The Preamble to our Constitution refers to the promise of social justice. Right to equality has been enshrined as a Fundamental Right under Chapter III of the Constitution, which also has a provision for affirmative action in favour of women. Despite these Constitutional provisions, special laws enacted to promote gender justice, the status of women continues to be a cause of concern not only in our country but also in most countries of the world. Gender inequities throughout the world are among the most pervasive, though deceptively subtle forms of inequality. Gender equality concerns each and every member of the society and forms the very basis of a just society. Human rights issues, which affect women in particular, play a vital role in maintaining the peace and prosperity of a just society.

Today as we stand at the beginning of the 21st century, we are still unable to boast of a society where there is total gender equality or gender equity. Until recently, the question of gender equality or gender equity was merely a topic of theoretical discussion. Things are changing but rather slowly.

At the International level, prohibition against sex discrimination was first articulated in the United Nations Charter of 1945 and later reiterated in the Universal Declaration of Human Rights of 1948. Since then, virtually all human
rights instruments have reinforced and extended protections against
discrimination. The International Covenant on Civil and Political Rights adopted
in 1966 guarantees equal protection of the law to both sexes. The International
Covenant on Economic, Social and Cultural Rights also promises women
equality of status. The Fourth World Conference on Women, held at Beijing
brought us further forward by reaffirming gender equality as a fundamental pre-
requisite for social justice.

Perhaps the most important conceptual advance in the international law of
women's rights is the Convention on the Elimination of All Forms of
Discrimination Against Women (CEDAW), which provides that women be
given rights equal to those of men on equal terms. The Preamble of CEDAW
maintains that "the full and complete development of a country, the welfare of the
world and the cause of peace require the maximum participation of women on
equal terms with men in all fields."

In India, "WE THE PEOPLE" gave us a Constitution, which guarantees
justice - social, economic and political. In the matter of equality Article 14 confers
on men and women equal rights and opportunities in the political, economic and
social spheres. Article 15 prohibits discrimination against any citizen on the
grounds of religion, race, caste, sex, etc. Article 15(3) makes a special provision
enabling the State to make affirmative discriminations in favour of women.

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222 adopted in 1966
223 effective 1981
Similarly, Article 16 provides for equality of opportunities in matter of public appointments for all citizens. Article 39(a) lays down that the State shall direct its policy towards securing all citizens, men and women, equally, the right to means of livelihood, while Article 39(c) ensures equal pay for equal work. Article 42 directs the State to make provision for ensuring just and humane conditions of work and maternity relief. Above all, the Constitution imposes a fundamental duty on every citizen through Article 51A(e) to renounce the practices derogatory to the dignity of women. The question, however, is: Have the women been able to reap the benefits provided for them under the Constitution of India? The answer unfortunately is not encouraging. There is a long way to go to achieve the goals enshrined in the Constitution.

In tune with various provisions of the Constitution, the State has enacted many women-specific and women-related legislations to protect women against social discrimination, violence and atrocities and also to prevent social evils like child marriages, dowry, rape, practice of Sati, etc. Notwithstanding the enactment of the laws relating to dowry, rape, violence against women, the factual position is rather distressing. What is true at the national level is also a cause of concern at the global level. Consider the following statistics:

- Two-thirds of world's adult illiterates are women, who number about half-a-billion adult women.
70% of the world's poor are women.

Women now account for 50% of those infected by HIV worldwide.

Even at the national level, there are several areas of deep concern:

- Sharp decline in juvenile sex ratio
- Continuing high maternal mortality rate and infant mortality rate
- High gender gap in literacy at all levels
- High rate of dropouts of girl students
- Increasing incidence of crime against women

The year 2001 was observed as Women Empowerment Year. The National Policy for the Empowerment of Women was evolved in 2001. It recognizes that the underlying causes of gender inequality are related to social and economic structure, which is based on informal and formal norms, and practices. Consequently, the access of women particularly those belonging to weaker sections including Scheduled Castes/Scheduled Tribes/Other backward Classes and minorities, majority of whom are in the rural areas and in the informal, unorganized sector – to education, health and productive resources, among others, is inadequate. Therefore, they remain largely marginalized, poor and socially excluded. The Policy underlines the need for mainstreaming a gender perspective in the development process. The economic empowerment of

