Chapter-6

FEMALE INFANTICIDE : DENIAL OF THE
RIGHT TO LIFE
FEMALE INFANTICIDE IN INDIA:
DENIAL OF THE RIGHT TO LIFE

The Basic Issue

The Indian Constitution promises all those who dwell in India the ‘right to life’; “No person shall be deprived of his life or personal liberty except according to procedure established by law”.  

How far is this right available to the Indian girl child is a vexed question. This right literally means the right to be born and remain alive, in India her birth is treated as a calamity. Article 21 encompasses not only the right to her mere survival but also right to childhood and right to a family and a home. The right, in fact includes a right to grow up normally, naturally and freely.

The girl’s first right is the right to remain alive after birth and not to be killed quickly in her first few hours, or killed slowly by neglect or indifference. Female infanticide still continues, which is evident from the falling ratio of girls to boys. Through people do not show much concern about the problem of female infanticide yet in the year 1994, 134 cases of female infanticide were reported.

The girl child is the first and foremost need of humanity because her survival is essential for the continuation of the species. To kill her means to kill coming generations. Denial of her right to live means denial of right to life to future generations. To honour her right to live amounts to honouring the right to life of future generations. But unfortunately, even this right is not provided to a girl child. All the studies in this connection have revealed that

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1 Article 21
every measure is taken to eliminate the girl child by selective abortions and by female infanticide.

The gender bias becomes manifest even when the child is in the mother’s womb and attains the form of foeticide, and infanticide if the girl child is born. The Patriarchal community considers the female child as a liability to family and society.

Female infanticide, instead of being considered only a legal crime, should also be looked at from the social angle so that a viable solution can be found for solving this problem by the Government and NGOs together.

**Historical Perspective**

One of the most striking aspects of the history of female infanticide in India is the lack of reticence on the part of Indians to admit to the murdering of their female offspring – that is, before the British out-lawed infanticide in 1870 and began to take steps to enforce the law. For example, such reports as the one quoted below are quite common; here the nineteenth-century British official Sleeman notes the reply given him by a landholder in Uttar Pradesh when asked whether he thought that evil comes from murdering female infants:

‘No, Sir, I do not.’ – ‘But the greater part of the Rajpoot families do still murder them, do they not?’ ‘Yes, Sir, they still destroy them; and we believe, that the father who preserves a daughter will never live to see her suitably married, or, that the family into which she does marry, will perish or be ruined.’ ‘Do you recollect any instances of this?’ ‘Yes, Sir, my uncle Dureeao, preserved a daughter, but died before he could see her married; and my father was obliged to go to the cost of getting her married into a Chouhan family, at Mynpooree, in the British territory. My grandfather, Nathoo and his brother, Rughonath, preserved

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*This contrasts with the expected situation in which the murder of infants would be a very hushed-up practice. Aginsky, for example, could elicit no information on infanticide from the Sahnel Pomo tribe of California even though he was sure it was practiced (1939). It is possible, though that such reticence is the product of contact with disapproving Westerners, as it was in North India.*
each a daughter, and married them into the same Chouhan families of Mynpooree. These families all became ruined, and their lands were sold by auction; and the three women returned upon us, one having two sons and a daughter; and another two sons — we maintained them for some years with difficulty: but this year, seeing the disorder that prevailed around us, they all went back to the families of their husbands. — It is the general belief among us, Sir, that those who preserve their daughters never prosper, and, that the families into which we marry them are equally unfortunate. ‘Then you think that it is a duty imposed upon you from above, to destroy your infant daughters; and that the neglect and disregard of the duty brings misfortunes upon you?’ ‘We think it must be so, Sir, with regard to our own families or clan!’

In spite of the relative ease and openness with which the subject of female infanticide was regarded in India, the historic record contains more anecdotal evidence than quantitative documentation. However, by combining official reports with data from the earliest Indian censuses, one can partially reconstruct the social context and demographic significance of female infanticide in British times.

The first discovery of female infanticide occurred in 1789 among the Rajkumar clan of Rajputs in Jaunpur District, eastern Uttar Pradesh; an official named Jonathan Duncan is attributed with this finding. Previously foreign observers assumed that the apparent scarcity of females in northern Indian was due to the invisibility of those females. As one indefatigable traveler, Fanny Parks, comments in her nineteenth-century diary: “I have been nearly four years in India and never beheld any women, but those in attendance as servants in European families, the low caste wives of petty shopkeepers and nach [dancing] women”.

The girls and women, it was believed, existed — they were just hidden from view because of the requirements of the purdah system. While seclusion

6 Parks Fanny, Wanderings of a Pilgrim in Search of the Picturesque, p. 59, Oxford University Press, Karachi, 1975
of females is part of the basis of Parks's consternation, it is also true that there were not as many women as men in existence.

The course that a few dedicated British officials followed in discovering and attempting to suppress female infanticide in their various districts is reported by Lalita Panigrahi. She describes in vivid detail the history of its discovery, using reports such as the following to emphasize the immensity of the problem:

James Thomason accidentally discovered the practice [of female infanticide] in 1835, while he was engaged in revising the settlements of the Deogaon and Nizamabad parganas in Azamgarh... In conversation with some of the zamindars... he happened to refer to one of them as the son-in-law of another. This mistake raised a sarcastic laugh among them and a bystander briefly explained that he could not be a son-in-law since there were no daughters in the village. Thomason was told that the birth of a daughter was considered a most serious calamity and she was seldom allowed to live. No violent measures were however resorted to, but she was left to die from neglect and want to food.

Reports of other villages and “tribes” without even one female child increased until finally the British government began to take an interest. One hundred years after the official discovery of female infanticide in India, the Infanticide Act of 1870 was passed abolishing its practice. In 1881 a Special Census Report on Sex Statistics in the Northwestern Provinces and Oudh was undertaken which showed a great scarcity of females there.

Arousing concern about female infanticide was not difficult, but there were barriers of a political nature in the way of its suppression. The general attitude of the British toward Rajputs and other “manly” groups of northern India was inhibiting, and it was such people as these who were mainly guilty

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7 Panigrahi, Lalita, *British Social Policy and Female Infanticide in India*, Munshi Ram Manohar Lal, New Delhi, p.21, 1976
8 *Ibid* 20-21
of practicing infanticide. Panigrahi describes the situation: "The British government respected the Rajputs for their past glory, gallantry, sense of honour and honesty. Many eulogistic anecdotes about them gained currency at this time and are still well-known. Hence the British Residents, although powerful in their dominions, allowed them considerable freedom in their administration as compared to other Indian states".\(^{10}\)

While strong measures were taken to prohibit the practice of suttee (widow burning) and to stamp out thuggee (gang robbery and murder), little effort was made to eradicate female infanticide.\(^{11}\) The Governor-General of India, Lord William Bentinck, himself admitted that if sati had been practiced to a great degree by the bold people of the Northern Provinces he would have been hesitant in passing a proclamation against it.\(^{12}\) Indeed, respect for the Rajputs was coupled with fear of them for they were scarcely securely contained under the control of the British:

"The fact was that the Rajputs were a martial race and they formed the bulk of the Indian army. In Oudh they were in a chronic state of rebellion.... Therefore political exigencies dictated that nothing should be done to offer their sensibilities, and that safeguards had to be created against the overenthusiastic proceedings of young and energetic officials of the Government".\(^{13}\)

Concerned with keeping the peace, the Government invoked the "inviolability of the home." Even when confronted with such glaring evidence as that presented by Burnes (1834) about the Rajputs of Gujarat, reporting that among the infanticidal Rajput groups in that province there were counted 815 boys and 144 girls, the Government replied in the following way:

\(^{10}\) Supra note 7 p. 30
\(^{12}\) Supra note 7, p 45
\(^{13}\) ibid, p 145
"I have perused with attention the report on Hindu Infanticide in Cutch, by Mr. Burnes.... It is clear that this system cannot be abolished by preventive measures of police. A system of domiciliary espionage might be prepared to watch over individual cases of birth, and to warn the parents against the destruction of the gift of God, but such an expedient would be of very doubtful advantage. It is a remedy against evil which has never been adopted by the East Indian government; it is one which would degrade the practices of it, and the revolting to those subjected to it; and if there is any one cause which has more than another contributed to the establishment and security of our Indian empire, it is the inviolability of the subject's roof, and the absence of all scrutiny in his domestic concerns."\(^1\)

Ultimately the British, after the East India Company ceded control to the crown, resorted to a variety of measures in the attempt to induce people to keep their daughters alive. There were conferences held on the evils of infanticide, establishment of dowry funds with government money to help fathers pay for the marriages of daughters they preserved, threats of imprisonment and fines, and friendly cajoling.\(^2\) Success was slow. Raikes, district collector of Manipuri, western Uttar Pradesh, reports on one example of success which must have swelled his predecessor Unwin’s heart with almost grandfatherly pride, for Unwin himself had barely escaped murder by angry Rajputs of the district when he tried to suppress infanticide there.

