CHAPTER-VI

EMPIRICAL STUDY AND DATA ANALYSIS:

VI.1 INTRODUCTION:

The law on the statute book always remains different from the ground level reality. But if the gap between theory and practice is much more, it is certainly a cause of concern warranting more serious efforts at the end of enforcement agencies. The effort of the researcher in this chapter is to measure this gap by way of an empirical study. The objective is twofold; one to gauge the distance of statutory law from our socio-cultural demands and two, to mark the gap between our law and its practice on the social ground.

The sonship syndrome though is unfathomable but exists very much in every nook and corner of our society. Caste, religion, education notwithstanding, urban rural divide, income group no bar every woman desires to have a male issue though they cite different reasons for the same. Certain women quote religious reasons some others opine that a son guarantees a secure old age and others feel that a son is essential because it is an economic burden to rear a girl child with almost nil returns. Our field study has also brought forth such factors as detailed hereunder with the potency of such factors:

VI.2 FACTORS DETERMINING SEX CHOICE OF THE CHILD:

The factors tested during our empirical study which influence sex choice of the child in the womb are religion, female education, economic status of the family, employment of the mother, family pressures and daughter as an economic and social burden as well as the desire to have a small family but with an essential son.

a) Religion:

If we go by various religions and study and their scriptures, it becomes vivid that in all the religions female foeticide is banned and almost all have accorded women a high status in society, whether we go through scriptures of Christianity, Hinduism, Sikhism or Muslim religion.
In Hinduism the ancient scriptures are the Vedas, the Upnishads and the Smritis. The Vedas suggested that women are the most revered:

Yatyapapam brahmhatyaya
dwigunam garbhpate
Prayashchit na tasyasti, tasya tyage
vidhiyate.\footnote{ParasherSmriti 4120.}

It means that abortion is a bigger sin than brahmhatya, and for it there can be no repentence.

However, the \textit{Atharvaveda} has a particular hymn chanting of which was believed to transforms female foetus into a male child.\footnote{Ashok K. Jain, “The Saga of Female Foeticide in India” in \textit{Socio-Legal Offshoots}, Ascent Publications, New Delhi, 2006, p-5.}

But at the same time Hinduism prescribes that a son is the sure ticket to heaven and towards attainment of \textit{moksha} (transcending the circle of reincarnation via the performance good deeds) through their sons. The son alone can offer ‘water’, ‘\textit{pinda}’ to his ancestors. He also conducts funeral rites. Daughters are not allowed by religious law to perform any Vedic rites. In \textit{Satya Vs Sriram}\footnote{\textit{AIR} 1983 \textit{P&H} 252.}, the Punjab and Haryana High Court itself realised the importance of son. Under Hindu Law, “the court has to attach due weight to the general principle underlying the Hindu law spiritual benefit of having a son who can offer a funeral cake and libation of water to the manes of his ancestors.”

Christianity holds that men and women are equal. So much so Saint John Paul II had issued an encyclical in 1995 as per which Female foeticide is a sin\footnote{www.enwikepedia.com as on 26 December 2010.}.

Some people are unaware of the importance and value Islam places upon women. The holy Quran completely equates men and women,“ woman is not to be blamed for her first mistake. Both were jointly wrong in their disobedience to God.”
Despite the social acceptance of female infanticide among some Arabian Tribes, the Quran forbade this custom. “And when the female (infant) is buried alive, the person is questioned for what crime was she killed. He creates that He wills. He bestows female child to whoever He wills and bestows female children to whoever He wills”.  

Among the Sikhs we can see that the Sikhism grants equal status to men and women both. Guru Nanak preached that women were worthy of praise and equal to women. “Man is born from a woman; within woman man is conceived; to a woman he is engaged and married. Man is friends with woman; through women the future generations exist. So why call her bad?”

The lower castes in Punjab are Ramgarhias, Ravidasias and Balmikis and their basic religion is either Sikhism or Hinduism.

The Ravidasia sect basically follow the same religion as that of Hindus but their sect was greatly affected by Dr. B.R. Ambedkar who had embraced Buddhism though he was a Ravidasia by birth. He was the torchbearer of equality. He was a champion of women empowerment. He was in fact instrumental in bringing Child Marriage and Sati to an end. The Balmiki samaj follows Rishi Balmiki who was the author of great Hindu epic Ramayana.

To get an insight into the attitude of various sects about position of women, we have to study the Ramayana. In the Ramayana the greatest Hindu God Rama who was termed as Maryada Purshottam left Sita- his wife, who happily by her own will went to the forest with him. She was found by her father King Janak in a box. Laxman’s wife Urmila was deprived of her husband’s company and her natural rights as her husband felt responsibility towards his brother and not towards his wife. The other important epic of Hindus is the Mahabharat which narrates same woman being shared as wife of five husbands i.e. polyandry and she is merely used as a thing for a bet by her husband.

5 www.islamswomen.com as on 16 December 2013.
The Kookas or the Namdharis are an offshoot of the Sikh religion. They basically believe in Soteriology. They believe that The tenth Guru had escaped assassination and passed Guruship to Guru Balak Singh. Though they attach great importance to the Adi Granth but do not accept it as Guru. They preach boycott of those who indulge in female foeticide.

In our field study it was found that though many religions promote equality of sexes and denounces female foeticide but the truth was somewhat different. First of all we discuss the dominant religion of Jalandhar i.e Sikhism. Even though a Hukumnama was issued from the Akal Takht as early as in 2001 that offenders of female foeticide would be excommunicated and it was pronounced that no member of the community should go in for sex determination test. But it has turned out to be a frivolous exercise as till date nobody has been excommunicated. The then Akal Takht Jathedar Giani Gurbachan Singh had said that neither they received any complaint nor any action was ever taken against anybody on this issue. On November 18, 2007 the SGPC announced the Cradle Scheme i.e. they would place panghuras outside the important gurudwaras in Punjab and exhort unhappy parents obsessed with boys to leave the children at God’s door and not death’s. However the campaign did not evoke a good response.

Then coming to the Hindu religion promises. A leading Hindu Religious leader Jayendra Saraswati offered a grant of Rs. 3 Lakh from his Kanchi Mutt for anyone having three daughters. But the truth is that the researcher during the course of her study could not find any such case where this money was actually given.

In Jalandhar District Hindus, Sikhs, Muslims as well as Christians are inhabited. As far as the religious bifurcation is concerned, mainly the Hindus and Sikhs dominate this area. The religious division of the district is shown in the following table.

