing schemes like Nai Roshni.

#### Adivasi Women

1. Effective implementation of the Fifth and Sixth schedule provisions, laws to prevent alienation of tribal land and restoration of alienated lands, PESA and FRA 2006, to ensure that deprivation, poverty, poor health and educational status, exploitation by outsiders, degradation of livelihood resources and so on can be squarely addressed by Adivasi communities.
2. NREGS outlays should be enhanced in Adivasi areas, with greater focus on works that empower women in direct and indirect ways, and this cannot be allowed to be diluted. These works should have an eco-restoration focus for further enhancement of NRM-based livelihoods.
3. Implementation of FRA in letter and spirit to ensure that the provisions of securing rights of Adivasi's as well as affirmative provisions for empowering women are not diluted or violated and making sure that women are a part of all the institutions set up under the statute.
4. Increased focus on the role of uncultivated forest foods in the nutrition security of women and children.
5. Recognise and respect the traditional knowledge systems of Adivasi women as a key element to secure their right to health and wellbeing.

6. All Adivasi households covered for potable drinking water and toilets.
7. An Action Plan against Violence & Crimes against Adivasi Women initiated by the Ministry of Women and Child Development along with other related Ministries including Ministry of Tribal Affairs and Home Ministry Demilitarisation, peace-building. Repeal of AFSPA should be an integral part of this.
8. Ensure safe migration and prevent trafficking. An effective implementation of the inter-state migration act and trafficking laws is essential.
9. Ensure the political participation of Adivasi EWRs even as 50percent reservation is brought in in the local councils in the sixth schedule areas.

### Single Women

1. Registration of property including land jointly in the name of wife and husband at the time of marriage itself should be made mandatory (as in the Goan law).
2. The Marriage Laws Amendment Bill 2013 which needs to be brought to the Lok Sabha should be used for providing for division of matrimonial property which rightfully recognizes the home-maker role of an overwhelmingly large number of women in India, in cases of divorce.
3. Any schemes formulated for single women, like the widow pension scheme for instance, should be designed in a way that a dignified living is ensured for the women.
4. Social security support should also be expanded to all single women and universalised.
5. A policy on widows that acts as a guideline for all projects and programs mandated to empower widows. Within 50percent reservation that has to be created in all governance/legislative bodies for women, there should be a reservation of at least 8percent for widows, in order to ensure that their concerns are raised effectively.
6. In all livelihood interventions, including ones which are into skill-building, there is a need to amend the upper age limit, and reduce the minimum educational qualification, so that many uneducated widows can obtain training and skill up gradation.
7. Instead of household as a unit, an individual has to be made into a unit in various schemes and programmes so that women can avail of such schemes.

## Elderly Women

1. Adopting the National Policy for Senior Citizens, setting aside adequate financial resources and building appropriate institutional mechanisms.
2. Monitor the implementation of schemes for elderly women and make them more easily accessible.
3. Food security schemes should apply uniformly to all elderly women without exception.
4. Barrier free physical infrastructure and assistive technologies are important to be put in place to facilitate mobility and access, including for accessing employment opportunities.
5. Loans and micro-finance alternatives for elderly women should be strengthened to provide them with socio-economic security. There should be subsidies and tax incentives furnished to companies that employ a certain minimum percentage of older women.
6. Strengthen health research to understand the needs and problems of elderly women. *One Stop Centres* can be created for elderly women to cater to all their health needs (consultation/counseling/pathological examinations etc. in addition to addressing any abuse/violence issues) under one roof.

## Transgender Persons

1. Following Argentina's lead, India can choose to adopt the Yogyakarta Principles, or a model of gender recognition that does not rely on a diagnosis of gender dysphoria by medical professionals, but a self-determination model.
2. This must allow individuals to self-identify their own gender, without any requirement for gender reassignment surgery, divorce, or sterilisation in order to change one's information on ID documents.
3. Sexual reassignment surgery and hormone therapy should be defined as a public health right that is made freely available at hospitals across India. As part of this mandate, resources must be provided to equip medical service providers with adequate technology and skills to undertake these highly complex surgeries.
4. Develop programs that will increase knowledge and use of services on high-need or stigmatized issues by transgender people, including mental health, sexual health, gynaecology, HIV testing and treatment, safe sex education, and intimate or family abuse. This will then ensure that transgender citizens have the requisite knowledge and access to various services.

