FEMALE FOETICIDE:
SUGGESTIONS AND SOLUTIONS TO ERADICATE THE SCOURGE

"I did not know how long I floated in this weightless dark world, and I did not bother about the time, for it seemed to be timeless; it seemed that I had all the time in world; the time to come out, to look at the blue sky, to look at my parents, to pick up a fragrant flower one day, and on another day, a book to prepare for a test in school; I did not know that my parents were arranging another kind of a test in a clinic. And then … Time ran out"

— Susmita Bhattacharya

The problem of female foeticide and infanticide has two important dimensions. One is the social dimension which includes norms that prevail in the society which load the scale against women with regard to education, opportunities and their mobility. The other aspect involves efforts to address the problem from the legal point of view. This involves issues like laws that have been made to address the problem and recognition of those who achieve the desired results. This could also include an evaluation of the efforts that various NGOs are making in this direction.

As we know, the origin of the problem lies in societal moral sensibilities. The Indian middle class is known to succumb to prevalent social norms. Even politics in this country is governed by public sentiments. In such a social scenario, it is of paramount importance that a crusade is launched against the prevailing social norms to achieve balanced sex ratio. This can be done only by generating awareness amongst the masses about the consequences of extreme forms of gender discrimination like female foeticide. 
How can we rescue the girl child from the vicious circle of sex-selective abortions? Do we wait for a revolution, or for that illusive entity called political 'will' to be forged, or for the miracle of total enforcement of the PNDT Act? Should we expect a change of heart among foeticide service providers, who eye profits at all costs? A girl child's situation is akin to an analogy of physics, where a particle is in a well. Imagine a ball in a bowl-shaped pit. The walls of the pit provide the barrier that the ball must overcome in order to get out of the pit. The higher the barrier, the more difficult it is for the ball to overcome it. An extreme example of this is the black hole where the barrier is so high that even light is unable to escape out of it.1

Traditional solutions offered in physics essentially require enough energy to be imparted to the ball so that it overcomes the barrier. Either the kick imparted to it has to be sufficiently strong or one could just pick it up and place it outside the pit or radically, break the barrier to allow the ball to roll out. In short, single drastic solutions are on offer. But in reality, particles do emerge out of these barriers even without solutions. We can likewise wait for radical solutions i.e. a revolution or perfect enforcement of the PNDT Act. While each of these solutions must be explored, it is useful in the meantime, to look at some seemingly non-radical solutions as well. One such set of solutions is to consolidate the position of the girl child in areas where barriers to her survival have not yet become formidable. Even in these areas, gender inequalities in respect of basic entitlements do operate e.g. in birth registrations, immunisation, nutrition and schooling. It stands to reason that in any effort, an attempt should be made for complete coverage as an anti-dote to the gender gap.

(1) We first need to map the contours of the problem by locating the ‘epicentres’ of female child deficits. In the longer term, (2) we need to create objective conditions so as to minimise the feeling of ‘unwantedness’ in a girl child. This necessitates a modicum of economic and physical security being generated for women. At the same time, (3) civil society must also debate the

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1 Economic And Political Weekly, Oct. 11-2003, p-4358.
ethical dimension of sex-based elimination of a segment of the population. This could well be the thin end of the wedge that provides in its wake currency to eliminate other segments of population based on other criterion. (4) We must also question the current model of development, where discrimination necessarily appears to accompany development. (5) Success stories of alternative development must be provided visibility and highlighted as role models for the society to follow. (6) Roots of sex-selective elimination need to be traced to the perceptions about unwantedness of the girl child and tackled at that level. These perceptions are shaped primarily through viewing a daughter as a liability in economic and physical security sense. A substantial part of this perception is shaped by the prevailing status of women. (7) The researcher feels that the phenomenon of female foeticide can occur and be sustained in certain sections of the population if all factors listed below operate simultaneously:

(i) Discrimination against women to a point of seeking their elimination.
(ii) Ethical sanctions for such elimination.
(iii) Law conclusive to such sex-selective elimination.
(iv) Technology availability to a fairly large section of the population.
(v) Adoption of small family norm.

And if we really want to get rid of this problem, then we have to focus on the following four means or preventive measures suggested as solutions by the researcher. These are:

[A] Proper implementation of laws and effectiveness of preventive strategies
[B] Empowerment of women
[C] Campaign against female foeticide/infanticide
[D] Efforts by different groups of society e.g. an individual, organizations (NGOs), professionals, different communities, and media at the grass-root level
We will now discuss these points in detail:

10.1 PROPER IMPLEMENTATION OF LAWS AND EFFECTIVENESS OF PREVENTIVE STRATEGIES

Right to life is a well-established right and is recognised by various national and international instruments, but does a foetus enjoy this right? We do not have a definitive answer. Globally, Constitutions recognise the sanctity of life, but have failed to adequately protect the life of the foetus. Judicial pronouncements are also not conclusive and vary in different jurisdictions. In India, the right to life is guaranteed to every person under the Constitution. If we say that the foetus enjoys right to life then will it affect the right of the pregnant women to abort? Is the foetus to be recognised as a separate entity or a part of its mother? These questions are baffling the courts worldwide. There is a desperate need for the courts to come clear on these vital issues and recognise the right of the foetus.