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8 Ibid.
9 Deepkamal Kaur, “Shankracharya offers Rs.3 lakh for parents having 3 daughters”, The Tribune (29 March 2011)
10 www.enwikipedia.org as on 23 October 2013.
Table no.VI.1

Showing the religious division of Jalandhar District:

<table>
<thead>
<tr>
<th>Religion</th>
<th>Percentage of the population of Jalandhar</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sikhs</td>
<td>60%</td>
</tr>
<tr>
<td>Hindus</td>
<td>37%</td>
</tr>
<tr>
<td>Muslims</td>
<td>1.6%</td>
</tr>
<tr>
<td>Christians</td>
<td>1.2%</td>
</tr>
</tbody>
</table>

Source: www.jal.gov.in.

The sample of our study likewise had Sikhs and Hindus, however, an attempt was made to include people of other religions as well. For the purpose of the study 104 respondents were taken out of which 52 were Sikhs, 48 were Hindus, 2 Muslims and 2 were Christians by religion.

Fig. VI.1

Showing the Religious Distribution of the sample:

Source: Field Study.
From our respondents it was found that the religion notwithstanding the people wanted to have a son for varied reasons. Whether it was because of *Vanshavad* or because the daughter is seen as a potential economic burden or a social burden or it is believed that with a son parents can have a more protected old age or for the purpose of performance of certain rituals people preferred to have a male issue.

21 subjects i.e. 40.38% of the Sikhs were of the opinion that the son is essential because of the *VanshVridhi*, while 7 women i.e. 13.46% were of the belief that a female issue is an economic burden. Dowry and the subsequent flow of gifts goes on much longer, often beyond the lifetime of her parents and often beyond the life of the female as we all know that in Punjab even the dress the dead body of the female carries is also from her parents house. The people generally so opine that it is not a wise proposition to keep a female child.

4 sikh women i.e. 7.69% opined that daughters are a social burden, 11 subjects i.e. 21.15% of the Sikhs wished to have a son for a more protected old age and 9 sikh subjects 17.30 % believed that it is essential to have sons for performance of rituals and ceremonies.

**Table No. VI.2**

**Showing the reasons given by the Sikhs for their preference of sons:**

<table>
<thead>
<tr>
<th>Reasons</th>
<th>Number (Percentage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vansha Vridhi</td>
<td>21 (40.38%)</td>
</tr>
<tr>
<td>Daughters are economic burden</td>
<td>7 (13.46%)</td>
</tr>
<tr>
<td>Daughters are social burden</td>
<td>4 (7.69%)</td>
</tr>
<tr>
<td>Old Age Support</td>
<td>11 (21.15%)</td>
</tr>
<tr>
<td>Rituals</td>
<td>9 (17.30%)</td>
</tr>
<tr>
<td>Total number of Sikhs in the Sample</td>
<td>52 (Total 100%)</td>
</tr>
</tbody>
</table>

**Source:** Field Study
Amongst the Hindus, the situation is not different. In Hindus also the theory of *Vanshavad* was the most important reason given for the preference of a male child. Out of 48 Hindu subjects, 21 subjects or 43.75% straight away said that for the continuity of *Vansha* a *kuldeepak* was essential. 6 women i.e. 12.5% felt that it is a very big economic drain on the family, first rear her up, as per the family circumstances make her economically independent then send her to the other house along with a hefty dowry. 3 Hindu women i.e. 6.25% felt that the crime against women is soaring with every passing day and it is a social burden to rear up a girl child and keep her chastity intact. 10 women or 16.66% believed that having a son is a must for a safe old age. While 11 or 20.83% % Hindus opined that rituals are such that they can be performed by sons alone like *Gati, kriyakaram*. So having a son is all the more important.

**Table No. VI.3**

**Showing the reasons given by the Hindu Respondents for son preference:**

<table>
<thead>
<tr>
<th>Reason</th>
<th>Count (Percentage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vanshavridhi</td>
<td>21 (43.75%)</td>
</tr>
<tr>
<td>Daughters are economic burden</td>
<td>6 (12.5%)</td>
</tr>
<tr>
<td>Daughters are social burden</td>
<td>3 (6.25%)</td>
</tr>
<tr>
<td>Old Age Support</td>
<td>10 (16.66%)</td>
</tr>
<tr>
<td>Rituals</td>
<td>11 (20.83%)</td>
</tr>
<tr>
<td>Total number of Hindus in the Sample</td>
<td>48 (Total-100%)</td>
</tr>
</tbody>
</table>

**Source:** Field Study

Among the Muslim class old age support and rituals were considered the main reasons for son preference.
### Table No.VI.4

**Showing the reasons given by the Muslims for son preference:**

<table>
<thead>
<tr>
<th>Reason</th>
<th>Muslims in the Sample</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vanshavridhi</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Daughters are economic burden</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Daughters are social burden</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Old Age Support</td>
<td>1 (50%)</td>
<td></td>
</tr>
<tr>
<td>Rituals</td>
<td>1 (50%)</td>
<td></td>
</tr>
<tr>
<td>Total number of Muslims in the Sample</td>
<td>2 (Total 100%)</td>
<td></td>
</tr>
</tbody>
</table>

**Source:** Field Study

The Christians were of the opinion that dowry and old age support are the basic reasons for the people preference of sons. 50% Christians thought that daughters are economic burden and other 50% opined that a son is an insurance of a secured old age.

### Table No.VI.5

**Showing the reasons given by the Christians for son preference:**

<table>
<thead>
<tr>
<th>Reason</th>
<th>Christians in the Sample</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vanshavridhi</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Daughters are economic burden</td>
<td>1 (50%)</td>
<td></td>
</tr>
<tr>
<td>Daughters are social burden</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Old Age Support</td>
<td>1 (50%)</td>
<td></td>
</tr>
<tr>
<td>Rituals</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Total number of Christians in the Sample</td>
<td>2 (Total-100%)</td>
<td></td>
</tr>
</tbody>
</table>

**Source:** Field Study
Analysis of Tables V. 2 to V.5:

When we interpret the statistical data in Tables V.2 to V.5, it becomes absolutely clear that in Hindu way of life which includes the Sikh religious background as well, both are known for its modernity and progressive outlook, Vanshavridhi is the most dominating reason for necessarily having a son in the family. It is here essential that this traditional approach must be broken if women are to be given an equal status in the Indian Society if the related evil of female foeticide is to be contained. Obviously, this is not an easy task to change this patriarchal dogmatic cultural value. At present, the law has recognized name of mother as of equal importance as of the father in all cases of children, may be the records of births or school or college certification. Recognition of daughters as coparceners by way of 2005 amendment in the Hindu Succession Act, 1956 has also underscored equal recognition of daughters in the family of parents. Even the Supreme Court has very recently recognized even the third gender for matrimonial and all legal purposes. But has this changed the social outlook? Can it be said that Vanshavridhi is both through the daughters and the sons? Perhaps not: when descendency is recorded or a family chart is prepared, the offsprings of daughters are not recognized as part of the family. The Pandas of Haridwar leave the daughter at the same stage and maintain records of sons and their families as lineal descendents of the Vansha. It is here that more religious, social and cultural efforts need to be made. If it is recognized and socially approved that Vanshavridhi is both through the sons and the daughters, the craving for necessarily having a son may be contained to a considerable extent. Before the social efforts are made towards this end the law in areas of land records and all succession matters must take a lead in this direction.