5. Visibility campaigns to increase realistic portrayals of role models within the transgender community and important issues confronted by them thus initiating self-advocacy and media relations. Here, Social Welfare/Defence departments can develop working relationships with religious and community leaders to destigmatize and support transgender people.
6. Replication of the Tamil Nadu model to ensure social protection for transgender persons in terms of identity, housing, food security, employment/economic empowerment, healthcare services, insurance etc.

### Differently Abled Women

1. Proper implementation of the PWD Act requires better and proactive identification and assessment of differently abled women, with the help of community participation (PRI institutions/local bodies, women's SHGs etc.).
2. Increase pension amounts so they are not a burden to their family and can have a decent living. All outlays for the differently abled should have specific allocations for women.
3. Special provisions in schemes like MGNREGS to ensure that employment opportunities are available for differently abled women.
4. More systematic research, gender-disaggregated as well as detailed in terms of types of disabilities, regions, social groups etc., to be done by concerned departments and agencies (multi-disciplinary teams are obviously required for this), for planning focused interventions to empower disabled women.
5. An action plan for ending violence against women should have a specific plan for ensuring that differently abled women are safe from violence.
6. Rights of political participation should be ensured in a de-facto fashion.
7. Good practices related to active participation of the disabled in governance should be replicated on a large scale.

### Women in Sex Work

1. Section 8 of ITPA should be deleted immediately.
2. All archaic and moralistic clauses on reforming and disciplining a woman in sex work should be deleted, including forcible detention in corrective institutions and protective homes.
3. Advisories put out by the Home Ministry and several state DIGs to the police not to invoke Section 8 should be implemented in all its spirit with immediate effect even as a deletion amendment is taken up.

4. The IPC sections 268 (public nuisance) and 294 (obscene acts) are also not used to criminalise these women.
5. Section 20 that empowers a magistrate to remove a prostitute from any place should be repealed.
6. Strengthen National Human Rights Instruments (NHRIs) and increase their accountability to respond to complaints or initiate *suo moto* action reports of violence and rights violations by state and non-state actors against sex workers.
7. Ensure children of sex workers to have access to education, nutrition and healthcare.

## WOMEN AND ENVIRONMENT

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Women's well-being in India, especially rural India, is intimately linked to environmental resources and services.

Men and women use these environmental resources differently and are impacted differently when faced with environmental degradation and natural disasters. Women have often been active participants and leaders in struggles for environment conservation, and against resource alienation. With support from civil society organisations, women at the grassroots initiated action and developed model practices for land, water, forest and other commons conservation as well as protect the biodiversity and sustainable crop eco-systems etc. The skillset and knowledge of women in relation to environmental resources has also been amply demonstrated for centuries.

However, planning and implementation of interventions both in the environment conservation and the women's empowerment machinery have not integrated the reality of women's well-being and their relationship with environmental resources.

The National Policy for Farmers 2007 and the National Environment Policy 2006 do seek to provide a significant role for women, and are forward-looking articulations when it comes to women and natural resources. The National Policy on Disaster Management 2009 includes women's interests in rescue, relief as well as recovery phases of a disaster. It is seen however that NAPCC and SAPCCs are not integrating women's concerns strongly enough. The National Policy for Empowerment of Women 2001 also does not address environmental concerns for women's empowerment in any decisive or strong fashion.

Women are also affected by pollution and unregulated contamination from environmental toxins. However, environmental regulation do not pay attention to this.

There is shortage of environmental services - drinking water, toilets, cooking fuel, safe waste disposal which impact women directly – especially amongst marginalised women. There is an absence of women in governance structures in municipalities and delivery agencies related to these environmental services. While the state of environmental resources degrades for various reasons, and while resource alienation is underway from marginalized communities in various ways, lack of provision of basic amenities and environmental services will only burden women in numerous ways. This will also lead to a further degradation of resources setting off a vicious cycle and climate change will compound the problem.