There is at Mynpoorie an old fortress, which looks far over the valley of the Eesun river. This has been for centuries the stronghold of the Rajahs of Mynpoorie, Chohans whose ancient blood, descending from the great Pirthee Raj and the regal stem of Neemrana, represents la crème de la crème of Rajpoot aristocracy. Here when a son, a nephew, a grandson was born to the reigning chief, the event was announced to the neighbouring city by the loud


\(^{2}\) An interesting historical tidbit is a diagram of the seating arrangement at the Amritsar conference, October 31, 1853. The conference brought together several dozen caste leaders from North India to discuss possible solutions for the problem of female infanticide.
discharge of wall-pieces and match-locks; but centuries had passed away and no infant daughter had been known to smile within those walls.

In 1845, however, thanks to the vigilance of Mr. Unwin, a little grand-daughter was preserved by the Rajah of that day. The fact was duly notified to the Government and a letter of congratulation and a dress of honour were at once dispatched from headquarters to the Rajah.\(^{16}\)

Events such as this were repeated throughout northern India. British officials became convinced that infanticide was, if not completely stamped out, well on its way toward extinction.

Female Infanticide has not been unknown in human history. Many historical instances are available when human-beings have killed their own children.

The people of the tribe of Banu Tameem in pre-Islamic Arabia were most prone towards this inhuman practice. The Chief of this tribe Qais bin Asim confessed before the Prophet Mohammed in the following words:

> "O' Messenger of Allah! A daughter was born to me when I was away from home on a journey. Taking advantage of my absence her mother out of her natural urge, nursed her for a few days. After some days fearing that I might bury her alive, she sent the child to her sister to be cherished by her. She thought that I would be merciful to the child when she would become of some age and would not harm her. When I came back home form the journey I was told that my wife had given birth to a dead child. Thus the matter was shelved. The child remained being cherished by her aunt for some years. Once I went out of house for the whole day. Thinking that I was out for a long time my wife considered it quite safe to call her daughter and enjoy her company for some time in my absence.

> Quite unexpectedly, I changed my mind and cam back home earlier. When I entered the home I saw a very beautiful and a tidy little girl playing in the house. When I

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\(^{16}\) Raikes, Charles, Notes on the North-Western Provinces of India, p.20, Chapman and Hall, London. 1852
looked at her I suddenly felt a surge of strong and spontaneous love for her within me. My wife also sensed it and became sure that blood had called blood and my fatherly love and affection have sprung up for the child. I asked her ‘O my good wife! Whose child is it? How charming she is!’

Then my wife told me all about her. I could not control myself and eagerly took her in my arms. Her mother told her that I was her father and she began loving me dearly calling me ‘O my father, O’ my father’, every now and then. At those moments I felt an indescribable pleasure by embracing her while she put her arms around my neck.

Days went by in this way and the child remained being nourished by us free from any worry of discomfort. But at times when she caught my attention such thoughts came to my mind. I shall have to be a father-in-law by giving her off to someone in marriage. I shall have to bear the insult that my daughter will be someone’s wife. How shall I be able to face people? All my honour and pride will be ruined. These thoughts took hold of my mind and tortured me incessantly. At last these thoughts roused my indignation and made me devoid of any more patience at all. Then I decided to do away with this ‘stigma of shame and humiliation’ for me and my ancestors. I decided to bury the girl alive.

I asked my wife to make the girl ready as I would take her to a feast with me. My wife gave her a bath, clad her in pretty clothes and made her ready to go with me. The little girl was also bubbling with cheerfulness, thinking that she was accompanying her father on a happy occasion. I started wither towards a jungle. The child was going with me leaping with joy and pleasure, holding my hand here, getting ahead of me there prating to me with squeaks of innocent gaiety and laughter. But I had become blind to see and enjoy these innocent acts and was impatient to get rid of her as soon as possible. The poor child was absolutely unaware of my sinister intention and followed me merrily.

At last I stopped at a lonely spot ad started digging the ground. The innocent child was surprised to see me doing that and repeatedly asked, Father, why you are digging the earth? But I did not pay any heed to her queries. How could she possibly know that I was digging that pit to bury my own cheerful and beautiful daughter in it with my own hands?
While digging the earth the dust would fall upon my feet and clothes my daughter would clean the dust from my feet and clothes, saying, “Father you are spoiling your clothes.” But I like a deaf person did not even care to look at her as if I had not heard her at all. I continued my vicious job and dug a pit enough to serve my purpose. Then I suddenly threw the innocent child into the pit and hastily began filling it. The poor child was looking at me with frightened and surprised eyes. She was frantically crying and screaming, “Father, my dear father what is this?” What are you doing? I have done nothing at all. Father please, why are you hiding me in the ground? But I kept on doing my work like a deaf, dumb and blind person without paying the least attention to her beseeching and entreaties. O’ Messenger of Almighty! I was too cruel and too sadistic and too heartless to have pity on her. On the contrary, after burying my daughter alive I heaved a sigh of relief and came back satisfied that I have saved my honour and pride from humiliation.”  

Hearing this pathetic and heart-rending incident about the helpless, innocent child the Prophet could not control himself and tears started falling down upon his cheeks. While the tears rolled down from his eyes he said:

“This is extreme cruelty. How one, who does not pity others, can be pitied by Almighty”.

According to Dr. Lalita Panigrahi while the origin of this evil practice is somewhat obscure, there is evidence to believe that it existed in several countries at some stage of their history. In some countries handicapped children were done away with on eugenic grounds; in still others infants were put to death because of fear or superstitiousness.  

In India this social evil is said to have been prevalent among Jadejas of Kutch and Kathiawar and also among certain communities of North-Western provinces – Punjab, Oudh and Rajasthan owing to extreme pressures of caste status in the marriage of girls.

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18 *Ibid*
19 Dr.Lalitha Panigrahi, *British Social Policy and Female Infanticide in India*, Munshiram Manoharlal, New Delhi
There were sanctions as to whom one could marry and pride prevented marriage to anyone except to an acknowledged equal, generally, of course, a superior. The difficulty was further compounded by extravagance of marriage ceremonies and the fiat to arrange all this before a girl attained puberty. Shastras viewed daughters as an object to be given away and that too as early as possible without much regard for affection to develop between parents and a daughter.20

The evil was prevalent among Rajputs known for the fierce pride in their race and because of imitation of the same among Kunbis of Gujarat. However, it was chiefly confined to Western India – Kathiawar, Mahi, Kauta and Gujarat. Governor Duncan of Bombay “suspected” prevalence of female infanticide in Kutch and Kathiawar in 1775.21 It was confined in 1804 by Captain Sealon who visited the area on a political mission. It was found that in Punjab among 2000 Bedi families living in a certain division there was not a single girl in these families. These crimes were committed in privacy in women’s apartments and there must have been many ways of putting a female infant to sleep. However, two were generally adopted.

(i) Smearing of Opium on the breast before giving it to the child and.

(ii) Drawing of the umbilical cord over child’s mouth to prevent respiration.

The then government passed a Bill for prevention of Female Infanticide which became a Law as Act VIII of 1870. The Act was enforced on 17th April, 1871. It provided a system of compulsory registration of births, deaths, betrothals, marriages and remarriages by a Registrar appointed for the purpose by the government.

A humanitarian consideration invoked by some British and some Indian reformers of advanced views was an attempt to try to abolish the cruel

21 ibid
and obnoxious social customs and practices, such as female-infanticide. A
ever shocking way of infanticide was widely prevalent among Jadeja
Rajpoots, because of difficulties in marrying girls, in the form of killing
infants by not being given proper nourishment or sometimes even by rubbing
poison on the nipple of the mother’s breasts. Shocked by such inhuman
practices some above mentioned enlightened men and some British offices
tried to stop it but it was not an easy task.22

However, their efforts did not prove totally in vain. Due to them, with
respect to these practices a gradual disliking developed which strengthened
due to growth of education. To name a few, the efforts of Wilkinson, Jacob
Rottinger and Melville are generally acknowledged by writers.