The most important right of an unborn child is its right to take birth. Procuring abortion is condemned as an offence except for preserving the life of the mother. At what stage of pregnancy does the unborn child get a right to birth?

The view in India since times immemorial has not been considered as an offence. The Hindus as well as Muslims considered it to be a forbidden act. The Indian Penal Code, 1860, keeping in view the religious, moral, social and ethical background of the Indian community made induced abortion a criminal offence under Sections 312-318. But where the abortion is on medical grounds in order to protect the life of the mother, it does not amount to an offence. These strict legal provisions on abortion led to a large number of illegal abortions. In order to eliminate the high incidence of illegal abortions, the Medical Termination of Pregnancy Act, 1971, was enacted which permitted abortions on three grounds: (i) Health: When there is danger to the

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2 "Right to Life of Foetus” – by Prashanth S.J., National Law Institute, University, Bhopal, Criminal Law Journal, AIR 2005.
life or risk to physical or mental health of the woman. (ii) Humanitarian ground when pregnancy is caused as a result of a sex crime or intercourse with a lunatic woman etc. and (iii) On eugenic ground: When there is a substantial risk that the child, if born, would suffer from deformities and disease. Thus right to birth is conferred on the unborn child which can be restricted in the interest of the mother or the child itself.³

In addition to the right to birth, the unborn child has the right to healthy growth in unpolluted environment. Regarding the unborn child’s rights in the realm of torts, the Congenital Disabilities (Civil Liability) Act, 1976, was passed by the British Parliament providing for action that may lie against a person or authority whose breach of duty to a parent results in a child being born disabled, abnormal and unhealthy. Similarly the Nuclear Installation Act of 1965 recognises liability for compensation in respect of injury or damage caused to an unborn child by occurrences involving nuclear matter or emission of ionizing radiation. The Indian Parliament should enact laws on similar lines so as to ensure healthy growth and safe birth to an unborn child.

The PNDT Act-enforcing authorities are partial when it comes to punishment in case of violation of the Act. While the Act cites stringent punishment even for the couple and persons who force a woman to undergo a sex-determination test, most of the time cases are framed only against doctors who violate the Act and the authorities turn a blind eye towards the couple/husband who are a party to the crime. The law-enforcing authorities are also partial in conducting raids/imposing checks when it comes to parity between government and private hospitals. While some government doctors have been conducting sex-determination tests and sex-selective abortions in government hospitals, the government has been strict with private hospitals. It has also come to light that when a raid exposed discrepancy of similar nature in record maintenance of seven scan centres, a case was registered only against one or two who did not bribe the authorities/political bigwigs.

Moreover, the conviction rate is negligible due to which laws are ignored by the people.

The researcher met a doctor one day, who narrated an incident. “Once two persons came with a woman into my room and asked me to conduct a sex-determination test. I refused despite the huge chunk of money they offered me. At this they started mentioning their contacts. When I did not relent, they went away but not before threatening me with dire consequences. I was shocked that people were not even afraid of the law. Corruption at every level defeats the provisions of laws. What immunity against false complaints/nuisance/harassment by these people does the PNDT Act confer on me or on other law-abiding citizens? What action could I take against those who threatened me and went away? Later I heard that the persons got their job done from some other colleague and then started blackmailing him by saying that they had recorded a video showing him performing the gender-determination test. The deal was reportedly finalised in lakhs.

Let law-makers show the path to doctors as to what they can do in such cases knowing very well the consequences of saying no to the high-ups. Without any monetary considerations, doctors are compelled to perform illegal activities. Doctors, thus, are often in a catch-22 situation.4

One aspect which is very difficult is implementation of the PNDT Act, 1994. The researcher suggests modest methodological inputs in this regard. These help in highlighting the emerging ‘epicentres’ of female child deficit at the district and sub-district level and may perhaps help in effective implementation. It is useful to remember, however, that female/male ratios have been low prior to the 1990s due to high female child mortality in the age group of 1-4 years and in many states in the post neo-natal period itself.

From the legal point of view, the main area which should be addressed is filing of complaints in respect of cases pertaining to breach of law. The law against female foeticide has been in force since 1996. Though the authorities are complying with the law, complaints are not being filed. For the Act to be

effective, doctors need to be sensitised to the manner in which complaints are to be investigated and later filed as cases to be tried in courts of law. All abortions must be registered. In cases where a healthy female foetus is aborted, both the doctor and the family should be brought to book. National population control measures need not be seen as a threat to the fight against female foeticide/infanticide. Every couple can plan the size of the family but not pick the gender of their offspring. This essentially points to the need for a gender-sensitive education at all levels, leading to gradual formation of a changed value system in the coming generation.5

How can law help in reducing this evil, when science is continuously helping it? A glaring example is a new US invention – the baby gender home DNA testing kit, which has already been introduced in the US market and is expected to find its way into the Indian market soon. The manufacturers of the kit claim that the kit requires just a few drops of maternal blood to determine the baby’s sex as early as five weeks after conception. Every baby releases its DNA in the mother’s blood plasma. The only way to distinguish a baby’s DNA from its maternal DNA is when the baby is a boy, i.e. it has y chromosome. If the y chromosome is not present in the maternal blood sample, it is a girl.6 This new invention in the USA is all set to render the Medical Termination of Pregnancy Act and Pre-Natal Diagnostic Techniques Act useless. This would definitely be a major setback to the efforts made over the past two decades against female foeticide. The MTP Act allows abortion up to eight weeks, but with the new invention it would be legally possible to abort the foetus after determining the sex. Secondly, the PNDT Act bars sex determination only through ultrasound machines. Now it is for the government to determine the future status of these Acts. It should definitely think of amending these Acts.