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224 In Africa that figure is now 58%.
women through poverty eradication, provision of micro-credit, strategies to save them from the negative impact of globalization etc. were stressed. Besides economic empowerment, social empowerment of women through education, health, nutrition, drinking water and sanitation, housing and shelter, environment, science and technology and focus on women in difficult circumstances were highlighted. There is a need for targeted efforts to ensure that rights of women in difficult circumstances who include women in extreme poverty, destitute women, women in conflict situations, women affected by natural calamities, women in less developed regions, the disabled, widows, elderly women, single women in difficult circumstances, women heading households, those displaced from employment, migrants, women who are victims of marital violence, deserted women and prostitutes etc.

The year 2001 was declared as Women's Empowerment Year. As part of the Women's Empowerment Year, the Department of Women and Child Development (WCD) and its associated bodies were involved in a number of initiatives to improve the status of women in the country. The National policy for the Empowerment of Women with the objective of bringing about advancement, development and empowerment of women was formulated. Five Stree Shakti Puruskar to honour and recognise the achievements of individual women were presented, for the first time, by the Prime Minister at the launch of the Women's Empowerment Year. The Government also decided to give annual awards to selected anganwadi workers on the basis of exemplary performance.
(A) Domestic Violence (Prevention) Bill (Now became ACT)

The Department drafted a Domestic Violence Against Women (Prevention) Bill-2002 through an elaborate process of consultation at different levels involving various women's groups, activists, lawyers, national institutions, State governments and all concerned Ministries and Departments of Government of India. The Bill was introduced in the Lok Sabha on the occasion of International Women's day on March 8, 2002. It has now become an Act and details have been mentioned in the subsequent chapter.

(B) Review of Laws

As part of the activities for the Women's Empowerment Year, laws concerning women who are under the Department are being reviewed. This is being done to ensure that provisions in existing laws that are discriminatory towards women are removed and to ensure that their rights and interests are protected. The laws to be reviewed include Indecent Representation of Women's Act, Sati Act, National Commission of Women Act, Immoral Traffic (Prevention) Act and Dowry Prohibition Act. Besides, two sub-groups constituted under the Task Force on Women and Children are reviewing in a comprehensive manner 22 laws concerning women which include the Minimum Wages Act, 1948, Maternity Benefit Act, 1961, and Factories Act, 1948.

(C) Gender Budgeting

225 Now become the Domestic Violence Act, 2005
226 as amended in 1976

431
During 2001, the Department initiated the gender budgeting exercise. For the first time, a chapter on Gender Inequality was incorporated in the Annual Economic Survey. A gender analysis of the Budget 2001-02 was carried out. It also initiated measures for preparing Gender Development Index for the States and the District.

(D) Swamyamsiddha

Swamyamsiddha is one such scheme for empowering the Indian women both socially and economically to enable them live with dignity and self-reliance. The scheme lays stress on access to micro-credit and envisages block and panchayat-level participation among women, cutting across all regional, economic and social groups.

"Self-help" is the magic word here. The programme urges women to help themselves, literally. And in order to attain the goal, it sets in place a series of self-help groups and mechanisms designed to streamline and distribute the benefits of awareness and advocacy among women of all social strata and through diverse regions and states. February 2001 was observed as the month for the "Economic Empowerment of Women". This was when the Integrated Women's Empowerment Programme (IWEP) or "Swamyamsiddha" was also launched and a national-level seminar on property rights for women was organised during this phase. The programme assumes significance in the light
of the fact that in recent years the empowerment of women has been recognised as the central issue in determining their status.

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women but also empowers the State to adopt measures against discrimination to them in any manner.

Swayamsiddha, as the name itself suggests, is aimed at making women self-reliant and giving them enough confidence to fend for themselves. Swayamsiddha will recast the Indira Mahila Yojana (IMY). IMY will be expanded from the existing 238 blocks to 650 blocks across the country by the end of the Ninth Plan (March 31, 2002).

The programme lays stress on enabling women to have a full understanding of social, economic and political issues. It will not only educate women on their status, rights and privileges but also generate awareness about women's health, nutrition, education, sanitation and hygiene.