Regarding the prevalence of gender bias, S.A.A. Rizvi observes:

“The birth of a son was deemed a blessing by both Hindus and Muslims; girls were unwelcome. Although the Rajpoots took many wives, they considered girl child a curse and female infanticide was wide spread.”23

Female infanticide, a most inhuman, uncivilized, barbaric tragic event
is taking place silently in India especially in the States of Tamil Nadu, Bihar,
Gujarat and Rajasthan.

Causes of Female Infanticide

Traditional Gender Bias

In the matrilineal, society which was prevalent before the Vedic period
and Aryan civilization women were said to have enjoyed equal rights with
men from education to inheritance. The patriarchal system which came into
practice later denied property rights to women; they did not have access to the
means of production and had to depend on the male family members for
existence. This highly deplorable gender discrimination which started then

22 Cambridge History of India, Vol. VI, p. 96
23 S.A.A. Rizvi “The Wonder that was India”, Vol. II, p. 240
continues to be practiced today even more strongly. The first manifestation of this gender bias now begins before the birth. It is highly disheartening to hear about female foeticide or infanticide.\textsuperscript{24}

In India the girl is groomed to think that she is there only to serve the male members of the family as a daughter, as a wife and as a mother. She is made to believe that she was born only to provide pleasure, comfort and happiness to male members and to keep the continuity of the human race.

Their exists a common belief that bringing up a girl is like watering the neighbour's plant. Hence the girl child is denied equal opportunities in terms of good, clothing and education; as a result she faces deterioration in health and knowledge. Also in literacy the girl child does not get a fair chance as a male child does. The Female Sex ratio is gradually falling down at an alarming rate. As per the 1901 census for every 1000 males there were 972 females, which has come down to an alarming 928 as per 1991 census.\textsuperscript{25} This was mainly due to neglect, lack of nutrition and multiple work burden learning to morbidity and mortality of females coupled with the practice of female foeticide and infanticide.

Wherever facility of amniocentesis is to available people turn to misusing the scanning facility to identify the sex by sixth or seventh month of pregnancy and undertaking 'abortion' if it is a female. Those who cannot afford these tests await the child's birth to do away with it if the baby is a girl.

During a survey conducted by ADITHI and Community Services Guild the wife of a Priest of the temple in Tamil Nadu admitted that she killed her baby daughter saying:

"I kept it alive for a month; but everyone including my husband put pressure on me, even visitors kept on saying, you already have two daughters, why are you keeping this

\textsuperscript{24} Fatima Vasant "Prenataling condition of the girl child," See Supra note 2
\textsuperscript{25} Ashish Bose, Population of India 1991 Census Results and Methodology, B.R. Publishing Corporation, Delhi (1996)
one too? So, I gave her three tablets (for fever) I had kept ready. I may have to kill the next one also, if it is a daughter”.

There is a strong negative feeling about having daughters. The strong preference for sons and negativism about daughters impinge on the strongly internalized small family norm, which many states like Bihar would love to have. This in itself is one of the sources of female infanticide.

**Poverty**

Poverty is another major cause of female infanticide. Maranayee says—

“I had ten babies. I killed seven daughters. I now have two sons and one daughter”.

Another woman narrates:

“I killed three daughters with poison. I am an agricultural labourer. If we need bangles for a daughter it now costs Rs.20, A sari cost Rs. 200! How can we afford more children? People taunt us if we don’t have a son. They don’t invite us for ceremonies. Why watch a daughter crying or being tortured? We must all die at some time! Why not when she is ‘unmoulded earth’? Best to do it before applying water or oil”.

**Fear of Sexual Abuse**

Fear of sexual abuse of the girl child is also a major cause for female infanticide. A very condemnable practice that exists especially in Tamil Nadu is the ‘Sex practice of father-in-law” with daughter-in-law and the husband’s inability to do anything against the practice due to the anything against the practice due to the fear that he would lose his share of the property from his father.

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26 ADITHI is a Bihar based women’s NGO and Community Services Guild (CSG) is a Tamil Nadu based NGO
27 Supra note 25
Also it has been found that due to the marriage taking place at an early age and with quite a few child deliveries, the husband loses interest in his wife and he finds it convenient to find a bride for his son to have his sexual “fulfillment” through her. These men do not want to go for another marriage because their existing property would be divided further with the addition of more children through the second marriage.

Why are more girls gradually dropping out after middle school education? It is due to the fear of sending girls alone to the school as they are afraid of their safety and chastity. Hence they want to be sure that the girls are ‘safe’ at home till they got married at the earliest opportunity, so that the ‘burden’ will be passed on to her in-laws. To remain chaste amidst temptation is like walking on fire. If any thin happens to a girl she has no other option except to commit suicide. Hence the parents are anxious to get their daughters married off a soon as they attain puberty.29

**Dowry**

Patriarchal society has developed into a tremendously greedy and materialistic society which strongly supports the notion of male supremacy and consequently justifies, even encourages demand for dowry. It has become a ‘dowry’ nightmare for young women; there is a culture of criminality and immorality which has got inbuilt into the society. There is almost no social ethics which can withstand this craze.

The questions as to who would bear the dowry expenditure for the girl. Expenses do not stop even after her marriage but continues till her death. Having a son is an asset as he brings more revenue to the family through his marriage. Also he would perform the last rites of the parents.

It is an irony to see that even the Scheduled Tribe Community has started to consider the female as a liability because of dowry. Even a decade

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29 Rajam Krishnan, “Female infanticide in Madurai District”, See Supra note 28
before in most of the tribal communities the bridegroom had to pay a bride price to get the hand of the girl and the expenditure for the girl’s parents was only the feast on the wedding day. It is disheartening to see that the present day mores have an impact even on the tribal culture. This unhealthy custom of dowry is solely sliding gradually into their culture also. To avoid paying huge amount of money in dowry people eliminate their female infants. They know it is against the law but it matters them the least.

Domestic Violence/Mercy

Some mothers kill their babies as an act of ‘mercy’ that they may be saved from future excesses by husbands in the form of domestic violence. The severity of the problem will be evident from the statement given by a woman in the following words:

“I have one boy and two girls. I have had a tubectomy. My mother-in-law and husband asked me to kill the second daughter. I refused; I did not have the heart. But daughters as they grow up do suffer. My husband drinks a lot, beats me up. Why should the new born also suffer like me, when she grows up.”

Methods of Female Infanticide

Some of the methods of female infanticide are given below:

1. One of the common practices followed is giving the ‘milk’ of the yellow oleander shrub or the paste of oleander berries to the new born female child. Death is within an hour.
2. Giving milk of another plant Calotropis (Erukkampal).
3. Giving the new born child boiled water with a few grains of paddy. Death is within half an hour accompanied by vomiting and convulsions. Some people give paddy grains with hot milk.
4. Feeding the child tobacco paste.
5. Feeding the child pesticides.
6. Killing the child by pressing its nose and mouth. The child dies of suffocation in a few seconds.
7. Closing the face of the child with a thick wet towel so as to make the child suffocate to death.

8. During the winter season, leaving the new born child in the open space behind house without any cover. The child dies of the severe cold weather.

**Declining Girl Child Ratio**

Available data on declining child ratio is useful not only to know the extent of the problem, but also to monitor it on a year-to-year basis. There has not been sufficient debate and dialogue on the pros and cons of the declined sex ratio in India. This therefore needs to be monitored and reported in its correct perspective. Serious efforts should be made to analyse the Census data on child sex ratio in all the districts and States of India so that concern make policy interventions on the basis of scientific analysis.

Sex ratio is an important social indictor to measure the extent of equity that prevails between the male and female members of society at a given point of time. India is one of the few countries in the world where men outnumber women. According to the Census 2001, sex ratio in India is lowest amongst the ten most populous countries in the world, viz. China, Bangladesh, Indonesia, Nigeria, Japan, Brazil, USA, Russia and Pakistan.

Sex ratio in Indian census usage denotes the number of females per 1000 males, while in western countries it denotes the number of males per 1000 females. The definition of child varies but because of the data constraint (so far, the age data in the 2001 census are available only for the age group 0-6 years), the term ‘child sex ratio’ will imply the age group below six years. The overall ‘sex ratio’ refers to the total population in all age groups.

Nature has turned the boy-girl ratio to be more or less equal. At birth, the girls are at a slightly greater risk of serious congenital abnormalities and so the normal ratio of girls being born is 95 for every 100 boys. This

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30 See below tables 1-10 in the chapter.
discrepancy at birth is evened out later on, as the girl child has better instincts of survival. Studies have shown that where men and women have access to equal care, nutrition, health and medical attention, women, due to their biologically determined stronger constitution, live longer than men, and therefore outnumber them. In the industrialized countries (Europe, USA, Japan), for example there are, on an average 106 women for every 100 men; in Sub-Saharan Africa, there are 102 women for every 100 men and, in South-East Asia, 101 women for every 100 men. In India, on the contrary, there are 93 women for every 100 men in the population.