On the other side, preventive measures through government schemes should be efficiently used and implemented. In a bid to prevent female

6 New US invention won’t be kidding – By Gurkirpal Singh Ashk… Times of India, 21-07-05.
foeticide, the Haryana Government has decided to introduce an innovative “Ladli Scheme” by offering perks for the second girl child born in all families.\(^7\) This “Ladli Scheme” is a part of measures being taken to check the declining sex ratio. Under this scheme Rs. 5000 would be deposited per year for five years in the joint account of the girl and the parents on the birth of a second daughter. Another scheme has been launched by U.T. Administration i.e. ‘Apni Beti Apna Dhan’ scheme with an aim to improve the distorted sex ratio in Chandigarh. Under this scheme, an amount of Rs. 5000 has to be invested in the name of the girl child for enhancing her career prospects. This amount, along with the interest, will be paid to her when she attains the age of 18 years. This scheme is meant to encourage parents to enrol their daughters in schools and educate them after allowing them to take birth.\(^8\) Even the Union Health Ministry had launched the country’s first National Surveillance Cell to check and control the spiralling problem.\(^9\) It is an effort to check India’s worst menace i.e. female foeticide. This task force will send decoy customers to track down doctors practising sex selective abortions. Those caught will have their licences cancelled. The ministry is, at present, shortlisting names for this task force, which will initially operate in the worst affected states like Gujarat, Punjab, Haryana and Delhi.

One more scheme for the girl child named “Balri Rakshak Yojana” has been launched by the Punjab Government to encourage the birth of girls to balance the skewed sex ratio. Under this scheme an incentive of Rs. 500 per month would be given to the couple after the birth of one female child and Rs. 700 after the birth of second female child. The couple would continue getting the incentive till the girls reach the age of 18.\(^10\) The scheme is also meant to reduce the infant morality rate and maternal mortality rate by reducing the number of pregnancies and bring down the total fertility rate.

\(^7\) Hindustan Times, 17-07-05  
\(^8\) Times of India – 28-05-05  
\(^9\) Times of India – 03-08-05  
\(^10\) Hindustan Times – 12-05-05
On the lines of these preventive measures, the Central Board of Secondary Education’s (CBSE) directive to provide full fee waiver to girls, who are the only child of their parents, will not just prove to be an incentive for sending the girl child to school, but also encourage smaller families with a girl child. For implementation of these provisions, schools have been permitted to accept the status of the girl child on the basis of a simple affidavit sworn by the parents.\textsuperscript{11}

Recently the Haryana Government decided to give Rs. 100 per month as uniform allowance and old-age pension to parents of two daughters at the age of 55 instead of 60 years.\textsuperscript{12}

Some days ago, in Ambala, Haryana the District Magistrate of Ambala has issued an order, whereby every chemist shop of the district will now have to provide the complete data of medicines and drugs used for abortions. So now, illegal abortions may not be that easy. It is really a very good step to prevent the misuse of technology.\textsuperscript{13}

As we know Punjab fares poorly on the national sex ratio graph. Though it is openly admitted by the health authorities that Fatehgarh Sahib district has the lowest sex ratio in the country i.e. 754/1000, a study conducted recently revealed that in Khamano subdivision, there are only 628 females in the 0-6 years age group, against one thousand males. Taking into consideration this position, the Secretary, Health and Family Welfare, disclosed that under certain Central Government schemes, the girl child would be given her due in the future.\textsuperscript{14}

The solution to check the alarming increase in sex-selective elimination of the girl child lies in our hands. If more and more of such measures and schemes are launched at the grass-root level, it will help in getting rid of the problem. If these schemes are forcefully implemented and readily adopted by

\textsuperscript{11} The Tribune – 20-10-05
\textsuperscript{12} The Tribune – 20-11-05
\textsuperscript{13} The Times of India, Dec. 9, 2006
\textsuperscript{14} Strict measures needed to curb female foeticide – Times of India – 12-07-05
society, they will yield good results. Thus it is necessary to follow this strategy. New laws and changes in old laws and their implementation can definitely help in solving the problem.

10.2 EMPOWERMENT OF WOMEN

In patriarchal society, the subordinate status of women reflects lack of empowerment in the sense that they are unable to take part in the decision-making processes on an equal footing with men. As discussed in Chapter II, this was also a cause for increase in rate of female foeticide. Thus we must think about it positively. Our Constitution provides the right to equality to citizens of India. It means both men and women are equal in all spheres of life. The lack of empowerment is manifested in the relative weakness of their bargaining power in situations, which involve interests of both men and women. In case of a conflict, a woman’s position is weak because of her gender. This is especially true in specific problems like the demand for dowry, pregnancy, child care etc.\(^\text{15}\)

It is perceived that education is the first step to build confidence, independence, tapping potential and speaking one’s own mind. It is disheartening to learn that when a girl is born, her future is pre-determined mainly due to the warped thoughts of parents, relatives and traditionalists who themselves have had limited education. They do not want to provide this opportunity to the girl child too. Education is necessary, especially for girls, to empower them.