## Key Recommendations

### Adopt an environment-centred growth model

1. A 'green growth' and building of a truly 'green economy' especially in rural India by greening the primary sector.
2. Large scale employment to be generated through proper land, water and biodiversity conservation measures and agro-ecological farming technologies; this in turn will mean more incomes for the small and marginal producers and forest-gatherers where most of our women find their livelihood opportunities.
3. Greening of rural non-farm sector, including construction and manufacturing, by adopting eco-friendly technologies and practices wherever they are available or through investing on green technology development.

### Integrate women's empowerment with the sustainable development

1. Consensus and convergence between MCD, Ministry of Environment, Forests and Climate Change, Ministry of Agriculture, Ministry of Rural Development, Ministry of Panchayat Raj etc.
2. The National Rural Livelihoods Mission has a specific focus on involving women's collectives into NRM-based livelihood interventions; the MGNREGS also has enormous potential for ecological regeneration.

3. A joint mechanism in the form of an *'Inter-Ministerial Coordination Council for Engendering Environment Management'* can bring these ministries to work together.
4. Government programmes to enable women to own, control and access a variety of economically productive assets including land, livestock, forests, leases on common land and water bodies, as also enterprises based on food processing, production of low-input farm inputs, production of decentralized renewable energy and forest based produce.
5. Women to occupy at least 50 percent seats in all rural and urban (NRM) governance institutions – at decision-making, regulatory and implementation levels, with requisite budgets.
6. The government should therefore make it mandatory that all institutions using environmental resources should have 50 percent membership as well as 50 percent governance roles to women.
7. A genuine decentralisation of decision-making and control over productive resources, so that women can participate directly in planning and implementation.
8. Provision of safe drinking water within premises and toilets for all households in the country should be top priority.
9. Clean energy for basic needs of households including cooking, and ensuring that indoor pollution is not being one of the major environmental health issues, specially affecting women, in the country.
10. Water resources for domestic use must be made available to all households in rural and urban areas.
11. The government, and specifically the NAPCC and the State Action Plans on Climate Change (SAPCCs), must map gender-based vulnerabilities and capacities for climate solutions to succeed.
12. At all stages in a disaster situation (disaster management beginning with prevention), there should be special policy and programmes for women.
13. Environmental planning and impact assessments should integrate gender issues. Gender Impact Assessment should therefore be part of EIAs.
14. Large scale Time Use Surveys on a regular, periodic basis to capture the relationship between women and environment would reflect the state of environmental resources, as well as women's wellbeing.

## WOMEN AND MEDIA

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In the last several decades, there has been a massive media boom and citizens have been subjected to media content of all kinds and formats.

As a result, there has been an unprecedented number of women who have come into the profession and organisations across the country. However, women are present in disproportionately low numbers, more so in the vernacular and district level media. This is the uniform situation across print and electronic media, in advertising and feature films as well as with new media.

The emphasis on the number of women present in media houses, that too at the top decision-making levels, is because the representation and portrayal of women and their issues in media content generated *by* these institutions is certainly a function of women's presence *in* media institutions.

The working conditions of women in media pose concern – it is seen that women form a major part of the freelance work force in the media, which adds another level of professional vulnerability in matters of negotiating and receiving payments or dealing with sexual harassment cases.

Gender justice and equality have hardly been the dominant themes for Indian media's content, and therefore, developmental needs of women, that too the most marginalized women, get grossly neglected. To begin with, women and their issues rarely get their due share of space in media content; and where they do, portrayal and treatment is not empowering, and is mostly sensationalised. Women are not shown as experts and authority on various subjects in the news media. It is mostly men who dominate this space.

Women's issues are largely limited to those of violence in news media. Women as a 'social issue' have been present in popular Indian cinema but the concern has been largely superficial. New Media has led to the rise of near-instant communication. The promise of the internet as a democratic space has been realised to certain extent, at the same time opened a new Pandora's Box of new-age controversies, exploitations, privacy invasion and related problems.

However, there are promising initiatives, mainly spurred by individual action, and sometimes in organised civil society space of parallel, new media and community media taking on the mandate of using the potential of media to empower women.

Given that large media is driven by big capital and market forces, these investments should come from the State as a pro-active measure to secure gender justice.