A 1997 UNFPA report “India Towards Population and Development Goals”, estimates that 48 million women are missing from India’s population. The report states that, “If the sex ratio of 1036 females per 1000 males observed in the State of Kerala in 1991 had prevailed I the whole country the number of females would be 455 million instead of the 407 million (in the 1991 census). Thus, there is a case of between 32 to 48 million missing females in the Indian society as of 1991 that needs to be explained.”

A newspaper article reported that in Hathin (Haryana), two decades of female foeticide have caught up with the people. Men are resorting to the tactic of buying brides from other States like Assam and West Bengal. The price put on such a girl is much less than what people pay for cattle! After marriage, they are condemned to a life of slavery.

Does it imply that child sex ratio is going the way the environment in India is heading towards in recent times? The negative or side effects of development has resulted in the drawing of an analogy between the “Missing woods” and the “Missing women”.

36 The Hindustan Times, New Delhi, July 12, 2003
The issue of India’s ‘missing women’ has raised concern since the abnormal female-deficit population sex ratio was first noted in the 1871 census. Since then the ratio has grown almost steadily more masculine, despite small upswings in proportion to female in 1981 and 2001. According to the 1991 census the overall sex ratio of the country was 927 women per 1000 men. This sex ratio is becoming more skewed day by day. With a population count of 1,027 million, the census also showed the male population as 531 million and female population as 496 million.

The sex ratio of 933 females per 1000 males in 2001 showed an overall improvement of 6 points from the sex ratio of 927 per 1000 males in 1991. But a matter of deep concern is the decline in the sex ratio of population in the 0-6 age group (or the child sex ratio) from 945 in 1991 to 92 in 2001. The child sex ratio had earlier declined by seventeen points from 962 in 1981 to 945 in 1991.

The overall improvement in sex ratio in favour of females may be explained by the fact that female death rates have become lower than the male death rates. But decline in child sex ratio is an area of grave concern. (it was healthy 972 girls per 1000 boys in 1901). And so does the sex ratio at birth (SRB) becoming more favourable to males.

A detailed look at the child sex ratio for the past four decades shows that it has been declining continuously and the decline has been the sharpest from 1981 onwards (Table 2). Table 3 indicates States where the decline is most pronounced.

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41 Supra note 32
TABLE- 2
Child Sex Ratio, 1961-2001

<table>
<thead>
<tr>
<th>Year</th>
<th>Sex Ratio (0-6)</th>
<th>Variation (Point)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1961</td>
<td>976</td>
<td></td>
</tr>
<tr>
<td>1971</td>
<td>964</td>
<td>-12</td>
</tr>
<tr>
<td>1981</td>
<td>962</td>
<td>-2</td>
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<tr>
<td>1991</td>
<td>945</td>
<td>-17</td>
</tr>
<tr>
<td>2001</td>
<td>927</td>
<td>-18</td>
</tr>
</tbody>
</table>

TABLE- 3
DECLINE IN CHILD (0-6 YEARS) SEX RATIO

<table>
<thead>
<tr>
<th>State/UT</th>
<th>1991</th>
<th>2001</th>
<th>Variation (Points)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punjab</td>
<td>875</td>
<td>793</td>
<td>-82</td>
</tr>
<tr>
<td>Haryana</td>
<td>879</td>
<td>820</td>
<td>-59</td>
</tr>
<tr>
<td>Himachal Pradesh</td>
<td>951</td>
<td>897</td>
<td>-54</td>
</tr>
<tr>
<td>Chandigarh</td>
<td>899</td>
<td>745</td>
<td>-54</td>
</tr>
<tr>
<td>Gujarat</td>
<td>928</td>
<td>878</td>
<td>-50</td>
</tr>
<tr>
<td>Delhi</td>
<td>915</td>
<td>865</td>
<td>-50</td>
</tr>
<tr>
<td>Uttranchal</td>
<td>948</td>
<td>906</td>
<td>-42</td>
</tr>
<tr>
<td>Goa</td>
<td>964</td>
<td>933</td>
<td>-31</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>946</td>
<td>917</td>
<td>-29</td>
</tr>
</tbody>
</table>
### Table 4
State-wise Child Sex Ratio (2001 Census)

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>States</th>
<th>1991</th>
<th>2001</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Punjab</td>
<td>875</td>
<td>793</td>
</tr>
<tr>
<td>2.</td>
<td>Haryana</td>
<td>879</td>
<td>820</td>
</tr>
<tr>
<td>3.</td>
<td>Chandigarh</td>
<td>899</td>
<td>845</td>
</tr>
<tr>
<td>4.</td>
<td>Himachal Pradesh</td>
<td>951</td>
<td>897</td>
</tr>
<tr>
<td>5.</td>
<td>Jammu &amp; Kashmir</td>
<td>-</td>
<td>937</td>
</tr>
<tr>
<td>6.</td>
<td>Delhi</td>
<td>915</td>
<td>965</td>
</tr>
<tr>
<td>7.</td>
<td>Rajasthan</td>
<td>916</td>
<td>909</td>
</tr>
<tr>
<td>8.</td>
<td>U.P.</td>
<td>927</td>
<td>916</td>
</tr>
<tr>
<td>9.</td>
<td>Bihar</td>
<td>953</td>
<td>938</td>
</tr>
<tr>
<td>10.</td>
<td>Orissa</td>
<td>967</td>
<td>950</td>
</tr>
<tr>
<td>11.</td>
<td>Madhya Pradesh</td>
<td>941</td>
<td>929</td>
</tr>
<tr>
<td>12.</td>
<td>Uttrakhand</td>
<td>948</td>
<td>906</td>
</tr>
<tr>
<td>13.</td>
<td>Jharkhand</td>
<td>979</td>
<td>966</td>
</tr>
<tr>
<td>14.</td>
<td>Chhatisgarh</td>
<td>984</td>
<td>975</td>
</tr>
<tr>
<td>15.</td>
<td>Sikkim</td>
<td>965</td>
<td>986</td>
</tr>
<tr>
<td>16.</td>
<td>Arunachal Pradesh</td>
<td>982</td>
<td>961</td>
</tr>
<tr>
<td>17.</td>
<td>Nagaland</td>
<td>993</td>
<td>975</td>
</tr>
<tr>
<td>18.</td>
<td>Manipur</td>
<td>974</td>
<td>961</td>
</tr>
<tr>
<td>19.</td>
<td>Mizoram</td>
<td>969</td>
<td>971</td>
</tr>
<tr>
<td>20.</td>
<td>Tripura</td>
<td>967</td>
<td>975</td>
</tr>
<tr>
<td>21.</td>
<td>Meghalaya</td>
<td>986</td>
<td>975</td>
</tr>
<tr>
<td>22.</td>
<td>Assam</td>
<td>975</td>
<td>964</td>
</tr>
<tr>
<td>23.</td>
<td>West Bengal</td>
<td>967</td>
<td>963</td>
</tr>
<tr>
<td>24.</td>
<td>Gujarat</td>
<td>928</td>
<td>878</td>
</tr>
<tr>
<td>25.</td>
<td>Daman &amp; Diu</td>
<td>958</td>
<td>925</td>
</tr>
<tr>
<td>26.</td>
<td>Dadra &amp; Nagar Haveli</td>
<td>1013</td>
<td>973</td>
</tr>
<tr>
<td>27.</td>
<td>Maharashtra</td>
<td>946</td>
<td>917</td>
</tr>
<tr>
<td>28.</td>
<td>Andhra Pradesh</td>
<td>975</td>
<td>964</td>
</tr>
<tr>
<td>29.</td>
<td>Karnataka</td>
<td>960</td>
<td>949</td>
</tr>
<tr>
<td>30.</td>
<td>Goa</td>
<td>964</td>
<td>933</td>
</tr>
<tr>
<td>31.</td>
<td>Lakshadweep</td>
<td>941</td>
<td>974</td>
</tr>
<tr>
<td>32.</td>
<td>Kerala</td>
<td>958</td>
<td>963</td>
</tr>
<tr>
<td>33.</td>
<td>Tamil Nadu</td>
<td>948</td>
<td>939</td>
</tr>
<tr>
<td>34.</td>
<td>Pondicherry</td>
<td>963</td>
<td>958</td>
</tr>
<tr>
<td>35.</td>
<td>A &amp; N Islands</td>
<td>973</td>
<td>965</td>
</tr>
<tr>
<td>45.</td>
<td>All India</td>
<td>945</td>
<td>927</td>
</tr>
</tbody>
</table>

(Source: Census of India, 2001)
In India, all the Stats that have shown large declines in child sex ratio between 1991 and 2001 (See Table 4) – Punjab, Haryana, Himachal Pradesh, Gujarat, Maharashtra, Chandigarh and Delhi – are economically well developed and have recorded a fairly high literacy rate. Both Uttar Pradesh and Uttranchal registered in improvement in overall sex ratio between 1991 and 2001, but had the child sex ratio declining. Satish Agnihotri, an expert on India’s sex ratio calls the ‘northern States of Haryana, Punjab and Uttar Pradesh the “Bermuda Triangle”. The force of ‘demographic fundamentalism’ (reflected in the son complex) has increased all over India but more so in the northern states.