Secondly, the status of women can be enhanced through employment, but how does it empower them in the family set-up? The power relations in a family are an important aspect from the point of view of empowerment of women. An employed woman may be very powerful and efficient in an organisation. At home, it may help in self-esteem, in deciding number of children, decision-making in family matters, keeping up individuality, self-dependence, helping in family income and in securing the respect of husband

\(^{15}\) "Women Empowerment and Family Set-up". Dr. Sr. Rosa K.D. (Lecturer, Deptt. Of Commerce, St. Josephs College, Irinjalakuda, Kerla), Kurukshetra Nov. 05
and in-laws. Moreover, if she is thoroughly educated and economically independent, she would pass on the heritage and moral values to her children and can bring about social transformation. If girls are self dependent they will able to assert themselves. Surveys on women empowerment show that high workforce participation goes with higher sex ratios. It is not, however, a necessary condition for high sex ratio, if culture takes care of survival. However, a distinction needs to be made between wage work, where women have control over their earnings and work not explicitly linked to wages e.g. dairy activity, where the blessings may be mixed depending on the control women have over the earnings. Among non-poor households, the dynamics of withdrawing women from workforce for purposes of status production in the wake of prosperity needs to be noted. But this creates a conflicting situation for the woman concerned; her status within society goes up while her bargaining power within the household declines. She therefore hopes for the best, but is not prepared for the worst. This gives rise to an increasing sense of insecurity. So creation of employment avenues for women from the non-poor households has to take into account some observations as discussed above. Flexible employment avenues must be created for women.16

Thus socio-economic empowerment of women is the need of the hour. This will immediately help them to be more democratic, assertive, creative and productive.17

So when a girl is educated and employed, she will not be taken as a burden on the parents. May be this position of women could help in protecting the right to birth.

10.3 CAMPAIGN AGAINST FEMALE FOETICIDE/INFANTICIDE

The campaign against female foeticide and female infanticide can be spearheaded through various ways. These are as follows:

(i) Through use of technology to rescue the girl child.

16 Economic and Political Weekly – Oct. 11-2003
17 “Gender Bias” – Sudesh Kumar Sharma: The Tribune – 25-09-05
(ii) By writing, advertising, counselling, and organising plays.

(iii) Holding marches, seminars, and workshops to highlight the problem.

(iv) Through effective use of the media, including TV, newspapers, films, and documentaries.

(v) By highlighting importance of girls at different stages of life.

(I) Though advances in technology have lead to a spurt in the number of female foeticide cases, with ultrasound being used for sex determination, it is again technology that is assisting in tracking down such cases through websites like www.indiafemalefoeticide.org. The NGO datamation foundation is available as an online complaint forum for those who want to help to curb the practice of female foeticide, being pursued by many ultrasound clinics, private hospitals and nursing homes in violation of the law. The complaints on the website can remain anonymous. More than 700 complaints against illegal ultrasound clinics and radiologists have been registered at the portal in two years. These come from all parts of the country and the malaise is rampant even in states that have a better sex ratio. More than 60 per cent complaints are from Haryana, Delhi, Punjab and AP. After receiving the complaints they are forwarded to the PNDT cell in the Ministry of Health and Family Welfare, Government of India, which then scrutinizes the complaints and submits them to the district health offices. The website has also ensured that the authorities are more proactively involved.\(^\text{18}\) The use of online resources to check female foeticide is an example of innovative use of information and communication technology. If more such techniques and ideas come into existence, then probably we can make more progress in our efforts to rescue the girl child.

(II) This would require organising awareness campaigns and information dissemination programmes using participatory techniques. It could be

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\(^{18}\) Technology to the Rescue of the Girl Child – Times of India – 11-12-05
done through direct counselling in urban areas and through slogan-writing, small public rallies and mobile exhibitions and other such methods in rural areas. Sensitisation and resistance-building through community mobilisation is the need of the hour. Needless to say, the role of NGOs in this regard is of vital importance.

(III) In this regard one should also decry the ‘right-to-choose’ slogan adopted by some feminists. It also needs to be pointed out here that with new developments in medical sciences, technology experts must be engaged in a dialogue with the general public, for sustenance of the battle against such ills necessitates it being an informed one.

(IV) To strengthen and consolidate the movement against female foeticide and to create awareness among the people, we should organise more rallies, seminars, workshops, debates, and declamation contests among students regarding the issue at different places. This will emphasise the importance of the girl child in society. In October 2005, in Amritsar district, a conference was organised by the state government with special reference to the female sex ratio. In December, 2005, in Rohtak, a conference was organised by MD University, Rohtak, on the issue of elimination of the girl child. In January 2004, in Ludhiana the Malwa Sabhyachar Manch took out a procession against female foeticide. A large number of volunteers participated in the procession.19

On March 8, 2006, on the occasion of International Women’s Day, Baba Farid College of Law, Faridkot, celebrated the day with special regard to the girl child to make people aware of her needs and emphasis was laid on finding solutions to curb the problem. Such processions and rallies can really be helpful in creating awareness among people. What we should do is that we should increase the number of such events so that the message is conveyed to each and every person quickly.