## Key Recommendations

### Engendering media spaces

1. The National Policy Plan for Women was to have a plan for engendering the media. It's more relevant now than ever.
2. An independent Women's Media Resource Centre must be created to research, be a watchdog and seek regulation for deterrence. It can develop and carry out capacity building on gender perspectives for stakeholders including regulators and senior management of media houses.
3. Over the next two years, the Ministry of Women and Child Development and Information & Broadcasting should jointly create a plan for encouraging and supporting community media, owned and controlled by women's collectives, across different media (radio, print, websites, mobile phone-based communication initiatives as well as television channels).
4. In state-controlled media institutions substantial space and time can be allocated for women's issues with sensitive portrayal emerging from sensitisation of employees as well as guidelines developed.
5. Where needed, using market mechanisms of sponsorship, to ensure that media content on popular channels is engendered.
6. Incentivising films to encourage greater variety is necessary. Tax cuts, based on model developed by Karnataka government, would be helpful.
7. Institute high profile awards for women-centric content and initiatives to be recognised and appreciated.
8. State support could be needed to strengthen women's media networks and collectives in order to improve working conditions.

### Creating gender-sensitive media

1. Media education should begin right from school, for children learn to process images early. The NFDC has been working on building an institutionalised film clubs mechanism where it collaborates with schools. Such efforts should be replicated and supported.
2. Mandatory gender sensitisation course in all communication and journalism degree courses, with a view to ensure that the next generation of reporters in

the country are trained to report on gender in the context of the intersectionality of caste, religion, ethnicity and class.

### Self-Regulation Matters

1. Over the next two years, a self-regulatory Code of Standards should be developed to guide the portrayal of women in various media.
2. Media houses to consider setting the gold standard in gender parity, committing themselves to filling 50 percent vacancies with women.
3. Gender Sensitive Indicators for Media developed by UNESCO can be a provide a tool for media houses - to evaluate themselves in terms of content and human resources.

### Media Houses

1. Media houses must adopt affirmative policies for recruitment of women. Such an affirmative policy should be adopted at the governance and senior management levels too.
2. Guidelines can be developed for media houses to make the work place more women-friendly.
3. Structural and policy changes in wages and job security are needed.
4. Addressing sexual harassment issues in compliance with law is essential.
5. Institute fellowships and grants for women journalists, particularly from marginalised communities, to report from a gender perspective.
6. Hiring of women from marginalised communities at all levels of the media institution.

### Regulation, Incentivisation, Oversight on Compliance

1. Adequate representation of women has to be brought into the composition of *all* regulatory bodies immediately.
2. Speedy implementation of Justice Mudgal Committee recommendations by bringing into force amended Cinematographic Act will help handle current issues/problems being faced by CBFC.
3. Issue press cards to freelance journalists, remove professional vulnerability in matters of obtaining commissions and negotiating and receiving payments.

## Indecent Representation of Women Act and Amendments Proposed

1. An urgent need to analyse through deliberative democratic processes, the amendments proposed for the Indecent Representation of Women Act.

## PROGRAMMES AND SCHEMES FOR IMPROVING OVERALL STATUS OF WOMEN

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When the State intervenes on behalf of women to adhere to its constitutional obligations and to improve women's overall status on par with men, it is either in the form of policies, laws, or schemes and programmes. These implementation, policies and legislations have to be backed up by schemes and programmes for certain objectives to be actualised.

Over the decades, there have been many women-centric schemes with good intentions and with objectives of transforming women's lives for the better. These span various dimensions related to women's lives like economic development, education and health. Entire institutions have been built for facilitating implementation of interventions – Central Social Welfare Board is an example.

However, design and implementation-related matters with in-built equity and sustainability, resource allocations, delivery mechanisms and institutions, proper outreach, and monitoring and evaluation are all issues that plague these schemes and their potential impact. While some women-centric schemes like Hostels for Working Women have been running for decades, there are yet other schemes which have been introduced in the recent past, like the One Stop Centres. While the discourse has progressed, especially as seen in the Five Year Plan Documents, the practice is often lagging behind

The allocations in gender budgets continue to hover around a meagre 6percent of overall budget. Eleventh Plan allocations for women-specific and pro-women schemes and programmes show that maximum investments are going into employment, enterprise and income generation activities (34 percent); followed by allocations education (26 percent) and then health and nutrition (25 percent).