The more prosperous States like Haryana, Punjab, Delhi and Gujarat show ratios that have declined to less than 900 girls for 1000 boys. Further, 70 districts in 16 States and Union Territories of the country have recorded a decline of more than 50 points in the sex ratio in the last decade. Since the 2001 Census, the sex ratio has fallen in many north-eastern States also as per a study conducted by the National Sample Survey Organization. In Meghalaya, it has gone down from 975 to 950.

The State of Maharastrha recorded a child sex ratio of 946 in 1991; today it stands at 913. The prosperous sugar belt districts of Kolhapur, Sangli, Satara, Ahmadnagar along with Jalgaon, Beed and Solarpur, all record child sex ratio below 900, with Sangli the lowest at 850. Panhala taluka in Kolhapur district has the dubious distinction of recording a sex ratio of 796, similar to many districts in Punjab. State of Rajasthan, prominent for sati incidents, also has an adverse child sex ratio.

Ironically, the districts which have a high tribal population, areas chronically beset by all the ills of under development as we conventionally understand it, record sex ratios which are more civilized and egalitarian –

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thus Gadchiroli district stands at a ratio of 974, Nandurbar at 966 and Gondiya at 964.\textsuperscript{44}

The situation in Punjab and Haryana deserves a special mention. The sex ratio in Punjab fell from 882 to 874 over the last 10 years. Worse, the child sex ratio had fallen from 875 to 793.\textsuperscript{45} The lowest child sex ratio has been recorded in the Fatehgarh Sahib district at 754 and the highest in the Nawanshahr district at 810.\textsuperscript{46} All 17 districts of the State were included in the 50 districts with the lowest sex ratio in the country (See Table 5). In Punjab during the last decade 621,790 girl children had been murdered before birth after sex determination by their parents.\textsuperscript{47} In Haryana, drop in the child sex ratio is quite significant from 879 in 1991 to 820 in 2001.

\begin{table}
\centering
\caption{India’s 50 Worst Districts with Child (0-6) Sex Ratio (Females per 1000 males) 850 or below}
\begin{tabular}{|c|c|c|c|}
\hline
Rank & District & State/Union Territory & Child Sex Ratio \\
\hline
1. & Sangli & Maharashtra & 950 \\
2. & Agra & Uttar Pradesh & 849 \\
3. & Gwalior & Madhya Pradesh & 849 \\
4. & Baghpat & Uttar Pradesh & 847 \\
5. & Chandigarh & Chandigarh & 845 \\
6. & South West & Delhi & 845 \\
7. & Rajkot & Gujarat & 844 \\
8. & Una & Himachal Pradesh & 839 \\
9. & Bhiwani & Haryana & 838 \\
10. & Panchkula & Haryana & 837 \\
11. & Kangra & Himachal Pradesh & 836 \\
12. & Fatehabad & Haryana & 830 \\
13. & Hisar & Haryana & 830 \\
14. & Morena & Madhya Pradesh & 829 \\
15. & Bhind & Madhya Pradesh & 829 \\
16. & Salem & Tamil Nadu & 826 \\
17. & Moga & Punjab & 819 \\
\hline
\end{tabular}
\end{table}

\textsuperscript{44} Ibid.
\textsuperscript{46} Ibid.
The situation in the capital is also discouraging. Delhi records the most crimes against women in India. Female foeticide too appears to be on the rise. The 2001 census showed that there were only 878 females for every 1,000 men in Delhi. UNFPA studies show the figure at 865. Significantly, the most affluent area in the capital registered the lowest female sex ratio of

<table>
<thead>
<tr>
<th>No.</th>
<th>City</th>
<th>State</th>
<th>Female Sex Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.</td>
<td>Firozpur</td>
<td>Punjab</td>
<td>819</td>
</tr>
<tr>
<td>19.</td>
<td>Jind</td>
<td>Haryana</td>
<td>818</td>
</tr>
<tr>
<td>20.</td>
<td>Sirsa</td>
<td>Haryana</td>
<td>818</td>
</tr>
<tr>
<td>22.</td>
<td>Gandhinagar</td>
<td>Gujarat</td>
<td>816</td>
</tr>
<tr>
<td>23.</td>
<td>Ludhiana</td>
<td>Punjab</td>
<td>814</td>
</tr>
<tr>
<td>24.</td>
<td>Maahendragarh</td>
<td>Haryana</td>
<td>814</td>
</tr>
<tr>
<td>25.</td>
<td>Rewari</td>
<td>Haryana</td>
<td>814</td>
</tr>
<tr>
<td>26.</td>
<td>Ahmedabad</td>
<td>Gujarat</td>
<td>814</td>
</tr>
<tr>
<td>27.</td>
<td>Hosiyarpur</td>
<td>Punjab</td>
<td>810</td>
</tr>
<tr>
<td>28.</td>
<td>Nawanshahr</td>
<td>Punjab</td>
<td>810</td>
</tr>
<tr>
<td>29.</td>
<td>Karnal</td>
<td>Haryana</td>
<td>808</td>
</tr>
<tr>
<td>30.</td>
<td>Muktsar</td>
<td>Punjab</td>
<td>807</td>
</tr>
<tr>
<td>31.</td>
<td>Yamunanagar</td>
<td>Haryana</td>
<td>807</td>
</tr>
<tr>
<td>32.</td>
<td>Panipat</td>
<td>Haryana</td>
<td>807</td>
</tr>
<tr>
<td>33.</td>
<td>Faridkot</td>
<td>Punjab</td>
<td>805</td>
</tr>
<tr>
<td>34.</td>
<td>Jhabhar</td>
<td>Haryana</td>
<td>805</td>
</tr>
<tr>
<td>35.</td>
<td>Mahesana</td>
<td>Gujarat</td>
<td>789</td>
</tr>
<tr>
<td>36.</td>
<td>Jalandhar</td>
<td>Punjab</td>
<td>797</td>
</tr>
<tr>
<td>37.</td>
<td>Rohtak</td>
<td>Haryana</td>
<td>796</td>
</tr>
<tr>
<td>38.</td>
<td>Roop Nagar</td>
<td>Punjab</td>
<td>791</td>
</tr>
<tr>
<td>39.</td>
<td>Kaithal</td>
<td>Haryana</td>
<td>789</td>
</tr>
<tr>
<td>40.</td>
<td>Sangrur</td>
<td>Punjab</td>
<td>784</td>
</tr>
<tr>
<td>41.</td>
<td>Ambala</td>
<td>Haryana</td>
<td>784</td>
</tr>
<tr>
<td>42.</td>
<td>Amritsar</td>
<td>Punjab</td>
<td>783</td>
</tr>
<tr>
<td>43.</td>
<td>Sonipat</td>
<td>Haryana</td>
<td>783</td>
</tr>
<tr>
<td>44.</td>
<td>Bathinda</td>
<td>Punjab</td>
<td>779</td>
</tr>
<tr>
<td>45.</td>
<td>Mansa</td>
<td>Punjab</td>
<td>779</td>
</tr>
<tr>
<td>46.</td>
<td>Gurdaspur</td>
<td>Punjab</td>
<td>775</td>
</tr>
<tr>
<td>47.</td>
<td>Kapurthala</td>
<td>Punjab</td>
<td>775</td>
</tr>
<tr>
<td>48.</td>
<td>Patiala</td>
<td>Punjab</td>
<td>770</td>
</tr>
<tr>
<td>49.</td>
<td>Kurukshetra</td>
<td>Haryana</td>
<td>770</td>
</tr>
<tr>
<td>50.</td>
<td>Fatehgarh Sahib</td>
<td>Punjab</td>
<td>754</td>
</tr>
</tbody>
</table>

[Source: Census of India 2001]
According to a study conducted by the National Sample Survey Organization, since 2001, the sex ratio in Delhi has gone down to 808.