19 The Tribune – 09-01-04
Media, as we know, wields immense power in a democracy. The power is only growing and not diminishing. Special programmes about women and issues related to them should be telecast and broadcast. It is perhaps necessary to portray women as a stabilising force, and this point needs to be emphasised. The media must act as a mirror to reflect the gender perspective to lay down framework for structural changes required in building up the edifice of women’s empowerment. It must painstakingly weave the texture of the social milieu in which womenhood will emerge as a pillar of strength, upon which can be rested the structure of a stable society. Lack of gender sensitivity in the media is also evident. The worldwide trend towards consumerism has created a climate in which girls and women of all ages are inappropriately targeted. The sooner the media as a dedicated profession steps in and arrests this trend, the better it will be for upliftment of women. The responsibility is no doubt an onerous one but it is nowhere nigh impossible. If media uses its power positively then a drastic change can take place in society. Through magazines, TV, and radio we can spread information by advertising, writing, making documentaries, serials, and movies on female foeticide and female infanticide. A movie named ‘A Nation Without Girls Maturbhumi’ is a very good attempt in this direction. Media has a great influence on people. Everybody watches TV, listens to radio, and reads books and newspapers, which impact the mind. If we make better use of these sources, we can achieve our goals. But they should be focused positively. The media can play a liberating role to give women distinctive and exclusive space which must belong to them to enable them to generate the ethical and moralising impulses for the entire society.

Another way to achieve the goal is through the theatre industry which should make plays on the issue of the girl child. Professionals singers, actors, writers, and painters should create new ideas through their art to make people informed and aware about the value of girl child. In this way, we can build positive opinion and ensure a place of honour for the girl child in society.

10.4 EFFORTS BY DIFFERENT GROUPS OF SOCIETY

In Bhagvad Gita it has been written that “the mind is a very powerful instrument. If can lead us astray, away from the chosen path. It can also make us more determined than ever to reach the goal. What it does depends to a great extent on the channels in which we allow it to move.” If we can learn something from this quotation then we can solve the problem of female foeticide and infanticide. What we need to do is to create an environment by changing our mindset towards the girl child. There is a need to educate the society and need to ensure that the society worships Durga and Laskhmi all through the years and not only on Navratras and Diwali. But the questions is how to create such environment with a changed mindset. The answer lies with us and we should start doing it ourselves. Every individual and group should take initiatives in this direction. Groups mean our educational institutions, social organisations, NGOs, religious leaders, different associations, doctors, scientists (professionals) and above all, each individual.

It is startling but true that despite being born in an era quite different from our ancestors, the average person’s thoughts about women, particularly the girl child, have not changed. Girls are in no way inferior to boys and if we encourage them they can excel and do India proud in all walks of life. It is strange that a girl child is considered a curse by many in our society, in both villages and cities. How can people be so cruel? It is difficult to digest that only a male child has a bright future. Without women, the world will cease to exist! It is shocking that in some areas in our country almost 70 out of 1000
girls fail to see the light of day. The figures for female foeticide and infanticide are chilling and the fact that we have not been able to check this is alarming.\footnote{‘India Empowered to Me Is When Curbs on the Girl Child Go, The Wait for Champions Ends’ – Sania Mirza [The Indian Express – 16-11-2005] (tennis player)}

(i) The researcher thinks that education is the first step towards building confidence to tap potential, to be independent and to be able to speak one’s own mind. It is only when we recognize this and act on it that a change will be seen. Let us all join hands in educating people or in doing whatever it takes to totally cleanse our society of such misconceptions. Every child should be given adequate and equal opportunity to education.

The researcher feels education is necessary to build character and create an alternative platform. But before that it is necessary to educate ourselves and believe that a balanced nation can only be achieved by a concerted effort. And this effort should be an effort by all of us at different levels.

(ii) The role of NGOs in this regard is of vital importance. While working along these lines the NGOs should keep in mind that the falling female ratio is not merely a matter of making laws, implementing them, punishing people, or just making recommendations to policy makers. Although these are important, it could help a great deal if persons are convinced about the wrongness of the act. This could help in evolving ‘right’ education. The ethically right ought not to be for external reasons of laws or social pressures. This again calls for setting up of a task force to engage itself in community education and awareness-building activities. All over India there are more than 30,000 NGOs working on social issues. Shakti Vahini, Tarshi, Drishti, Sakshi, and many others are handling issues related to the female child, female foeticide/infanticide, discrimination on the basis of sex, prostitution, dowry, abuse, torture, rape, workplace harassment, and gender-based violence. A Chandigarh-based NGO, Sakshi, had recorded a number of cases of female foeticide/infanticide in Punjab, especially in Fatehgarh Sahib district. Such NGOs should take strict steps to achieve better results. It should not be mere
paper-work like collecting data and maintaining records but should be accompanied by a practical approach irrespective of the consequences. NGOs should campaign against the problem, counselling people and convincing them to have a girl child. They must provide required education to parents as well as girl children. They should make people realise that society would stop growing without females. At this stage we are surviving with such a less number of girls, but in the coming years the situation is bound to deteriorate. Society will not progress if we do not stop killing girls. NGOs should take this problem very seriously and should constantly remind the government about its implications, because NGOs are a bond between the people and the government. Hence they should deal with such situations firmly and take up the challenge of uprooting such evils from society.