The programme will bring together groups of people with common goals and objectives. IWEP has a vision to develop empowered women who will be bold enough to demand their rights from family, community and government and those who have increased access and control over material, social and political
resources. It envisages enhanced awareness and improved skills for women with an accent on economic self-reliance. One of the principal aims of the IWEP is to improve women's access to micro-credit and strengthening the savings habit among rural women. This will enable them to have control over their economic resources.

The programme aims at involving women in local-level planning and envisages the convergence of services of the Department of Women and Child Development and other departments. The programme will be extended over a period of four to five years at a cost of Rs. 116.30 crore. To ensure a smooth functioning of the programme, a project implementation cell will be set up having adequate expertise and flexibility. Aimed at encouraging thrift among women through small savings, the scheme will, in effect, merge the Mahila Samriddhi Yojana (MSY) and the Indira Mahila Yojana (IMY). IWEP will have the distinctive feature of having the association of government and panchayat officials/office-bearers as participants/facilitators. It will enlist the support of both government departments/agencies and NGOs and district and intermediary-level panchayat institutions. IWEP will thus create an organisational base for women to come together, to analyse and fulfil their needs through existing programmes of the State and Central governments and to access institutional credit. The programme will facilitate them access to various schemes from a single window.
The State Governments will identify nodal departments for implementing IWEP which will in turn identify block-level implementing agencies called Project Implementation Agencies (PIAs). Women need not run from pillar to post in search of information and aid as the scheme will ensure easy and instant redressal of problems. A subsidy-free approach to women’s empowerment will be inculcated. Each self-help group will have about 15-20 members with one leader or key person. Homogeneous groups of women belonging to the same socio-economic status will be formed, networking self-help groups (SHGs) with panchayat institutions and government functionaries. Community-orientation, innovative interventions and creation of community assets will all form a vital part of the activities of the PIAs or the SHGs. These will in turn strengthen the process of group formation, mobilisation and stabilisation.

IWEP holds special significance in that it has been started during the Empowerment Year for Women and at a time when gender and women perspectives are being mainstreamed in all developmental processes. The Government has decided to establish policies, programmes and systems to ensure the mainstreaming of the gender perspective in the process of development. Wherever there are gaps in policies and programmes, women-specific interventions will be undertaken to bridge these. Coordinating and monitoring mechanisms will also be devised to assess the progress of such mainstreaming mechanisms from time to time. This also extends to the various programmes and schemes the Government has formulated for the welfare and
empowerment of women. IWEP is also being constantly monitored and evolved and interventions being created based on feedback from various blocks and districts. The self-help groups will particularly reach out to destitute women, particularly those in extreme poverty, disadvantaged women, disabled widows, elderly women, single women in difficult circumstances and women in conflict situations. (PIB Features)

(E) Swadhar

The second scheme, known as Swadhar, provides for holistic rehabilitation of women in difficult circumstances, like destitute widows deserted by their families in religious places like Vrindavan, Kashi etc; women prisoners released from jail and without family support; trafficked women forced in prostitution; HIV/AIDS affected women etc. This will be a Central scheme, which will be implemented by the Department through the State government or its agencies, Voluntary Organisations or Trusts. The scheme has provisions for grants for construction or renting of shelter homes, food, medical-care, counselling, training of the inmates etc.

(F) Integrated Child Development Services Scheme

The Integrated Child Development Services Scheme (ICDS) is to be universalised by the second year of the 10th Five Year Plan. In all, 4608 projects
became operational till the end of the IX Plan\textsuperscript{227} (31.3.2002). The 10\textsuperscript{th} Plan proposed full operationalisation of 563 projects in the first year itself (i.e. in 2002-03), and the last 481 odd by 2003-04. Certain expansion activities\textsuperscript{228} have also been proposed. The Adolescent Girls Development Scheme called the "Kishori Shakti Yojana" is being extended to cover 2,000 blocks in the country. Under this initiative about 13 lakh adolescent girls will benefit.

(G) Balika Samridhi Yojana

The Balika Samridhi Yojana has been revised to provide for a post delivery grant of Rs. 500 to be deposited in a bank in the name of the girl child. In addition, the girl child will become eligible for annual scholarships for each successfully completed year of schooling.