As regards the absence of Vanshavridhi as a factor in Muslim and Christian respondents, the reason may be the small proportion of such subjects in the sample i.e. 2 in each category.

The daughters are a social burden is an important factor which needs immediate attention of the State because it can only be tackled only at its own level. As this researcher has already observed that State is duty bound to maintain social order and ensure social security to females in their in-home and out-home lives.
Daughters as economic burden is again related to law i.e. enforcement of *Dowry Prohibition Act, 1961* in its letter and spirit. The recent amendments in the *Indian Penal Code, 1860* also came to the rescue of parents of daughters, but the real answer lies in the female education and their employments. The State Government extends special benefits to the girls who are going to school but there is an urgent need that such incentives are extended upto college and professional education.

Law has provided for daughters’ liability also to support her old parents but the social ethos still do not recognize it. Reason is not only our traditions but also non-transfer of property rights to the daughters in Succession or Partition. When daughters will really be given the property rights, the liability will also come about and in such a situation old parents without any support will equally look towards the daughters as to their sons for maintenance as a right otherwise available under the law.

Rituals recognizing their performance by the sons is another important factor which needs to be remedied socially and religiously. In some stray cases in Punjab like in a village near Pathankot, daughters performed last rites of the parents but this could not take the shape of a movement. This is an important area where the political, social and religious leadership is required to work with clarity, consistence, firmness, sincerity and determination. If crossed this obstacle, it can go a long way to wash out the difference between a son and a daughter in the family.

Since Christianity and Namdhari sects were known to have contributed for changing attitudes of their members, therefore, this researcher further studied sampled subjects belonging to these religions in terms of their family structure to make an assessment as to whether they avoid female foeticide even at the cost of having more female children. Families of 10 Christians were studied and it could be seen that even they keep a desire for a son.
Table no.VI.6

Showing the family structure of 10 Christian families:

<table>
<thead>
<tr>
<th>Description</th>
<th>Count (Percentage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>More than 1 daughter and 1 son</td>
<td>7 (70%)</td>
</tr>
<tr>
<td>More than two daughters and 1 son</td>
<td>1 (10%)</td>
</tr>
<tr>
<td>Only sons</td>
<td>2 (20%)</td>
</tr>
</tbody>
</table>

Source: Field Study.

The other religion which says that anyone found indulging in female foeticide would be punished by their spiritual head is Namdhari. But even in their case no such case has been heard of where a Namdhari is thrown out of the religion. A brief study of structure of Namdhari families was also done and it was found that out of the 10 families, strangely almost all had at least one son. The suspicion raises its head that how come all the families could have only sons or not more than 1 females.

Table no.VI.7

Showing the family structure of 10 Namdhari families:

<table>
<thead>
<tr>
<th>Description</th>
<th>Count (Percentage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 son 1 daughter</td>
<td>5 (50%)</td>
</tr>
<tr>
<td>1 Son</td>
<td>3 (30%)</td>
</tr>
<tr>
<td>2 sons 1 daughter</td>
<td>2 (20%)</td>
</tr>
</tbody>
</table>

Source: Field Study

From our primary data, therefore we can easily say that the religion in most cases abhors female foeticide, but the mixture of cultures, the economic worth of a son slowly denigrated the position of women and it has reached female foeticide today. People
conveniently cloak their own son preference under the religious demands whereas we can see that almost all the religions have condemned the practice of female foeticide.

In Kerala State of India, sex ratio is favourable to females and it is generally considered that it is because of Christianity as the dominant religion of the State. It is a religion of the West and therefore Christians are taken as forward looking people. Another progressive sect in Punjab is Namdhari sect of Sikhs. In both the religions, female foeticide is not only prohibited but the religious places offer to send female daughters to them for nurturing and more so for marriages. It is for this differentia that the researcher made a particular study of families belonging to these religions. 10 families of each sect/religion, as studied heretofore in terms of their family structure, reveal not much difference from the families belonging to Hindus and Sikhs.

In the case of 10 Christian families, all of them had at least one son, however, it may be at the cost of having two daughters and thereby waiting for a son to join the family and even increasing the number of children to three as against their normal norm of two children families. As per tradition or we can say the modern concept of a family, 70% Christian families had one son and one daughter, giving an obvious indication of acceptability of sex determination and even female foeticide. As against this family structure, the researcher came across some Christian families belonging to Kerala who had only two daughters. On enquiry, she was told that in Christianity there is no difference between sons and daughters and in Kerala one may come across many such families that are having only daughters. When this question was posed to the Father of a church so as to know the reason of such a difference, the reply was quite perplexing. The Father said that Keralite Christians are original Christians and therefore they have cultural values of the religion. But in case of Punjab Christians, they are converts and most of them from the so called Scheduled Caste families. Therefore, their tradition and cultural values continue to be of their origin and not of Christianity. It is for this reason that they have a craze for son in the family. Even otherwise, in Kerala churches and the Christian community comes forward to marry the daughters of poor parents. In Punjab, the Christian fraternity does extend the community help but it is not bearing all marriage expenses of the bride’s family.
On the other hand, Namdhari sect is popular even for community marriages at the religious place. A large number of couples tie the knot of marriage in one community marriage and even at the time of such function by the religious place the expenses are met by the religious place of worship. There is another practice as per which the bride’s family gives 1 Re. to the bridegroom family as *Shagun* of marriage. But despite these healthy traditions aimed at easing out the economic burdensomeness of the daughters which a family feels ever since the birth of a daughter, all the 10 families of Namdharis sect had at least one son and 50% of them had one son and one daughter and 20% of the families had 2 sons and one daughter, making it obvious that the son craving is there and much talked of female foeticide having no place in the sect, it is missing in reality. Even the offer of leaving daughters to the Namdhari deras for nurturing is absent in practice. The reason, like Punjabi Christian families is the imbibing of cultural values and traditions of the State i.e. having a son craze.