(iii) There is also a need to involve religious leaders in the issue. Irrational, religious rhetoric may affect the cultural psyche and promote the desire for male children and devalue the girl child. Every religion is against the custom of killing girls. Our leaders should make people aware of the anti-religious tradition. We had already discussed in the previous chapter that religion and religious leaders are playing an important role in improving the environment. Religious leaders are putting their heads together to campaign against sex-determination tests that lead to sex selective abortions. Their commitment to the cause was perceptible during discussions at the day-long conference ‘India’s Missing Daughters: Faith for Action Against Sex Selection’ organised by the Art of Living Foundation and the United Nations Population Fund.22 In this conference, leaders of different religions participated and commented on the problem. Mr Joginder Singh Vedanti, Jathedar of Akal Takht, Amritsar, told Tribune News Service (TNS) that Akal Takht was keen on setting up a committee to look into cases of sex-selective abortions. Haji Syed Gulat Kibria, president, Anjuman Husain–Manzil Dargah Sharief, Ajmer, said he was determined to work with other religious leaders to encourage people to value the girl child. “We will put the fear of God in people who

contemplate sex-selective abortions. Sadhvi Bhagwati Saraswat of Parmarth Niketan, Rishikesh, said they had approached the Uttranchal Government to spare them 10 acres for building an ashram to bring up new-born girls abandoned by their parents. Participating in the deliberations, Swami Nikhilanand of Radakrishna Math, Baroda, said doctors who conducted sex-determination tests used coded language to indicate to the would-be parents the gender of the foetus. They utter Jai Shree Krishan in case the unborn child is male and ‘Jai Shree Mata Puja Karo’ in case the unborn child is female. ‘Pooja Karo’ is veiled prescription for sex-selective abortion. The Christian Medical Association of India circulated its statement of affirmation to put an end to sex-selective abortions. While expressing concern over the consistent decline in the child sex ratio in the recent past, the CMAI urged the Church to address the issue of pre-natal sex determination by creating awareness within the communities. It has also urged the medical profession to disassociate itself from all such discriminating practices that lead to the misuse of medical technologies. It has pointed out that such medical technologies are incompatible with the Hippocratic Oath. This was a praiseworthy effort by religious institutions. If such steps increase in number, more campaigners can be associated with the movement against the prevailing practice.

(iv) As we know, the media is shouldering its responsibility in all corners. The way the media is highlighting the importance of the adolescent needs of a girl child is really appreciable. The example of ‘Gudiya’ is before us. Every newspaper and TV channel presented her in a such a way that people felt proud to be parents of girls. A 13-year-old girl, Guida Khatun, was selected by UNICEF as a role model in the ‘State of World’s Children Report 2006’. She belongs to a village near Gaya in Bihar, and is the daughter of an illiterate labourer at a brick kiln who could not afford even two square meals for his siblings, of whom Gudia is the eldest. But she made light of the hostile conditions and has become a living example for all children who want to rise in life. Now she is a role model for all those who are in the dark world of poverty and depravity. Two years ago, Lalita, a village girl of Sitamarhi district
in Bihar, had figured on the cover of the ‘The State the World’s Children 2004’ released by UNICEF globally. There are many other examples of such exceptional talent among girls in every field. May be this could encourage society to allow the birth of girls.

(v) The issue of human rights of women has been the topic of debate the world over. The right to make choices about sexuality, control over such rights and related issues are voiced regularly at international forums. Editor Geetanjali Mishra, Founder and Executive Director of a Delhi-based NGO had touched the same issue through her book ‘Sexuality, Gender and Rights’. This book has 15 chapters by experienced writers who have dealt with the lesser-talked-about topics of gender differences, sexuality and rights in various South Asian countries, including Sri Lanka, Pakistan, Indonesia, Malaysia, China, Thailand and the Philippines. The writers comprise social activists having immense experience in women-related issues. Such writings have a great influence on the mind as they are sources for creating awareness among people.

(vi) A laudable task has been performed by the National Foundation of India, New Delhi, with respect to female foeticide. Ruhani Kaur, a young Delhi-based freelance photo journalist, has been assigned a project by the commission on which she is working in villages and towns of Punjab and Haryana. The photography project has been named ‘The Invisible Women of India.’ Elaborating on the media project assigned to her for the year 2004-05, she says, “My project is all about documenting the situation created by the scarcity of women as a result of infanticide and foeticide in the northern states of India. It is a complex project because everything is being documented in photographs which will be displayed at an exhibition.” The photographer says that the impact of the elimination tests is most visible in rural areas. She has documented the situation in Rohtak, Fatehgarh Sahib, Mansa, Bathinda, and

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Chandigarh, particularly where the sex ratio is the lowest. If more such projects are commissioned, better results can be achieved.

The Haryana unit of the Janwadi Mahila Samiti has, for long, battled against discrimination and launched a year-long campaign in 1993-94 to pressurise the government to formulate a law against female foeticide. There were protests in front of a clinic in Sirsa followed by publication of a booklet on the female child and an awareness campaign in schools and colleges.

‘Sankalp Diwas’

In continuation of the earlier struggle, another statewide campaign was launched this year. It was a novel way of celebrating Independence Day when August 15 was observed as “Sankalp Diwas” where different sections of society were mobilised to take an oath against any kind of discrimination and imbalance on the basis of caste, creed, colour and sex. Thus the dignity, respect, and independence of the female child took centrestage, with activists all over the state demanding the right to life and social security for the girl child and women.