(H) Swa-Shakti Project

Swa-Shakti Project, a World Bank and International Fund for Agricultural Development supported Project, is being implemented in 35 districts of 7 States. Around 97 NGOs have already formed 8,795 Women's Self-help Groups.

(I) Teleconferencing with Women at the grassroots

Teleconferences involving interaction between legislators and policy makers and women at the grassroots levels have been organised regularly. The

\textsuperscript{227} as on 31/03/2002
\textsuperscript{228} new urban ICDS projects, additional Anganwadi Centres and expansion of Kishori Shakti Yojana
main objective of these teleconferences has been to provide fora for grassroots level women to share their problems regarding delivery of services and also to get information about their rights and about WCD programmes and policies.

(J) National Commission for Children

A National Commission for Children is to be set up which will be headed by a Chairperson who has been a Judge of the Supreme Court. It is to be constituted on the pattern of the National Human Rights Commission. The Commission would be adequately empowered to go into all aspects of development and problems of children. A proposed Charter for Children is also being brought out which would be a document for protection of rights for children.

(K) Campaign against Female Foeticide

Serious concern has been expressed over the incidence of female foeticide, strikingly brought out by the latest census figures. In order to broaden the appeal against such evil practices, the Government has sought to mobilise the cross-section of society including the leaders of all religions. WCD organised a Conference of Religious leaders to evolve a strategy/consensus to combat female foeticide. During the Conference, the leaders of various religions while stating that no religion sanctioned such a heinous crime, called for effective steps including punitive and legal action against such practices.

Some of the recent initiatives and measures taken in this regard are as follows:
(a) The Government has adopted the National Policy for Empowerment of Women to bring about the advancement, development and empowerment of women and to eliminate all forms of discrimination against women and to ensure their active participation in all spheres of life and activities.

(b) An Action Plan is being drawn up to ensure that policy prescriptions can be achieved by 2010. This will identify commitment of resources and responsibilities for its implementation and strengthening of institutional mechanisms and structures for monitoring.

(c) The National Commission for Women, a statutory body set up to achieve equity, equality and justice, has been pursuing gender justice through intervention in cases of violation of equality, denial of opportunities and deprivation of women's rights. The Commission also arranges counselling and assistance to women victims of atrocities and women in distress all over the country.

(d) To provide a greater political voice to women in governance, a Bill has been introduced in the Indian Parliament seeking to provide one-third of the seats to be reserved for women in the House of the People and the Legislative Assemblies of the States. At the local level, the reservation of 33% seats in the elected village councils or Panchayats for women has been an important affirmative action to empower women.
(e) Specific provisions for women from the vulnerable sections of society have been made in the Prevention of Atrocities Act of 1989 and the Prevention of Atrocities Rules of 1995. The States and Union Territories have been asked to formulate specific schemes under the Special Component Plan for the development of women from the vulnerable sections in the field of education, housing, drinking water supply facilities and also ownership rights on assets. The Government in consultation with the National Commission for Women has initiated a review of all Central Acts having provisions affecting women with a view to remove all gender discriminatory provisions in them.\textsuperscript{229} The latest legislation under consideration is the introduction of the Protection of Domestic Violence Bill 2002 in the Parliament to address the phenomenon of domestic violence. A Committee has also been constituted for prevention of sexual harassment at workplace.

(f) The Government has been deeply concerned about the trafficking in women and children in prostitution. The Government of India has formulated a National Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children with the objective to mainstream, to reintegrate women and child victims of prostitution in society through strategies that cover prevention, legislation and law enforcement, provision of basic services to victims of prostitution, rescue and rehabilitation, awareness generation and social mobilization The Immoral Traffic (Prevention) Act, 1956 (ITPA) supplemented by the Indian Penal Code (IPC) prohibits trafficking in

\textsuperscript{229} So far 32 out of 39 Acts have been reviewed.
human beings, including children, and lays down severe penalties. The National Commission for Women is mandated to inspect jails, remand homes, women's institutions or other place of custody where women are kept as prisoners or otherwise, and take up the issue of remedial action with the concerned authorities, if reforms are found necessary. The National Human Rights Commission has also constituted a special cell to combat trafficking of women and children. The Government has sensitised the media and involved NGOs at every stage for awareness building and supplementing its efforts.