It is, therefore, obvious from the above tables that economic burden of daughters in the form of marriage expenses and dowry is deep in deciding not to have daughters. Furthermore, it also comes to surface from our study that cultural values are shaped by religions but to a limit. It is basically ingrained and emulated from the life around you, the people you are surrounded by and the population you live in. It, however comes to surface that dowry system needs to be dealt with strongly and the practice of simple marriages must be prescribed in the Indian lives and traditions.

b) Education:

We all know of the fact that in India the females were not educated earlier but the things have changed now for better. In Jalandhar district itself the literacy rate of women is 78.48\%\textsuperscript{11}. Our sample consisted of the females who were highly educated and also the females who were less educated. The researcher divided the entire sample into 4 categories. First category of women was of post graduates the second category of graduates, the third category including those who were educated between graduation but were above matriculation and the fourth category comprised of women who were not even matriculates.

\textsuperscript{11}www.census2011.co.in as on 25 December 2013.
Table no.VI.8
Showing the educational distribution of the sample:

<table>
<thead>
<tr>
<th>Education Level</th>
<th>Count (Percentage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post Graduation</td>
<td>23 (22.11%)</td>
</tr>
<tr>
<td>Graduation</td>
<td>29 (27.88%)</td>
</tr>
<tr>
<td>Less than Graduation</td>
<td>29 (27.88%)</td>
</tr>
<tr>
<td>Less than Matric</td>
<td>23 (22.11%)</td>
</tr>
<tr>
<td>Total</td>
<td>104</td>
</tr>
</tbody>
</table>

Source: Field Study

Surprisingly it was revealed that all women wanted not to have daughters citing different reasons for non preference of female children. The concept of Vanshavridhi loomed large over all the categories of women 46 women said a son is essential to carry on the lineancy, 13 believed that a daughter is but an economic burden on the parents, she might be more loving and caring but she proves to be very expensive, 7 women were of the opinion that raising a daughter is a herculean task given the present scenario keeping her chastity intact is very difficult, 21 of them felt in case of their being met with widowhood or in case of old age as well only a son can provide support law notwithstanding, 17 of them opined that only a son can perform certain rituals for them and bring them Moksha.

The data under Table VI.8 when analyzed along with the picture emerging from Table VI.9 and when the information is further studied respondent wise, makes it very clear that education of mother is not a factor desisting her from undergoing sex determination tests or abortions to satisfy her craving for sonship. It is but worry some because education of the couple and particularly of the women is generally taken as an important instrument of bringing about social change by breaking the orthodox notions about the value of son in the family. In the backdrop of this observation of this study, it becomes important to study deep into the content and methodology of our education which is failing to become a stimulus of
scientific and modern thinking in our traditional society. It can be named as an important area of research, however, making only this much observation at this point that our educational system and more so its content needs a relook and redrafting to make it capable of imparting scientific way of thinking by breaking our age old traditional and orthodox thinking which is pushing us backward when we are applying the modern gears of progress and advancement.

Table no. VI.9

Showing the reasons cited by women for preference of sons:

<table>
<thead>
<tr>
<th>Reason</th>
<th>Count (Percentage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vanshavridhi</td>
<td>46 (44.23%)</td>
</tr>
<tr>
<td>Daughters are economic burden</td>
<td>13 (12.52%)</td>
</tr>
<tr>
<td>Daughters are social burden</td>
<td>7 (6.73%)</td>
</tr>
<tr>
<td>Old Age Support</td>
<td>21 (20.19%)</td>
</tr>
<tr>
<td>Rituals</td>
<td>17 (16.34%)</td>
</tr>
</tbody>
</table>

Source: Field Study

It was, however, noted that the educational qualification of the mother was not a factor for desisting from the son craving and thereby avoiding sex determination.

c) Economic Status:

As far as the distribution of the sample according to economic status is concerned, the researcher had divided the sample in three slabs. The first slab consisted of those subjects whose annual family income was above 5 lakhs, the second category had those females whose family income was between 3-5 lakhs and the last category comprised of those females whose family income was below 3 lakhs.
Table no.VI.10

Showing the income wise distribution of the sample:

<table>
<thead>
<tr>
<th>Income Range</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above 5 lakhs</td>
<td>13</td>
<td>(12.5%)</td>
</tr>
<tr>
<td>3-5 lakhs</td>
<td>45</td>
<td>(43.26%)</td>
</tr>
<tr>
<td>Below 3 lakhs</td>
<td>46</td>
<td>(44.23%)</td>
</tr>
<tr>
<td>Total</td>
<td>104</td>
<td>(100%)</td>
</tr>
</tbody>
</table>

Source: Field Study

Analysis of our primary data along the family income of the respondents revealed that more income is a facilitating factor for going to avail sex determination. Since all the subjects of our sample had gone for sex determination but the poor had to wait for arranging money and link for the test but the decision of the rich ones was prompt and immediate.

It is here the role of regulating agencies enforcing the PCPNDT law comes into play. If such agencies actually work, the money power cannot play its role as a catalyst for flouting the law. It may also be apt to mention here that the punishment clause of the Act should also be renewed to make it deterrent not only for the doctors but also for those approaching for sex determination tests and the consequent abortions of female foetuses.

d) Employment of the Mother:

It is generally believed that employment of the female matters more than the economic status of the family when it comes to attitude towards having female children or bearing more number of children. Therefore this researcher studied this factor as well. During the course of the study it was revealed that the working non working of the females do not change the picture much almost similar results are obtained when the sample’s opinion about the need of a son was taken. First of all the professional status of the sample was taken. Our sample thus included 48 working women and 56 non working women.
Showing the working status of the sample:

Source: Field Study

The following circular graphs of reasons given for avoiding females & having sons are aimed at making a comparative study so as to measure the differing potencies of each factor amongst working and non-working women of India.
Fig. no.VI.3 and VI.4

Showing the reasons for son preference as given by the Non-Working and working Women:

*Fig.no.VI.3
Non-Working Women = 56

Source: Field Study

From the above graphical presentation, we do appreciate that although same factors influence both categories for craving of a son but educated women give slightly less emphasis on VanshaVridhi, 31.14% against 43.75%, but educated recognize them more as economic burden 21.42% against 12.5% and social burden of daughters 10.71% against 6.25% more than is considered by non working women.