Largest allocations are from Ministry of Rural Development, followed by Department of School Education and Literacy, MHRD. The other major allocation was under Integrated Child Development Scheme (ICDS) of the Ministry of Women

and Child Development. The Mid Term Appraisal of the 11<sup>th</sup> Plan noted that many important schemes that were suggested in the Plan document have not taken off. It is also seen that even the monitorable targets of the Eleventh Plan have not been met.

The HLC put in efforts to scan women-centric schemes and assess their impact mainly in three spheres of women's empowerment, which we consider as burning issues of importance: economic empowerment, removal of discrimination against the girl child and creating zero tolerance for violence against women.

### Economic Empowerment Schemes

Several major schemes exist from the MWCD as well as other Ministries on this front. However, it is seen that the scale at which the schemes are operating is much lower than the scale needed.

While most schemes use an SHG approach to support women's self-employment/enterprise, it is seen that SHGs are not seen as holistic transformative platforms but are only instrumentalities for income generation etc. It is also noted that uniform approaches are often adopted in many schemes despite the vulnerabilities of intersectionality in the case of many women. The multiple marginalisation of some groups of women are therefore not being addressed adequately.

Schemes that have a household as a unit to be targeted ignore the intra-household gender dynamics. Most schemes have not exhibited the capacity to improve incomes in any substantial way. Marketing support and capacity building do not always receive adequate focus, creating sub-optimal results.

Impact assessments have found lack of focus on the most marginalized and increases in income have been of a very low magnitude in several projects/schemes (Rs. 300/- to Rs. 1500/- per month), in addition to the fact that schemes themselves have very inadequate coverage of beneficiaries.

Concentration in certain states is noticed with some schemes, which may not be the needy places. When it comes to women's economic empowerment, the performance of large schemes like SGSY and MGNREGS in states with high incidence of poverty is unsatisfactory. Incidentally, these are also states that score low on gender empowerment dimensions too.

There is a need for greater conceptual clarity governing the design of employment and enterprise schemes for women. Expanding the livelihoods discourse to include dignity, security and freedom from violence; to women's control over resources and access to social protection entitlements; to recognize, reduce and redistribute women's unpaid work burden and access to high quality public services; to strengthening their agency as economic actors etc., is critical for future since it is apparent that narrow economic empowerment frameworks focused on households alone will not yield the required transformation in favor of women and uphold their rights.

NRLM, and livelihoods work happening through Kudumbashree and SERP hold great promise and require replication.

### Schemes in the context of Violence against Women

The schemes that address violence against women can be broadly categorized under the theme of "Prevention of Violence against Women" and "Provision of Support Services to Women Survivors".

While prevention of violence requires numerous immediate, medium and long term interventions including large scale campaigns to sensitise and educate men and women on VAW which is lacking in any comprehensive or substantial way at present, support services to women in distress are provided today mainly through the *Swadhar Greh* scheme and the Ujjwala scheme in the case of trafficking.

At the state level, there are variants of Short Stay Home schemes. Most schemes are proposed by civil society groups. These are not necessarily need-based and there are no plans apparent to scale up schemes to all blocks or districts, except for the recent announcements initially with the new NDA government towards setting up Nirbhaya Centres in all districts of the country, which was subsequently scaled down drastically in FY 2015-16, unfortunately.

This then means very small outreach, compared to the need.

Some schemes have never taken off, despite a dire need for them (this includes the proposed helpline, for example; or work with adolescent boys in the form of *Saksham* scheme). Schemes undergo frequent changes. There are also not enough schemes or campaigns to prevent violence; similarly, not enough work is apparent in restorative justice and rehabilitation, especially compared to the magnitude of the problem. The

interventions in the name of counseling are not always professional, and it is noted that counseling is often equated with reconciliation efforts on the ground. Shelter services are mostly in a pathetic state, as seen in this HLC's field visits.

There are many implementation- and cost-norms-related problems for the implementing organisations. This also includes nutritious food supply to the inmates of shelter homes, which is not possible with the current cost norms. In many cases, it is seen that support services schemes are run without the involvement of various local organizations, including community based women's organisations. Most importantly, convergence and coordination are glaringly lacking. The Committee did not come across any (micro-)studies that have noted any impact of these schemes in preventing violence or trafficking.