The situation in southern states like Tamil Nadu, Karnataka and Andhra Pradesh is also a cause of concern. The districts in Tamil Nadu that reflect a huge gap in the child sex ratio – with less than 900 female babies for every thousand male babies – are Salem, Theni, Madurai and Namakkal. This, according to the State government, was mainly owing to the incidence of female foeticide and female infanticide.

However, it is not that every state in the country is showing a declining sex ratio. Table 6 shows the States where the decline is marginal or there is even an increase in the child sex ratio. But the rise in the number of females in the smaller States gets lost in the decline in the number of females in Punjab, Haryana and other States with larger populations. The national average take into account the overall figures and hence, these figures are low and do not reflect the increase.

<table>
<thead>
<tr>
<th>State/UT</th>
<th>1991</th>
<th>2001</th>
<th>Variation (points)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pondicherry</td>
<td>963</td>
<td>958</td>
<td>-5</td>
</tr>
<tr>
<td>West Bengal</td>
<td>967</td>
<td>963</td>
<td>-4</td>
</tr>
<tr>
<td>Mizoram</td>
<td>969</td>
<td>971</td>
<td>2</td>
</tr>
<tr>
<td>Kerala</td>
<td>958</td>
<td>963</td>
<td>5</td>
</tr>
<tr>
<td>Sikkim</td>
<td>965</td>
<td>986</td>
<td>21</td>
</tr>
</tbody>
</table>

It may further be noted that in most States, there are wide variations within the State. For instance, the 0-6 year’s sex ratio in Andhra Pradesh is higher than the national average, 961 compared to 927 for India. However,

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the most prosperous and urbanized district of Hyderabad has the lowest 0-6 years sex ratio of only 942.

Several demographers have made technical comments on the declining child sex ratio (0-6 age group) revealed in the 2001 Census. For example, Ashish Bose has coined the term DEMARU to denote ‘Daughter Eliminating Male Aspiring Rage for Ultrasound.’ Ashish Bose and Mahendra K. Premi have drawn attention to what seems obvious, namely, that since migration is minimal in this age group the adverse female sex ratios point to endemic female foeticide and infanticide in these States. The statistics provided by Premi on age-specific death rates in the 0-4 and 5-0 age group by sex for the years 1986 to 1994 for India and the States show that except Himachal Pradesh, the three States mentioned above, namely, Punjab, Haryana, Gujarat and also Uttar Pradesh and Rajasthan, have for the period covered a much higher mortality of female children compared to males.50

Mari Bhatt in his paper ‘Vanishing women and surplus men: The demography of falling sex ratios’ maintained that:

(i) female foeticide would lead to greater destruction of the ex ratio in States such as Punjab Haryana, Rajasthan and western Uttar Pradesh.

(ii) the rising proportion of male births is one of the reasons for the acceleration in the fall of child female-to-male ratio (FMR) after 981; and

(iii) the pattern of the sex ratio at birth by order of birth implicates the role of female foeticide, and there is a stronger basis for assuming that female foeticide caused fertility decline in States such as Haryana and Punjab rather than the reason that the fertility decline in these two States is caused by a fall in the desired family size.51

In another study, based on the estimated Sex Ratio at Birth (SRB) and Sex Ratios of Child Mortality Risk, the following findings are noted: SRB is a strong indicator of prenatal sex selection or sex-selective abortion. SRB

50 L.S. Vishwanath, “Female Foeticide and Infanticide”, Economic and Political Weekly, September 1, 2001
51 Supra note 32
values more masculine than 107 males per 100 females are treated as an indicator of ‘weeding out’ of girls, either through prenatal sex selection, or under-reporting female births, both mechanisms are varying forms of bias against girls, denying them physical or social existence.\(^{52}\)

Regions of India where the SRB is greater than the ‘normal’ range (SRB \(\geq 107\) M/F\(^{\dagger}\)) are: Female disadvantage remains strong in the northern belt and also deeply penetrates all four major southern States. More such points also noted in the north-east. By 1991, the same area sin north and northwest India show masculine estimated SRB concurrent with excess female child mortality. That is gender bias in birth and death patterns appear to operate simultaneously in these areas. These foreshadow the findings of the 2001 Census of India where especially the states of Punjab, Haryana and Delhi have the least proportion of females to males at the age 0-6.\(^{53}\)

**Studies on Sex Ratios**

Several studies have been conducted on the sex ratio in the country. They provide useful insight into the linkages between various factors (like regional development, female labour participation, education, birth order, religion, etc) and the sex ratio. The results of these studies could be utilized to check the menace of female foeticide.

**Female Labour Participation and Sex Ratio**

The economic contribution made to the family by a woman through her participation in the workforce is a significant factor that contributes to the viability of the girl child.

Miller finds a strong correlation between female labour participation rates and juvenile sex ratios in India. Where female labour participation is high (as in more southern States) there is always a high preservation of

\(^{52}\) *Supra* note 37

\(^{53}\) *Ibid*
female life and where female labour participation is low (as in north India) female children may or may not be preserved.\(^{54}\)

In the 2001 Census, child sex ratio has declined in all States and UTs except Kerala (95 points increase), Sikkim (21 points increase), Tripura (8 points increase) and Mizoram (2 points increase). In these States, women play more active role in productivity and their participation in labour force is high as compared to northwestern regions. Southern States comparatively represent the low female foeticide rates than the northwestern regions because of high social status of women in southern States.\(^{55}\)

**TABLE- 7**

<table>
<thead>
<tr>
<th>NORTH</th>
<th>SOUTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punjab</td>
<td>Kerala</td>
</tr>
<tr>
<td>Haryana</td>
<td>Tamil Nadu</td>
</tr>
<tr>
<td>Delhi</td>
<td>Karnataka</td>
</tr>
<tr>
<td>Chandigarh</td>
<td>Andhra Pradesh</td>
</tr>
</tbody>
</table>

(Child sex ratio (0-6) as number of girls per 1,000 boys)

[Source: Disappearing Girl Child (www.infochangeindia.org]]

In South India, the main form of agriculture is rice cultivation which is labour intensive. There is a lower percentage of landowning families than in the North, which means that there are more opportunities for women to work in the field with men and the families reply more heavily on the extra money that is brought into the family by these women. In contrast, in the North regions, there is a higher percentage of landowning families and the main form of agriculture is wheat cultivation which is less labour intensive than the method used in the South. In northwestern regions, there is significantly less participation of women in the labour force and consequently the worth of a woman in an economic capacity is much less than that of a man. Thus, the

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\(^{55}\) Ibid.
status of a woman coupled with their economic contribution to the family income has a direct link with the preservation of female life in India.\(^{56}\)

The 2001 Census data also reveal that in tribal-dominated districts, the son complex does not dominate the social ethos, and girls are valued. In northeast India too, the son complex is less prevalent. It is important to note that in both areas, the status of women and their economic contribution to the family income is significant.

In India, especially in metropolitan cities, the women in recent times have started taking up jobs/businesses of various kinds and levels. Such ‘paid work participation’ is distinct from the ‘household labour’ performed by them. However, the women’s economic contribution has been overshadowed by other factors like son complex, materialistic life and increasing dowry demands, security fear for girls, etc.

Women’s work participation appears subordinated to the needs of the family, even among the uppermost classes. Thus, women’s economic contributions to the household are of great importance to their status, but societal gender inequality keeps them from being viewed or paid as equal participants. Working women’s status may improve, but patriarchal societal ideology remains firmly in place. Nevertheless, economically active women are still in the best position to overcome bias against daughters. Statistical analyses suggested that women’s status indicators are associated with partial protection to daughters; women’s work participation more so than female literacy.\(^{57}\)

**Birth Order and Sex Ratio**

There has been observed a negative correlation between birth order and sex ratio. A study done by the Christian Medical Association of India (CMAD) shows the birth order and sex ratio position in Delhi.