In Rohtak about 100 persons from various mass organisations got together in Mansarovar Park, where Professor Manmohan, Professor of Hindi in Maharshi Dayanand University and a renowned poet and critic, emphasised the need to expose this kind of barbaric violence. He opined that society would have to pay a heavy price for this imbalance in population.

Dr Surajbhan, a renowned historian and vice-president, Haryana Gyan Vigyan Samiti, dwelt on the causes and social implications of the drastic decline in the proportion of females. Ms Manjeet Rathee,24 Secretary JMS, Rohtak placed a resolution criticising the national convention of religious heads on female foeticide organised in New Delhi by the National Commission for Women, UNICEF and IMA in which religious heads and select ministers of doubtful credentials, who all along had been propagating and supporting anti-woman practices like dowry, sati and adolescent

polygamy, alone were allowed to speak on ‘Preventing sex-selective abortion’. On the other hand, various women organisations which have consistently been fighting for equality and upliftment of women, other health organisations and committed individuals were totally ignored. This was followed by a ‘pledge’ by all the participants to fight against all those rituals and discriminating practices which propagated this evil and necessitated the birth of a son.

The programme in Rohtak concluded with a play ‘Save Education Save The Country’, by the SFI and Jatan Natak Manch. In Jind, a seminar was organized jointly by JMS, HGVS, DYFI and SFI. The speakers included Nutan, secretary JMS Jind, Sohan Das from HGVS and Som Dutt from SFI. A play based on female foeticide was also presented. In Bhiwani about a hundred activists from JMS and other mass organisations first took the oath to wage a constant struggle against this heinous crime, and then staged a protest against two such clinics that had been practising female foeticide for quite some time.

Similarly in Hisar, a large number of activists gathered in Kranti Maan Park to pledge their support for the cause of a just and equal society. Shakuntala, Bimla and Jasbir Kaur gave voice to their views on this occasion. Similar actions were organised in Kaithal, Karnal, Panipat and Sonepat districts.

For the JMS Haryana, this action was a launching point of a continuing statewide campaign. Ten thousand pamphlets had been distributed all over the state stating various aspects of the menace.

This action was followed by joint seminar, a mass signature campaign, protests in front of select clinics and a continuous awareness campaign at various levels.

Female foeticide in actual sense is fascism. It is simply the survival of the strongest and the fittest in a new global context. Thus any effective campaign against it must include the complete agenda of a civic society. A
broader agenda of social transformation and cultural renaissance with more democratic space can enable women to live a life of dignity and pride.

Expressing serious concern over the declining sex ratio in the state of Himachal Pradesh, the Governor, Mr. V.S. Kokje, launched a number of welfare schemes aimed at empowerment of women. One of the schemes is that the top 10 panchayats which play an active role in implementation of the PNDT Act would be entitled to an additional grant of Rs. 5 lakh and those giving information about female foeticide would get Rs. 10,000. Secondly, he launched the Indira Gandhi Balika Suraksha Yojana. Under this scheme, parents who adopt family planning after one girl child would be entitled to a grant of Rs. 25,000 and those doing so after two girls would get Rs. 20,000. Thirdly, another scheme – Mother Teresa Ashya Matri Sambal Yojana – was launched under which deserted mothers are entitled to a grant of Rs. 1,000 annually for their children who are below 14 years in age. Fourthly under the Chief Minister’s Kanya Daan Scheme, financial assistance of Rs. 1,001 is given to deserving families for marriage of their daughters. Under another scheme, the government intends to open four child welfare projects and 10,894 anganwari centres in which over 22,000 women would get employment.25

Activists of various NGOs under the aegis of Upkar, a district-level coordination society of NGOs, resorted to a unique action of social boycott by organising a “Shardhanjali Samaroh” of the unborn girl in front of the house of a couple, who allegedly got the pregnancy of a woman terminated.26 It was really a very aggressive attempt to expose the offenders. An awareness campaign by NGOs and students, coupled with implementation of the PNDT/MTP Act to check female foeticide in the district by the administration has also been getting a good response from the public.27

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25 The Tribune – March 8, 06.
26 The Tribune – Jan.17, 06.
27 The Tribune – 02 March, 06.
In Karnal district, on the occasion of International Women’s Day, investment certificates of Rs. 500 each were distributed among 16 mothers under the Ladli Scheme and as many as 113 gram panchayats falling under Assandh and Gharaunda block pledged to fight against female foeticide. The steps were aimed at encouraging birth of female children. ²⁸

To mark International Women’s Day, a telefilm ‘Kanjka Da Katal’ aimed at curbing female foeticide was released in Bathinda district of Punjab. It has been produced by the PNDT cell and has been directed by its project officer, Sadharam Kishla. As a result of efforts of the PNDT cell, set up in 2003, the number of girls per 1,000 boys shot up from 740 to 808 in 2005. ²⁹ Movies like ‘A Nation Without Girls – Matarbhumi’, ‘Atamjha’, and ‘Let Her Die’, are also meant to focus on the issue of female foeticide. The first movie presents pathetic picture of society in which there is no female and the consequences are social and cultural disorder. These presentations are a nice way to create awareness among the people.

