

DATE : 7th July, 1999.

To
The Chief Minister
Delhi State Government

Madam,

We, on behalf of the following women's organisations would like to express our deep concern and strong protest against the Private Member's Bill circulated by the Congress MLA Ms. Kiran Choudhary. Since the member concerned has since been elected as the Dy. Speaker whether at all it is proper for her to move such a Bill is questionable. The proposed Bill is wholly misconceived, unconstitutional, and discriminatory and also objectionably elitist in its assertions. It also reveals the big gap that exists in understanding the real problems of the people of this city. Moreover the reports that your own Government is considering adoption of the Bill raise serious questions about the direction of your own policies.

Clearly your MLA needs to do more homework about the changing demographic picture of Delhi. The Bill wrongly asserts that this is due to high fertility rates whereas even a school child knows that Delhi's increasing population is because of the increased migration into Delhi for various reasons. You will recall that your predecessor in the BJP Government Shri Sahib Singh lamenting the impact of high migration into Delhi wanted to ban such migration through authoritarian measures. You and your party had opposed it then. However this Bill is no different in its approach. In a highly elitist assertion, your MLA makes the most disparaging remarks against the city's poor people who live in jhuggis virtually accusing them of being responsible for the city's ill health and calling them "gandha" (dirty). Instead of expressing concern that this city has hardly any public toilets in slum settlements she blames poor people for unsanitary life styles. We strongly object to these insulting remarks against the city's poor.

Our objections to the Bill include the following points:

1. National and international experience about population control policies clearly indicate that family size is dependent on non-demographic factors. Social and economic status are the main determinants including education, income, property etc. It has also been shown that where there has been an increase in social sector programmes with direct benefits for the poor, family size has changed accordingly as in Kerala. On the contrary where there has been only targetting and a quantitative approach it has proved a failure such as in UP. Disincentives and coercive methods have other negative impacts. For any family planning programme to work the government has to prioritise its programmes for enhancing the status of poor women in particular.

2. In countries like India where there is widespread son preference and use of sex-determination tests followed by abortion of female foetuses, coercive methods have a negative impact on sex ratios. Delhi has one of the lowest sex ratios in the country. This in large measure is due to patterns of male migration into the city. However, the proliferation of sex determination clinics is a danger signal which cannot be

REVERSE THE PROPOSED PRIVATE MEMBER'S BILL FOR 1996 TO BRING ABOUT THE

ignored. The proposed private member's bill has not a word to say about this aspect.

3. Today the gap between the rich and poor in Delhi is increasing. Unemployment and lack of access to affordable food supplies is a reality for large numbers of people. The Bill proposes that any family with more than two children will be denied rations, Government jobs and all increments. These are fascistic measures which have no place in a democracy. It amounts to punishing the poor for their poverty.

4. One of the weaknesses of the parliamentary system is that the representation of poorer sections as well as of women is negligible. The Bill further undermines efforts to redress this weakness such as the women's reservation Bill by disqualifying as candidates all those who have more than two children. A similar experiment in Haryana has had very negative repercussions. In one case the woman who became pregnant was forced by her husband to abort the child with serious consequences for her health. In another example an elected member made a public statement denying that the child was his. You can imagine the social ignominy his wife had to face. In yet another case an elected woman panch was forced to "try for a son". Where women have little control over their bodies to expect them to singly defy family demands for another son, is to punish her for no fault of her own. This Bill is therefore anti-woman and anti-poor.

5. It will be a blot on India's claims of democracy for the country's capital Government to even propose leave alone pass such a Bill. We would like to remind you that during the Narsimha Rao Government's period, a Bill to deny working women maternity benefits for the third child had to be withdrawn because of strong opposition. In the 1996 elections the BJP in its election manifesto had proposed that rations for families with more than two children should be denied. Significantly in the recent manifesto this proposal was dropped.

We hope that you will not be party to this Bill. We request you to to give it a quick and final burial.

Thanking you,

Yours sincerely,

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