e) Family Pressures:

Generally it is said that the termination of pregnancy is not the decision of one person alone. Rather all the family members coerce the pregnant woman to undergo this test and ultimate abortion. Our study on this point revealed that mother’s- in –law pressurize for sons much more than any other relations for much more than any other relation its
percentage is dominating 69.23% i.e. 72 subjects. Next in line are husbands 15.38% i.e. 16 number of respondents, father – in –law and other relatives 9.61% i.e. 10 respondents and self decision of women is only in 5.76% cases i.e. 6 subjects of our sample. The following table portrays this position:

**Fig. no.VI.5**

**Who Forces the woman for sex determination tests?**

<table>
<thead>
<tr>
<th>Force</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mother-In-Law</td>
<td>69.23%</td>
</tr>
<tr>
<td>Husband</td>
<td>15.38%</td>
</tr>
<tr>
<td>Father-in-law and other relatives</td>
<td>9.61%</td>
</tr>
<tr>
<td>Self –Decision</td>
<td>5.76%</td>
</tr>
</tbody>
</table>

Total =104                                                                 Source: Field Study

f) **Economic-Burden:**

One of the causes for the presence of fewer girls in the northwestern Indian homes is the net wealth outflow on the occasion of a girl’s marriage. Despite the *Dowry Prohibition Act*, this ghastly practice continues and is spreading all over the country amongst all the classes of people whether rich or poor. Getting a groom for the daughter is expensive for all the classes, as the poor are not spared of this evil, even they have to buy him as per his or her status also as per the status of the groom.
The menace of the dowry deaths has increased manyfold in our country. The number of reported dowry deaths in the year 2010 was only 8391 in 2010 howsoever the same rose to 8618 it witnessed an increase in 2.7 percent in 2011. With such an environment, it is true that those households or parents with more sons are far better off than the parents with more daughters.

In the near past cases of farmer’s suicide have been reported in the national dailies. The cause is not so much crop failure but the inability to repay debts incurred for a daughter’s marriage. In this way a daughter becomes an avoidable social and economic burden. The custom of giving started as a harmless practice with good intentions, with the passage of time, assumed a form of social evil, due to avarice of man. It is believed that a girl child is like a Hundi – a promissory note, to be redeemed later while a boy child is a post dated cheque to be encashed at an appropriate time. In State of H.P. Vs Nikku Ram it was said by the honourable Supreme Court,

“Dowry, dowry and dowry. This is the painful repetition which confronts, and at times haunts, many parents of a girl child in this holy land of ours where, in good old days the belief was: “यत्रां नरयंस्तु पुजयात परमेश्वरं तत्र देवतं” [“Yatra naryastu pujyanteramante tatra dewatah”] (where woman is worshipped, there is abode of God). We have mentioned about dowry thrice, because this demand is made on three occasions: (i) before marriage; (ii) at the time of marriage; and (iii) after the marriage. Greed being limitless, the demands become insatiable in many cases, followed by torture on the girl, leading to either suicide in some cases or murder in some.”

The people think that when the female is to die then what is the need for spending so much on her bearing and rearing, its better to exterminate them in the womb itself as they cannot see any monetary gain out of it.”

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“In one reported case, a mother had killed nine daughters in all the mother-in-law also being an accomplice. The father reasoned, “with a measly income of Rs.300/ to rs.400/ a month we could not even dream of spending Rs.30,000/ on dowry including a gold ring, watch and cash to marry off even one daughter.”

There is a saying that “the value of daughter goes down everytime the price of gold goes up.” In today’s material world a women is fast being relegated to the rank of commodity and marriage has become more of a business alliance than a sacred bond between two people.

Dowry is a convenient way to bring in money to the family. The truth is that today the bridegrooms are brought and sold as per their qualifications and social status. So a doctor or a computer engineer or an MBA would come at a very heavy price and the accessories alongwith the money would be the latest car, a foreign tour and ofcourse a lavish wedding.

Marriage being central to life for women in most parts of India, the parents make all out efforts to see their daughters being happily married even though they may end up under heavy debt.

There is a new style of seeking dowry amongst many, it is commonly said initially saying Humein to kuchchahiyenahin but saying afterwards Hamare to yehreethai or this relative of ours deserves special respect honour him or her by gifting such and such thing. It is like adopting a new way the inlaws ask for gold ornaments, gifts or other things for themselves and their relatives by adopting a different way. It is said the huger the dowry the more honour the newlywed girl commands in her marital home, but this on the way has definitely led to the heightening of economic burdensomeness of daughters. The Life


Insurance Company’s advertisement speaks out well that the daughters are just to be married off, “Provide for your daughter’s marriage and son’s education through the LIC.”

Even our field study showed that at the back of mind the tension brewing up in the minds of females selected as samples was that arranging dowry is a big problem and that is why it is always better that females are not born in their families. The working women subjects of our sample gave 21.42% weightage to economic burden whereas the non working gave 12.5% weightage to it as first reason of it.

g) SOCIAL BURDEN:

The sampled women were of the opinion that the reason for non preference of daughters is the rising crime against women. This concern was raised by women selected as sample. People feel that women have to be protected right from their birth. In a men’s world a child even of few months is not spared, females of all the ages are made the victim of man’s lust. What happened in Delhi on 16 December 2012 or more recently on 17 April, 2013 with a girl child of merely five years is a reason enough of the fact that women deem girl children to be social burden. In Ludhiana in the year 2009 a little infant girl of 6 months was raped by a migrant labour and in Surat an old lady of 90 years was made the sacrifice of the lust of a 25 year old man. Age no bar, no female in India is safe if the female is safely brought up and ultimately safely married then there is the fear of violence against her in married life- bride burning, wife bashing, divorce and the like keep parents tense.

On an average, every single day 42 women are raped and almost 18 cases of dowry deaths occur each passing day. Further, 5 women are estimated to face cruelty every hour, while in similar amount of time, 4 cases of molestation are reported. According to the National Crime Records Bureau 2012, a total of 228560 incidents of crime against women (both under Indian Penal Code-IPC and Special and Local Laws-SLL) were reported in the

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16 The Ludhiana Tribune, 25 August, 2010
country. 8618 dowry deaths were reported, 24923 cases of rape were 2012. This is just the tip of the iceberg as these are the reported cases and God knows how many cases go unreported. In such a sorry state of affairs people prefer that the girl child is not born to them.