Recently, at the second consultation meeting on “Missing Girls” held in Chandigarh, a drive to eliminate foetal sex-determination and female infanticide, has suggested a stringent system of enforcement with regard to issuing and checking of licenses of nursing homes, setting up of vigilance committees as the every level and encouraging the media to work closely with medical authorities to expose and publicize female infanticide. It was felt that there was an urgent need for the states to take up the cases of erring medical practitioners with Medical Council of India for the suspension of licenses of doctors found to be misusing ultrasound equipment. The medical council of India had recently suspended the licenses of five doctors in Rajasthan and this was disclosed by UNFPA representative Ms. Ena Singh. This seems to be a nice suggestion to implement the laws strictly and soundly.

²⁸ The Tribune – 08 March 06.
²⁹ The Tribune – 09 March, 06.
One more very thought provoking suggestion was given by Dr. Jyotsana Chatterji, Director Joint Women’s Programme, India, in two day regional workshop on “Promoting Girl Child – Friendly – Society”, held at Chandigarh. She favoured developing youth groups in colleges and universities to fight female foeticide. The youth should make social concerns a part of their agenda. Like in elections on campuses, all candidates must be made to sign declarations that they will not seek dowry, not force early marriages upon their sisters and not kill an unborn girl child in the womb. The change of mind set has to begin from the school itself and such issues should become a part of their curriculum.

As part of the Asian Social Forum conclave held at Hyderabad, the All-India Democratic Women’s Association (AIDWA) organised on January 3 a seminar on ‘Expanding Dimensions of Son Preference in India’. Indu Agnihotri chaired the seminar while Mythili Sivaraman presented the keynote address. Other speakers were Gigi Francesco (Philippines), Thoera Ali (Pakistan), Jaywati Sangwan and Chandrakala Pandey (India). The speakers emphasised that son-preference is not simply a cultural phenomenon; it is being strengthened by the course of development in the country in the past two years. They made an important point; though the state is formulating schemes aimed at promoting the girl child’s welfare, the macro-policies being pursued in the wake of globalisation and liberalisation are defeating the very purpose of these schemes. Giving the example of the ‘Cradle Baby Scheme’ implemented by the Tamil Nadu Government, which encourages mothers to deposit their female infants with the state instead of killing them, they pointed out that it has simply encouraged a large number of mothers to abandon their girl children. Not only has it failed to strike at the root of the problem, but its consequences towards family attitude and relations are also devastating. It is thus necessary to analyse the linkage between increasing son preference and the path of development being pursued in the country, especially after the

31 Develop youth groups to fight female foeticide; The Tribune, Sept. 1, 2006.
advent of globalisation. It is clear that consumerism, as reflected in increasing dowry demands and lavish weddings, has reinforced son preference while devaluing women’s work. Liberalisation breeds insecurity for the girl child, creating conditions that encourage female foeticide and infanticide. The situation calls for urgent steps to improve women’s overall status, repeal of imperialist-driven globalisation, media monitoring, intervention to reiterate the dignity of women and a drive to discourage obscurantist practices.

(vii) Further, people engaged in such exercises should always drive home the point that law can only punish those who commit a wrong and cannot compel people to do good. This shifts the emphasis on the need for largescale networking between experts and the public. There is also a need for modifications in data collection techniques employed by the government. There is lack of specific disaggregated data on population trends. There should be a call for an objective, fact-based approach to tackle the problem of female foeticide. Registration of all births, deaths and marriages should be made mandatory to ensure maintenance of a verifiable record. Such data should be shifted, disaggregated and kept for every constituency to maintain “constituency profiles”.

(viii) One of the myths that also needs to be exploded is that female foeticide is a rural problem and not an urban phenomenon.

Thus we have discussed under four major heads how the problem can be tackled. We know there is no specific solution to the problem, but we can put our steps ahead to help the missing girl child, because it is our responsibility to build a balanced nation. After all, we are responsible for this imbalance in sex ratio.

Summing up, the researcher thinks that there is a great diversity in traditional practices. Not all castes practise female foeticide, just as all do not adhere to dowry–related customs. However, there appears to be an increasing universalisation of anti- women customs, practices, rituals and beliefs in the wake of fundamentalism that transcends religions, communities, regions and borders. While there is the rhetoric of cultural nationalism at the
political level, there is unity of the action when it comes to imposing prescripts based on patriarchal ideology. On the other hand, many believe that these rituals and customs are vestiges of backwardness and would disappear with advancement and modernity and that technology is gender-neutral. But technology, like markets, operates within socially embedded structures. They not only preserve inequalities but also end up enhancing the existing and perpetuating new forms of inequalities and vulnerabilities. This is exemplified by the new reproductive technologies. Those who believe that globalisation is the only right path of growth and development, and act as its votaries, forget that societies and communities exist and co-exist in the midst of diverse and uneven layers, historical contexts and paths and forms of development. Therefore, the ways of social and technological advancement have to be suited to their specific needs and have to address the issues, problems and concerns keeping in mind the socio-historical specifics as well as ideological beliefs. Failing this, growth-oriented models of economic development and donor agendas can combine to launch new onslaughts on women. This happened in the case of recent population policies where neo-liberal ideological beliefs are seen to coalesce with patriarchal notions of son preference. This has given India its peculiar demographic profile where affluence and advancement have become synonymous with a premium on sons and the denial of life itself to daughters. It is important to note that the advent of socialism per se does not ensure a better status for women, unless gender-based inequalities and ideological beliefs are specifically addressed, interrogated and challenged.