A crime-mapping exercise on the issue of VAW taken up in Mararikulam Panchayat in Kerala, in addition to mechanisms like WASPS squad in Jalandhar and SHE teams in Telangana are some good examples of preventive steps when it comes to VAW. One Stop Crisis Centres tied closely to the healthcare system and law and order system, supported by various services and a network of other organisations, as seen in Ernakulum in Kerala need to be replicated in all districts of the country. The current interventions on the issue of VAW are too unambitious and unfortunately, reflect a lack of political will.

#### Schemes related to Girl Child Protection and Development

While declining sex ratio (especially Child Sex Ratio) and son preference are reflections of very deep-seated socio-cultural discrimination against girls, and therefore, require multi-pronged approaches in dealing with the issues involved, there have been a few schemes that attempted to address the issue and ensure 'girl child protection'.

*Beti Bachao Beti Padhao Andolan:* The Government has recently launched a much-needed initiative around protection and development of the girl child through this campaign. While this is a more comprehensive approach towards tackling son preference and girl child discrimination, the usual response from the state has been to run schemes which involve conditional cash transfers to deal with individual girl children, case by case.

It is noted that there are no specific schemes for implementation of the PCPNDT Act more effectively. While *Dhanalakshmi* used to be the MWCD's scheme, there are

many state-level variations of Girl Child Protection Schemes. Some campaigns as against female infanticide in Tamil Nadu are recorded to have had a lasting positive impact.

However, in the case of conditional cash transfer schemes, there are mixed results reported. Some schemes are seen to have components that are not in line with women's empowerment; in terms of design some schemes unwittingly promote son preference with their conditions. Targeting issues and procedural hassles plague several of these schemes; further, it is noted that the incentives that will accrue after the daughter attains 18 years of age (in a relatively distant future) may not outweigh the perceived disadvantage of having a girl child.

Lack of coordination, problems with financial institutions and corruption have been recorded in different schemes. CAG reports across states point to the schemes being deficient in various ways, and also not reaching the intended beneficiaries.

Importantly, in these girl protection schemes, there are no MIS or tracking systems put in place to monitor the development of the girl child. Activists have been critical of "cradle baby" schemes that run in a few states, and the latest developments of girl baby trafficking from institutions that run such schemes is a matter of serious concern. An impact assessment study from Haryana found that a 'conspiracy of silence' is at play, with passive implementation of such a programme. Other schemes like Sabla are not running to their full potential, with under-utilisation of funds and physical targets not being met, even with resources allocated. Like in other schemes, the low coverage of these schemes is noted.

Large campaigns like Beti Bachao Beti Padhao hold tremendous potential for giving the girl child her full share of opportunities to survive and develop.

Despite various schemes and programmes being run to improve the status of women, it appears that these have fallen short of the large need for empowering women on various fronts. This is both in terms of their outlays, outreach as well as the visible impact.

## Key Recommendations

### Streamlining maintenance of data on schemes and programmes of WCD Ministry

1. The Ministry should put into place mechanisms for real time, accurate data collection and analysis for better monitoring and evaluation of schemes. Evaluation frameworks should have feminist principles adopted.

### Need to increase gender equality investments

1. There should be a significant increase in gender equality investments in India, across Ministries and Departments.
2. A comprehensive need mapping, district upwards, could be the basis for planning for future.
3. A life cycle, social equity and an approach covers all dimensions of empowerment should be used, so that no group of women are left out.
4. In MWCD budgets there should be increased investments on women's empowerment, even as the Ministry strengthens its capacities to plan, design and implement schemes more effectively.
5. Rigorous impact evaluation of schemes can be taken up before increasing budgetary allocations, and the learnings published.
6. Ranking state governments in terms of quality of implementation and impact created should be taken up.
7. The government could consider consortium projects with the CSR fund of corporations to enhance outlays under the government schemes.

### Improving on the utilization of funds allocated

1. There should be a review of procedural formalities so unnecessary bottlenecks are eliminated and the approval process for new scheme expedited.
2. Creation of flexible designs for the schemes, depending on local needs and region-specific issues – will bring down underutilisation and delays.
3. More pro-active processes in publicising the schemes, facilitating the process of applications, rapid appraisals and processing of applications for schemes so that fund utilisation is full.
4. Internal audit systems should be in place and active in the Ministry.