Our field study reveals 6.73% respondents preferring sons for reason of social burden and its division amongst working and non working women was recorded at 10.71% and 6.25% respectively.

h) SMALL FAMILY NORM:

It was found that though people preferred small families but they said that having two children is generally permissible. The poverty ridden people of India have realized the value of a small family. A small family definitely means lesser responsibilities. Given the cost of living and rising inflation it is always a profitable proposition to limit the family size. Landholdings are shrinking but aspirations are growing, thanks to a growing economy and sky rocketing prices of the real estate.

The selfish and advantage seeking Indians had no problem in accepting the small family size norm but they failed to reckon that the Family Planning Programme’s small family included a boy or a girl, but it has been seen that people have tilted this small family norm in their own favour, they fail to realize that a small family may consist of a female child too. The small family for Indians may comprise of one son and one daughter or of two sons or of even one son, but never of two daughters or of one daughter alone. The common jargon used by Indians is “Why don’t you take another chance”, as if only a son can complete the definition of a small family.

But the catch is in the sex distribution of these children. The number of children has to consist at least one male. To verify this popular notion, the researcher gathered information from the sampled respondents.

18 www.ncreb.nic.in on 16 April, 2014.
Table no. VI.11

Showing the preference of subjects for the number of children

<table>
<thead>
<tr>
<th>Number of Children</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 child</td>
<td>7</td>
<td>6.73%</td>
</tr>
<tr>
<td>2 Children</td>
<td>85</td>
<td>81.73%</td>
</tr>
<tr>
<td>(a) 1 male 1 female</td>
<td>68</td>
<td>80%</td>
</tr>
<tr>
<td>(b) Both male</td>
<td>17</td>
<td>20%</td>
</tr>
<tr>
<td>(c) Both female</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>3 Children</td>
<td>12</td>
<td>11.53%</td>
</tr>
<tr>
<td>(a) All male</td>
<td>2</td>
<td>16.66%</td>
</tr>
<tr>
<td>(b) Atleast 2 males</td>
<td>8</td>
<td>66.66%</td>
</tr>
<tr>
<td>(c) Atleast 1 male</td>
<td>2</td>
<td>16.66%</td>
</tr>
</tbody>
</table>

The following graph vividly shows that the sample wants a small family consisting of two children largely but everyone wants that at least one of the child should be a male.
Fig. no. VI.6

Showing the number of children preferred by the respondents:

Source: Field Study

The above graph shows that 6.73% i.e. 7 subjects wanted a family that consisted of 1 child. 81.73% wanted that their family should consist of 2 children, while 11.53% or 12 said that their family could have three children.
Fig. no. VI.7

Showing the preferred sex distribution of those respondents who wanted to have one child:

![Pie Chart]

There are 6.73% or 7 people who wanted to have only one child and all of them wanted that child to be male.
Fig. no.VI.8
Showing the preferred sex distribution of those respondents who wanted to have two children

It can be seen from the above graph that 81.73% i.e. 85 subjects wanted to have two children each and out of these two 80% or 68 subjects said that these two should be 1 son and 1 daughter, 20% or 17 said that out of these two both should be males, and the shocking revelation is that no subject wanted that both the children should be female.

Source: Field Study
Fig. no.VI.9

Showing the preferred sex distribution of those respondents who wanted to have three children:

The people who wanted three children were 11.53% i.e. 12 and out of these 66.66% or 8 wanted that out of these three 2 essentially should be males while 16.66% said that atleast one out of these three should be male while 16.66% son centric people wanted that all of them should be males.

It has been found that practically all subjects of our sample wanted that the sex determination tests should be permitted. Since selective preference for sons and daughters has been found engrained in all the subjects and this leads to selecting them during pregnancy. Further information that when such selection should be permitted there exists some difference amongst subjects as shown in the following table:

Source: Field Study
It has been found that from the sample 16 (15.38%) expressed that sex determination tests should be allowed in the case of the first child. 79 (75.96%) opined that these tests become necessary and the couple should be given freedom to decide about the sex of the foetus in case the child to be born is a second one and first one is a female while just 9 (8.65%) believed that it should be done in the case of third child if one is male and other female.

It is here that we need a deep thinking and rationality of approach. Some researchers are of the view that if the first child in the family is a daughter and looking at the existing societal approach and the two child family norm, the test may be allowed for second pregnancy to enable the couple to have one daughter and one son. With due regard to such suggestions, this researcher does not agree with such an argument. She is of the firm opinion that the law and its enforcement need to be made strict and stringent. Even a small laxity in
the name of one factor or the other may jeopardise the fabric of entire movement and the legal thought. Therefore, at no stage of the family and for no reason whatsoever, the tests for sex determination and abortions should be allowed. The loose thread of *The Medical Termination of Pregnancy Act-1971* permitting abortions on the alibi of a contraceptive failure needs to be tightened and plugged so that the *PCPNDT Act* also becomes meaningful leading to no abortions of female foetuses.

**VI.3 WHY LAW A DEAD LETTER?**

To determine what has made this law a dead letter, a Structured Interview Schedule was prepared and it was applied on 20 respondents and it included the law teachers, doctors and practising advocates. This exercise brought us to the conclusion that it is improper implementation which is largely responsible for this law’s failure.

<table>
<thead>
<tr>
<th>Table VI. 12</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Showing the reasons for rendering the law ineffective by the Professional Experts:</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reason</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law is not strict</td>
<td>1 (5%)</td>
</tr>
<tr>
<td>Law is not properly implemented</td>
<td>13 (65%)</td>
</tr>
<tr>
<td>Law is against social needs</td>
<td>6 (30%)</td>
</tr>
</tbody>
</table>

*Source: Field Study*

It is clear from the above table that 1 scholar thinks that because the law is less stringent the law has not been able to check this evil, a large number of respondents 65% (13) opine that the law has been unsuccessful because of lack of proper implementation. On the other hand, 30% (6) opined that the law has not been fruitful because of the fact that it is not in consonance with the needs of the society.

The people seem to be quite perplexed as the government itself wants a small family norm to be practiced, yet it opposes the sex determination tests. They argue that since every family wants at least one son if not two, the best way to ensure a small family, is to go for the test and act as per the results. Today even the parents aspire for a better life for themselves,
and for this the number of children has to be curtailed, which can now be fine tuned more carefully with sonography.