\(^{56}\) *Ibid*

\(^{57}\) *Supra note 37*
The first part of the study covers eight leading hospitals in Delhi (five government and three private) that witnessed about 3.75 lakh births over a 10-years period – 1993-2002. The SRB for these hospitals, which accounted for roughly 23% of all hospitalized deliveries in Delhi, were 869. Interestingly, there was a significant difference between SRB for the government hospitals and private ones. While government hospitals had an SRB of 885 over the 10-years period, the corresponding number for the private hospitals was just 833.58

The second part of the study focused on all births in one of these hospitals over 2000 and 2001. This part mapped the gender of newborn against factors such as the gender of older siblings, parents’ education and occupation. The results reveal that families are increasing likely to resort to sex selection with each successive child.59

While the sex ratio for first-order births was 925, it fell to 731 for second-order births and further to 407 for births thereafter. The ratios become still worse when the earlier child or children were girls. In case of a second child, if the earlier child was a boy, the SRB is respectable 959. But the number drops to 542 if the previous child was a girl. Similarly, for a third-order child, the sex ratio reads 894 when both the order children were boys. It plummets to 558 in cases where the earlier siblings were from both sexes but goes down to 219 to 1000 when the older children were both girls.60

In a paper entitled ‘Sex ratios and sex-selective abortions in India: Findings from the 1998-99 national Family health Survey’ by Fred Arnold and T.K. Roy, it has been observed that:61

(i) in every State except Meghalaya, the sex ratio of last births is much lower than the sex ratio of other births;

58 C. Bagga, “Female Foeticide Rampant in Delhi”, The Times of India, New Delhi, July 15 (2005)
59 Ibid
60 Ibid
61 Supra note 32
for all-India, the sex ratio of last births is 697 and the sex ratio of other births is 936;

(iii) for the high son presence States of Punjab, Haryana, Gujarat and Maharashtra, the sex ratios are 561 for last births and 998 for other births;

(iv) even in the low son preference States of Tamil Nadu, Kerala, Karnataka and Andhra Pradesh, there is a substantial differential (821 vs. 983); and

(v) the biggest differential is in Punjab, where the sex ratio of last births is 460 and sex ratio of all other births is 991.

Arnold and Roy estimate on the basis of sex ratios at birth for children whose mothers had ultrasound or amniocentesis that “about 5 per cent of female fetuses in India are aborted among women who have these tests. In Haryana, it is estimated that 43 per cent of the female fetuses are likely to have been aborted for these same women. Another indication of the use of sex selective abortions in India is the very low sex ratios of births to women with no living sons, particularly in States with strong parental preferences for sons.”

According to Dr Betty Cowen who spent many years at the Christian Medical College (CMC). Ludhiana, there was a time in Punjab when the first daughter was welcome, the second was tolerated and the third was eliminated’. We are now facing the tragic prospect of the first daughter being eliminated, what to say of the second and third.62

| Table-8 |
| Sex Ratio (Females per 1000 Males) at different birth orders63 |
| --- | --- | --- |
| Sex Ratio | Haryana | Punjab |
| First order | 890 | 698 |
| Second order | 787 | 830 |
| Third order | 743 | 664 |
| Fourth order (and above) | 577 | 96 |
| Overall | 787 | 458 |

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62 Ibid
63 Ibid
(i) The sex ratio for different birth orders in Haryana shows that the sex ratio follows a sharp decline from the first-order birth to the fourth and above order.

(ii) The sex ratio for fourth and above order births is considerably low. This means that majority of the couples who go for fourth order births desire to have a son only.

(iii) The sex ratio for different birth orders in Punjab tells a similar story. Except for second order births, it can be observed that the sex ratio otherwise maintains a sharp decline from the first-order births towards those of fourth and above order.

(iv) What is more important is that attention must be paid to fourth and above order births. In Punjab, the sex ratio declines drastically from the third-order births to fourth and above order births. The sex ratio is only 96 for fourth and above order births, which is alarming.

(v) Even if we will look into the over all sex ratio for both the States, it can be observed that for Haryana, the over all sex ratio is 787 which itself is quite low, but, for Punjab, it is only 458.\(^\text{64}\)

In a recently completed study in Mehsana district in Gujarat and Kurukshetra in Haryana, undertaken with the support of Health Watch Trust, it was found that the preponderance of boys among the second and the third child was much greater for women who were educated beyond primary level, women who were not engaged in any economic activity (housewives) or women who belonged to upper castes and those whose families were landed.\(^\text{65}\)

Religion and Sex Ratio

The 'First Report on Religion Data, 2001', collected during Census 2001, brings to light the persistent bias among communities against the girl-child and clarifies that region plays a greater role than religion in overall development indicators. Although the population growth rate among both Hindus and Muslims fell significantly between 1991 and 2001, the most alarming revelation of Census 2001 was the declining child sex ratio within

\(^{64}\) Ibid

the age-group 0-6 years. Most disturbing is the continuing bias shown by prosperous communities towards the girl-child.66

According to the ‘First Report on Religion Data, 2001’. Sikhs and Jains – two of the more prosperous communities in the country - record the lowest child sex ratio. The Sikh community, with 786 girls for every 1,000 boys, has the lowest child sex ratio followed by the Jains (870 /1.000).67

**TABLE- 9**

Religion and Sex Ratio

<table>
<thead>
<tr>
<th>Religion</th>
<th>Overall Sex Ratio</th>
<th>Child sex ratio (0-6 years)</th>
<th>Proportion in India’s total population**</th>
<th>Overall literacy rate**</th>
<th>Female literacy rate**</th>
<th>Female work participation rate**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hindus</td>
<td>931</td>
<td>925</td>
<td>81.4</td>
<td>65.1</td>
<td>53.2</td>
<td>27.5</td>
</tr>
<tr>
<td>Muslims</td>
<td>936</td>
<td>950</td>
<td>12.4</td>
<td>59.1</td>
<td>50.1</td>
<td>14.1</td>
</tr>
<tr>
<td>Jains</td>
<td>940</td>
<td>870</td>
<td>0.4</td>
<td>94.1</td>
<td>90.6</td>
<td>9.2</td>
</tr>
<tr>
<td>Sikhs</td>
<td>893</td>
<td>786</td>
<td>1.9</td>
<td>69.4</td>
<td>63.1</td>
<td>20.2</td>
</tr>
<tr>
<td>Christians</td>
<td>1,009</td>
<td>964</td>
<td>2.3</td>
<td>80.3</td>
<td>76.2</td>
<td>28.7</td>
</tr>
<tr>
<td>Buddhists</td>
<td>953</td>
<td>942</td>
<td>0.8</td>
<td>72.7</td>
<td>61.7</td>
<td>31.7</td>
</tr>
<tr>
<td>Others</td>
<td>992</td>
<td>976</td>
<td>0.7</td>
<td>47</td>
<td>33.2</td>
<td>44.2</td>
</tr>
</tbody>
</table>

Note:* as number of females per 1,000 males ** as per cent [Source: Disappearing Girl Child (www.infochangeindia.org)]

Some interesting facts in this regard are:68

(i) Female literacy among Sikhs and Jains is encouraging compared to several other religions. Despite this, the two communities have the lowest child sex ratios.

(ii) The Jain community has the highest female literacy rate, at 90.6. But female work participation is the lowest in this community, at 9.2%.

66 "Disappearing Girl Child", available at http://www.infochangeindia.org
67 Ibid
68 Ibid
(iii) Buddhists, with a female literacy rate (61.7%) lower than that of Sikhs (63.1%), have a higher child sex ratio (942/1,000) than both Sikhs and Jains.

(iv) The child sex ratio of Muslims (950/1,000) is better than that of Hindus (925/1,000).

(v) In Punjab, the child sex ratio is lower than 900/1,000 amongst all religious groups. Christian community has the highest child sex ratio across the country but its child sex ratio is down to 870/1,000 in Punjab. States such as Punjab and Haryana depict a distinct bias against the girl-child regardless of religious affiliation.

(vi) In Gujarat, Muslims fare much better than Hindus on almost all counts. Female literacy among Muslims (63.5%) is better than that among Hindus (56.7%). The overall literacy rate among Muslims (73.5%) is better than that among Hindus (68.3%). Among Muslims the child sex ratio is 913/1,000; among Hindus it’s 880/1,000.