### Improving outreach in schemes

1. Each scheme has to be scaled up to its optimal size (one stop centres have to be taken to the district and block level, after the state level pilots, for instance); further, publicizing the scheme and increasing awareness about the existence and access to schemes is important.
2. Designs of schemes have to be re-visited and incorporate all necessary flexibilities.
3. In schemes meant for livelihood enhancement for women, budget components for inclusive and holistic empowerment of women should be attempted to prevent lost opportunities and ineffective outcomes.

### Reducing Frequent Changes in Schemes

1. The change in schemes, in trying to make them more comprehensive and attempting to remove duplication of efforts under different schemes, have to be accompanied by wide pro-active publicizing of the scheme for effective utilization of the same. Further, if the schemes are initiated after a good deal of planning, these changes may be avoided.

### High quality scheme design

1. The design and assumptions behind various schemes need to be re-visited. Cost norms have to be realistic, which will provide women beneficiaries a fair and decent opportunity at empowering themselves.
2. Schemes have to be grounded in a statutory framework so that they become entitlements of women, even as every statute has to be backed up by a scheme for ensuring implementation on the ground.
3. A prerequisites of good implementation of women's laws is legal literacy and awareness and pro-active efforts for this will need schematic outlays.

### Equity and Need-based Schemes

1. The Ministry must reach out to state governments and the women's movement in India in pro-active ways.
2. An in-depth study by the Ministry is necessary to earmark region-wise budgetary allocations, based on specific needs and issues. The findings should dictate the need and the positioning of projects.

3. Pro-active publicity of schemes in needy areas is important, so also creation of simple, local language materials to explain to the intended beneficiaries the full details and ways of accessing various schemes.
4. Better coordination mechanisms be created to ensure that no scheme suffers due to Centre-State dynamics or lack of coordination.
5. Greater devolution of schemes will ensure that women will be able to participate more directly in different schemes.
6. All schemes should have specific norms laid down for orientation towards and targeting the most marginalized women (minorities, Dalits, Adivasis, differently abled, single women and others).
7. These schemes should also be audited through social impact assessment.

#### Women centric schemes should stop perpetrating gender stereotypes

1. Women-centric schemes must have the right approach towards gender justice and equality and not have gender biases.

#### Investing in 'soft interventions'

1. Large scale awareness campaigns on discriminatory practices against women or violence against women, or to publicise the legal rights of women. Such 'soft interventions' are as important as schemes that deliver services and products.
2. All opportunities across schemes, including those for collectivising women for livelihoods, have to include a component of gender sensitisation and legal literacy.

#### Increase thrust on ensuring Convergence and Coordination

1. Professional services supporting the Ministry and various other line departments in implementing gender equality and gender justice related schemes.
2. Such support services should focus on better convergence and coordination for more impact.

#### Improve capabilities at all levels

1. Suitable partnerships with Gender Resource Centres that are being set up in various states, in addition to tying up with other gender experts and organisations.

2. Feminisation of institutions and departments by fixing minimum quotas for women to be employed.

#### Bottom up planning and equitable allocations

1. Ideally, schemes should evolve at the local level, based on district level planning after a needs assessment. This would allow for more direct participation of affected women.
2. Involve elected representatives including Parliamentarians, legislators as well as elected women representatives in PRIs.
3. Convergence with MPLADS/MLALADS is also possible, who can set aside 50percent of these funds for women-centric interventions. SHG involvement is also possible. CEDAW and Constitutional commitments can be the frameworks within which such schemes are evolved.
4. Ensure that equitable investments on the most marginalised women, including single, differently abled, Dalit, Adivasi and Muslim women are a priority.

## INSTITUTIONAL MECHANISMS

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Institutional Mechanisms/ National Machineries are imperative for the advancement of women. An analysis of select institutions suggests the need for structural and operational terms.

#### The Ministry of Women and Child Development

The Ministry is under-staffed and under-resourced and in 2015, the budgetary allocation to the Ministry has been reduced to half of last year's budget. A similar situation exists at the state level.