From the results, it is crystal clear that no family is considered complete till at least one son is present in it even though two daughters are there. An ideal family should consist of two children but out of these two children both cannot be females, they can be males or 1 male and 1 female but never two females. Son preference can be seen amongst all the classes, whether rich or poor, working non-working, sikhs hindus, all want at least one son in the family. It is vivid from the data that from the Family Welfare Department of Punjab through RTI that the sex law in Punjab has not proved to be successful in Punjab and it has improved even after the 2002’s amendment. Till August 2010, out of 1355 registered ultrasound centres, 112 centres have been prosecuted and the conviction even in such cases is very low.\(^{19}\)

**Fig. no. VI.11:**

**Showing the number of cases going on in Punjab under the PCPNDT Act, 1994**

![Bar chart showing the number of cases going on in Punjab under the PCPNDT Act, 1994.](chart.png)

**Source:** As per the data availed from the Family Health Welfare Dept. Chandigarh by RTI.

\(^{19}\) *Information availed from Family Welfare Department of Punjab through the RTI.*
It can be seen that that in the year this Act was amended the cases under this law were maximum they were 25 in number however in 2003 the same reduced to 23 but they reduced considerably in 2004 and only 7 cases under this law were filed in 2004. In 2005 the court cases again rose to 22 and after that as can be seen from the data that the number has become almost negligible. Here it is pertinent to mention the quote of one of the parliamentarians, he was talking about the low conviction rate at the national level of this law. Health Ministry officials said, “it would be absurd to even think that only these many cases of sex determination took place last year, meaning that the majority of culprits got away despite the PNDT Act enacted and further amended in 2003 with the objective of prohibiting sex selection before or after conception, regulation of pre-natal diagnostic techniques and prevention of their misuse for sex determination leading to female foeticide.”

Table no. VI.13

Showing the sections involved in the cases under the PCPNDT Act, 1994 in Punjab:

<table>
<thead>
<tr>
<th>Total Number of cases</th>
<th>Under Section 18 (Opening a GC which is not registered under the Act)</th>
<th>Under Section 29 (Maintainence of records of consent lettersand records by the GC)</th>
<th>Under Section 22 (Prohibition of advertisement relating to pre-conception and pre-natal determination of sex)</th>
<th>Section 3, 3A, 3B (No unregistered GC can carry on PNDT activities, Prohibition of sex selection)</th>
<th>Section 5 (Written consent of woman undergoing these tests)</th>
</tr>
</thead>
<tbody>
<tr>
<td>112</td>
<td>12</td>
<td>22</td>
<td>26</td>
<td>5</td>
<td>34</td>
</tr>
</tbody>
</table>

Source: As per the data availed from the Family Health Welfare Dept. Chandigarh by RTI.

It is quite clear from the above data that though many cases have been filed under this act but majority of the cases deal with the paper part i.e. the cases mainly relate to the

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20Vibha Sharma, “Just 13 Convictions under PNDT Act in 2010.” (The Tribune, 4 August, 2011.)
non maintainence of records or the non obtainence or preservation of the consent form of the concerned woman. In totality there are 112 cases out of which 22 are for non preservation of records and 34 for non obtainence of Form F.12 cases relate to those Genetic clinics which are operating without registration 26 again a very high number is the number of cases which are filed against such Doctors and Vaidas who openly said that their medicine can help them produce only a son. Only 5 cases pertaining to Section 3 are there.

It came as a shocker to the researcher that already there is a scanty enforcement of law and in that also a number of accused have gone scot free i.e. they have been acquitted of the charges which were framed against them, their number is 51 (45.53%). A number of the cases are pending are pending they are 52 (46.42%) in number and only 19 (16.96%) convictions have taken place so far.

Fig.no. VI.12

Showing the decisions under the PCPNDT Act,1994 in Punjab:

Source: As per the data availed from the Family Health Welfare Dept. Chandigarh by RTI.
Further more the study has brought to the fore that a majority of the cases have been dismissed at the pre charges stage itself. This number is whopping 40 (78.43%) the number of cases which have been closed due to the death of the accused is 8 (15.68%) and there are 3 (5.88%) cases in which the accused has been acquitted because of lack of evidence.

<table>
<thead>
<tr>
<th>Total Convictions</th>
<th>Only fine</th>
<th>Imprisonment less than a year</th>
<th>1-2 years</th>
<th>5 years or more.</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td>5 (26.31%)</td>
<td>4 (21.05%)</td>
<td>5 (26.31%)</td>
<td>5 (26.31%)</td>
</tr>
</tbody>
</table>

**Source:** As per the data availed from the Family Health Welfare Dept. Chandigarh by RTI.

The data reveals that out of the 19 convicts, 5 have been left free with just payment of fine, 4 have been awarded a minimal punishment of less than a year 5 have been given an imprisonment of 1-2 years while 5 have been awarded the imprisonment for more than 5 years. Though Section 23 even provides for cancellation of practitioner’s licence permanently but this punishment has never been given not since Independence to any Doctor under any law.  

The ever falling sex ratio despite such progressive legislation has been concerning the law courts again and again. Therefore the High Courts have been issuing orders to the governments regularly to control this menace. The law in isolation cannot fight this evil but to end this, social activists should join hands with the authorities as it’s a social problem for which a solution can be found by both the authority and the society itself.

**VI.4 A SUCCESSFUL STORY OF NAWANSHAHR DISTRICT:**

A small township Nawanshahr of Punjab has gathered lot of news for the improvement in sex ratio. The Punjab and Haryana High Court in *Girish Memorial Charitable Trust vs State Of Haryana and Others* on this issue directed all the Deputy

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\[21\text{SatyaMeva Jayate,6may 2012,DD-I,11.00a.m.}\]
Commissioners of State should follow the Nawanshahr Model in their respective districts.\(^{22}\) It has been proved that the model adopted by this small township of Punjab is very efficient and deserves to be emulated by all the states grappling with this demon called female foeticide. It is said that law alone cannot bring about social change what is required is the collective fight of law and social groups which brings about change.