According to the report, the overall sex ratio, although better than the child sex ratio, is dismal too. The data discloses some disquieting figures among the various religious groups. There are 931 Hindu women for every 1,000 Hindu men, which is less than the national average of 933 women for every 1,000 men. The figure among Muslims is slightly better, at 936/1,000. Christians have the highest sex ratio, 1,009 females per 1,000 males; Sikhs record the lowest overall sex ratio: 893/1,000.69

**Literacy and Sex Ratio**

The First Report on Religion Data, 2001', collected during Census 2001, questions the popular belief that literacy rates have a direct bearing on population, and that literate people are less prone to gender bias. Although this may be true in some cases, as with Muslims having one of the lowest literacy rates (59.1%) and the highest population growth rates, the same logic does not hold true among the Jain community that has the highest literacy rate (94.1%) but a low child sex ratio. The report is quick to point out that Tamil Nadu, despite its low literacy rate, has been able to keep a check on its fertility rate.70

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69 *Ibid*
70 *Ibid*
“Illiteracy rates for all religious groups are very encouraging, shattering many myths in circulation earlier when such data was not available for the country as a whole,” says a census press release. Of India’s total population, seven years old and above, 64.8% are literate. Christians, at 80.3%, and Buddhists, at 72.7%, follow the Jains in literacy rates. The lowest literacy rates are among people of ‘other religions and persuasions’, at 47%. Surprisingly, this category of people who don’t want to report their religion records the highest child sex ratio of 976/1,000 across the country.\(^1\)

A study done by the Christian Medical Association of India (CMAI) shows that contrary to popular perception, more educated parents are not necessarily less biased against having a girl child. In fact, the best sex ratio at birth (SRB) of 933 was in cases where both parents had education up to middle school or less. In contrast, where both parents had studied up to high school, the SRB was a mere 690. Graduate parents had a low SRB of 813, while it was even lower at 769 where both parents were post-graduates.\(^2\)

The study does suggest, however, that an employed mother has a positive impact on SRB. While the SRB for housewives was 783, it was higher at 839 for mothers in high-end professional jobs and 809 for those employed in other jobs.\(^3\)

According to the recently released ‘Fertility Series Data of Census 2001’, there is an inverse relationship between increasing educational status and sex ratio of children born in States where foetal sex determination has become popular over the last two decades. But in states like West Bengal, Kerala and Tamil Nadu, where sex determinations relatively less, there is no such inverse relationship.\(^4\)

\(^1\) *Ibid*
\(^2\) C. Bagga, “Even educated parents are biased against the girl child”, *The Times of India*, New Delhi, July 15, 2005
\(^3\) *Ibid*
\(^4\) S. Nagi, “Foeticide high among educated parents”, *The Hindustan Times*, New Delhi, October 31, 2005.
Most of the educated women use their education at access modern technology to go in for sex selective abortion. Ironically, illiterate mothers do better. In effect, there is a difference of 70-100 points in the child sex ratio across the northern States where the mother is literate. For Delhi, the child sex ratio is 905:1,000 for illiterate mothers and 815:1,000 for literate mothers. For Chandiarpur, it is 933:1,000 and 757:1,000. And, for Punjab, it is 845:1,000 and 745:1,000. However, the illiterate women too have started accessing modern technology to kill female fetuses.75

It is clear from the above studies that in the Indian context, the impact of education on the gender bias is not clear-cut. There are other factors involved which are analysed in the study mentioned below. The study focused on trends of estimated sex ratios at birth (SRB) and sex ratios of child mortality risk in India.76

There is a difference between the impact of male and female education or literacy on gender bias in child survival. Education or literacy of men had no impact on gender bias or increased female disadvantage. Female education has long been advocated to promote declines in fertility and child mortality. However the relationship between maternal education and gender bias can be positive or negative depending on region, parity or contextual details. A positive relationship may exist either because educated women more efficiently withhold high quality care from less desired children, or because they have lower fertility, which is accompanied by greater gender bias since parents have narrower latitude to ensure the desired number of sons.77

For a negative relationship, Murthi et al (1996) associate education with greater women’s agency and decreased gender bias. The idea that women’s education promotes female agency and reduces gender inequality is reasonable. Education is a fundamental human right and a necessary
prerequisite for socio-economic development, particularly to improve the status of women. However, to understand the sometimes contradictory findings, we need to consider the content and context of literacy/education in India.  

Regarding content, education may assist men and women to function as rational actors in a modernising economy, enabling them to understand and negotiate the system. However, it may not automatically lead them to transform the system. Longwe (1998) distinguishes between the concepts of education for empowerment vs schooling for subordination. Swaminathan (1991) states that Indian education in general is directed toward the privileged classes and reinforces rather than transforms traditional prejudices. This is as true of gender inequality as of any other social inequality.  

Regarding context, in India, parents' educational investment in children reflects gender bias, and children schooled under these conditions may not be led to transform gender inequality. Even basic literacy for females lags behind males. The all-India 2001 male literacy rate stood at about 75.9 per cent and the female rate of 54.2 per cent, a 22 percentage point gap. Even when girls achieve literacy, their schooling attainment illustrates familial gender bias. For example, parents in rural Maharashtra educate daughters to help them be independent and provide support during economic hardship but also limit girls' schooling to not conflict with rural life practices and the need for early marriage (V class of 1994). Parents invest more in the education of children from whom they expect more returns: i.e. sons are withdrawn from household labour and sent to school, while their sisters focus on housework; a lower school attendance and higher dropout rates, particularly after puberty, thus noticed among girls.  

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78 Ibid  
79 Ibid  
80 Ibid
Thus, though female literacy is rising in India, gender gaps in levels, content and context of education remain entrenched. Little is known whether girls educated under these conditions can achieve egalitarian aspirations for their own daughters and sons. Female education is necessary for women's advancement, but the content and context of schooling in India does not automatically enable this goal. Thus, the relationship between women’s literacy/education and gender bias, including changes over time, need more exploration.  

Socio-Economic Development and Sex Ratio

Economists have long discussed how social services function much better in south Indian villages compared to those in the north. Historically, Punjab has always reported good economic indicators but is poor on social indicators, whilst in Kerala the reverse is true.

Research findings broadly suggest that conventional economic development does not automatically reduce gender bias. Despite socio-economic development, fertility decline and falling mortality for both sexes, the male-female child mortality gap did not shrink during 1981-1991, but also spread into hitherto egalitarian parts of the country viz. south. Masculine SRB that were seen only in urban areas of the north-west in 1981 have spread to urban areas of many northern States in 1991.

The phenomenon is mostly due to ‘persistent female mortality disadvantage in infancy and childhood.’ Interpreted as a restriction of girl children’s right to live, female disadvantage in child mortality is rightly taken as one of the most significant indictors of gender bias in India. The changing impact of modernisation factor, specifically per cent urban and male literacy, that are associate with decreased female mortality risk in 1991, suggest that

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81 Ibid
82 Supra note 37, See also P. Misra, Supra, p.37
modernisation is associated with a change in strategies, families might be turning to prenatal elimination of unwanted daughters rather than postnatal. Modernisation variables, thus, suggest less association with gender bias.\textsuperscript{83}

In India gender bias against daughters seems so firmly entrenched, that parents’ choice of methods depends on availability and convenience rather than conscience. This link suggests the continuation of familial strategies noted in 19\textsuperscript{th} century India, of parents’ manipulating family size and sex composition and children’s marriage arrangements to maximize their families’ social and economic status. Despite increasing female education and work participation, familial socio-economic advancement is still viewed as largely achieved through males and families’ value sons accordingly. Daughters’ participation in modernization is still subordinated to family and marriage needs and seen as benefiting marital rather than natal families.\textsuperscript{84}

In countries such as China and South Korea, with diverse development trajectories and standards of living compared to India, but nevertheless sharing a strong cultural son-preference, prenatal sex selection techniques seem to be replacing post-natal methods. That is, SRB are growing abnormally masculine while sex ratios of infant/child mortality are growing more egalitarian. Fever girls are being born but those born are more wanted and tend to survive. Girls in India are facing a ‘double jeopardy’ of increasing prenatal elimination concurrent with persistent post-natal risk. On the one hand, the average estimated SRB in India grew 3 percentage points more masculine between 1981 and 1991. At the same time, the average gender gap in child mortality still shows female disadvantage. That is, in the aggregate, in India pre and post natal risk to daughters may run concurrently, a scenario that suggests intensifying gender bias.\textsuperscript{85}

\textsuperscript{83} Supra note 37
\textsuperscript{84} Ibid
\textsuperscript{85} Ibid
In India the girl child is treated as a liability, a curse. Because of our socio-economic conditions, she always suffers, sometimes even when she is in her mother’s womb. Due to gender bias she is treated as an inferior being. Economic constraints always create a hurdle for the girl child as well as for her parents. They have to pay the “groom price” for her daughter. So in India majority of the people do not like to have a girl child. Alarming percentage of our society goes to abort the female foetus or sometimes to kill their baby girl within a short period of her birth. In the 61st year of Independence still the right to life of the girl child is not protected. How can we claim to be independent, civilized and honouring the right to life of a girl child guaranteed under Article-21 of the Indian Constitution!

To prevent female infanticide we propose some measures which may be considered for an immediate action plan that may be adopted by the government in this respect. The suggestive measures are as follows:

(a) Compulsory registration of the birth of girl children;
(b) Speedy investigation of the causes leading to a girl child’s death;
(c) Presumption, as in dowry deaths, must be taken in favour of female infanticide;
(d) A female health officer must be associated with the investigations about the offence; and
(e) Continuous effort be made to educate the adult community which controls the lives of children.