#### The National Commission for Women(NCW)

The National Commission for Women is an apex body. The selection of the Chair and other Members must be made through a transparent and institutionalised process. A high level Search Panel made of experts and practitioners of women's issues must be

given the task of identifying and recommending members who are active in the women's development and have track record of proven expertise of women's issues or movement.

#### National Mission for Empowerment of Women(NMEW)

A Centrally Sponsored Scheme, was launched in 2010. It initiated the Purna Shakti Kendras as a pilot for achieving this convergence. The NMEW is involved in implementation of various projects and the day to day work of the Ministry. In 2015, it is an under-utilised opportunity seeking a mandate among the many institutional mechanisms for women created by the government.

#### Parliamentary Committee on the Empowerment of Women (PCEW)

An important monitoring machinery established in March 1997 by Parliament the Committee was to oversee women's empowerment. While the MWCD is now a full-fledged Ministry, the Committee on Empowerment of Women is not seen as a department-related standing committee for MWCD. The PCEW needs to examine the gender implications of all proposed legislations.

#### The Central Social Welfare Board (CSWB)

The CSWB has been a major tool for administering various interventions related to women's development over six decades. It is, however, insignificant and almost irrelevant now. There is thus a crucial need to revamp and restructure this body so as to ensure its utmost effectiveness.

#### The National Policy on Empowerment of Women(NPEW)

The NPEW was constituted in 2001 as a policy body on women. Under this national and state councils were to be set up to oversee the operationalisation of the policy on a regular basis. However, the policy did not get operationalised and nor were the Councils were set up.

## Key Recommendations

### Ministry of Women and Child Development

1. As the Ministry covers women and children, it needs more funding. At least 50 percent of its budget should be allocated to women. A bi-annual report on the assessment of the status of women can be commissioned by the Ministry.

### National Commission for Women

1. The Chairpersons should be selected by the Prime Minister and the Chairpersons of State Commissions should be appointed by the respective Chief Ministers.
2. A high level search panel comprising of experts and practitioners of women's issues must identify and recommend individuals who are professionals or are from the women's movement and have a proven track record and expertise of women's issues or movement.
3. There should be a minimum of 11 members.
4. The NCW should have power and status of the Civil Court and its jurisdiction should also cover Jammu and Kashmir.
5. There must be regular interaction between the National and State Women's Commissions and the latter must be mandated to report to the National Commission on a periodic basis.
6. The performance assessment of the NCW must be done by the Government/Parliamentary Committee on a yearly basis.

### National Mission for Empowerment of women (NMEW)

1. The NMEW, through its convergence mission, can play a critical interventionist role in ensuring that government schemes reach the intended participants.
2. The Mission is the face of the Ministry and the link with other Ministries. It is the convergence point of all women's issues. It must develop a pool of experts so that their services could be utilized. It could also develop a repository of knowledge products on women related themes.
3. The inter-ministerial Coordination Committee must be institutionalized and there should be mandatory regular and periodic meetings.

### Parliamentary Committee on Empowerment of Women (PCEW)

1. The Committee must examine the gender implications of all proposed legislations, policies and programmes and be proactive in giving inputs on policies and programmes through a gender lens. And it must, *suo moto*, take up issues relevant for the development of women and children.
2. The Committee must meet more often and on a regular basis, and its meetings should be open to civil society groups as observers

### The Central Social Welfare Board

1. It must be revamped and restructured to ensure it works more effectively on its mandate.

### NIPCCD

1. It should work towards developing a pool of expert trainers and training kits/manuals on various women related themes. The reach and efficiency of NIPCCD should be extended and augmented to include educational institutions and corporate houses.

### Gender Responsive Budgeting

1. Along with Gender Audits, GRB should be taken more seriously to reflect purposive Gender planning and gender mainstreaming of these institutions and mechanisms is important.
2. There must be coordination between the drivers of GRB, Ministry of Finance and Ministry of WCD.

### Gender Architecture

1. There is a need to revisit the Gender Architecture to redefine and reclaim the space in the overall Governance structure from national to local.
2. The Ministry must have an overall encompassing body that can act as a Think Tank, an advisory body that could be the back stopping space for the Ministry for information, perspective, research, analysis and knowledge management.
3. The *Niti Aayog* should ensure that there is a strong Gender Mainstreaming Cell, which then ensures all its work in gender mainstreamed.