In the year 2005 when Mr. Krishan Kumar was appointed as the Deputy Commissioner of this town, the sex ratio of 0-1 years was an abysmal 780. It was then that he decided that the law or the social groups in their individual efforts cannot fight this evil, what is needed is a whole hearted campaign at the administrative level as well as the social action groups level.\(^{23}\) He divided the entire programme to check this evil into two-one awareness campaign and other enforcement measures by:

a) Medical audit

b) Social audit

The Deputy Commissioner first of all noticed that the efforts of the Health Department were not proving fruitful in checking sex determination and the consequent female foeticide. He himself became the steering wheel having in control all the machinery i.e. he brought all the social groups and NGOs’ together and assigned each of them particular areas and they were asked to set up village level committies and block level committies. Block level meetings were organized by village lambardars (headmen) and sarpanches. The ANMs’ and LHV’s of health department also participated in such meetings. Thereafter, district level meeting was held by all Municipal Councilors and also the social activists. It came to be seen that the survey of the pregnant ladies was not being done in a fair manner. It is a known fact that the period for sex determination is 3-5 months of pregnancy where there are maximum chances of their being aborted. Realizing this, a computer software was prepared which carried all the details of the expecting lady i.e. her age, number of the children she already had, her telephone number and in case she does not have a telephonic contact then the sarpanch’s number. After this a list was prepared giving

\(^{22}\) *Girish Charitable Memorial Trust Vs State of Haryana*, decided on 20 September 2012 available on [www.indiakanoon.org](http://www.indiakanoon.org) as on 1 May 2014.

\(^{23}\) *The report presented by the Deputy Commissioner Nawanshahr to the State Government of Punjab in August 2005.*

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details of mothers having pregnancy form 3rd to 5th month and then a female operating from the Deputy Commissioner’s office telephonically asked these ladies about the well being of their foetus, which leaves an indelible mark on mind of the lady that she is under constant vigil and she should not indulge in the heinous task of sex determination. This computer software also generated a list of those ladies whose date of delivery had passed and the D.C. office telephonically confirmed it again whether the child born was a male or female and in case no child is born then a proper investigation regarding it was carried out. The minute examination revealed that ANMs’ and medical practitioners had a jinx and they were the ones who took the expecting mothers to scanning centres and arranged for elimination of the foetus. To break this nexus, all midwives, ANMs’ and nurses were identified. Their telephone numbers were recorded and they were advised strictly to refrain from such activities, failing which cases would be registered against them. They were asked further to bring in those couples who wanted to get these tests done. Also it was seen that atleast 65 government departments were free from their own work for most part of the year, their services were also taken and every such officer was allotted 5 villages. Every such officer would monitor sex ratio in these villages. In addition to this, the DC involved the youngsters of the town in this programme. They were invited for meetings with the DC and were told that they would be given a cash prize of Rs.100 if they informed the DC office regarding any expectant mother. Also to generate awareness regarding this menace, personal letters to lady sarpanches were issued, various cycle/scooter rallies were organized. Mourning of baby girls was done in case an abortion of a foetus took place preceding sex determination. The DC used to send congratulatory messages to the families on birth of female children.

To intensify the enforcement measures, it was felt that all the scanning centers needed to be monitored more strictly. All scanning centres were supposed to furnish the details of the scans conducted by them during particular month (the PCPNDT Act 1994 provides so), but was seen that the scanning centres omit providing this information. In order to analyse the data submitted by the scanning centres in a more effective manner, a software was prepared by the district administration and all the data collected from scanning centres on 5th of every month was fed in the computer. Subsequently medical audit reports
were generated and the scanning centres who indulged in any malpractise were suitably punished.

The NGOs working in Nawanshahr came under the umbrella of Upkar Co-ordination Society, which was established in 2005 and every NGO in the society worked together to fight this evil of female foeticide. The Nawanshahr Model has also received appreciation from the Punjab and Haryana High Court in *Girish memorial Charitable Trust vs State of Haryana*\(^\text{24}\). It has been stated in this case that Nawanshahr Model (Scheme), prepared by DC Krishan Kumar must be implemented in all the districts of the State of Punjab.

It stood proved that the campaign from both sides i.e. Social Audit and the Medical Audit certainly helped to bring down the cases of female foeticide. The number of children born in Nawanshahr in the last 11 years bears it out that the law has to be armed with societal efforts and vice versa and at the top of it the administration should be strong willed to weed out certain evils from the society. Now, Mr. Krishan Kumar though is not in Nawanshahr but his successors have emulated him and have been able to keep female foeticide at bay. The following flowchart portrays the functioning:

\(^{24}\) Decided on 20 September 2012, available on [www.indiakanoon.org](http://www.indiakanoon.org) as on 24 May 2014.
Fig. VI.13
Flow Chart For Campaign against Female Foeticide

Deputy Commissioner Office

- Enforcement (Civil Surgeon, Police)
- Medical Audit (Suvidha Centre)
- Social Audit
- Monitoring of F - Forms
- Comparison

- Awareness Campaign (Largely done by NGOs)
- District Level
  - Block I
  - Block II
  - Block V

Village 1
Village 5

Source: Ibid.

Nawanshahr experience makes it clear that the law alone cannot bring about the desired result what is needed is the concerted efforts of all the organs of state as well as the society. It is desirable that the legislature passes efficacious laws and the executive implements them in true letter and spirit with the help and co-operation of the society with help and protection from the judiciary.
VI.5 SUCCESSFUL STORIES OF SOME VILLAGES IN PUNJAB:

The Punjab Government since 2008 has been honouring the Panchayats of those villages where sex ratio (0-6 years) have shown an increase of 1000 or more. Till the year 2012 Rs.1.5 lakhs used to be given but now this prize money has been raised to Rs. 2 lakhs from the year 2012.

Table No.VI.15

Showing the number of villages that have been awarded for improvement in sex ratio by the Punjab Government:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>No. of Panchayats</th>
<th>Award –Money</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008-09</td>
<td>23</td>
<td>1.5 lacs</td>
</tr>
<tr>
<td>2009-10</td>
<td>60</td>
<td>1.5 lacs</td>
</tr>
<tr>
<td>2010-11</td>
<td>75</td>
<td>1.5 lacs</td>
</tr>
<tr>
<td>2011-12</td>
<td>75</td>
<td>1.5 lacs</td>
</tr>
<tr>
<td>2012-13</td>
<td>150</td>
<td>2 lacs</td>
</tr>
</tbody>
</table>

Source: www.pbhealth.gov.in as on 24 May 2014.

An improvement in the sex ratio was recorded in the sex ratio in 75 villages of the State and all these panchayats which made conscious efforts towards this end were honoured by the State Government in a specially organized function by the State Government at Mohali on 15 July, 2012. Apart from other villages, 3 villages deserve special mention, one is Beladheyani of Ropar district which attained gender ratio of 1825:1000 males. Another village of Kapurthala district- Mandkula which attained gender ratio of 1778 :1000 males, yet another village Karamgarh Chatra a village of Bathinda district attained gender ratio of
1634:1000 males. By way of such improvements the female male ratio in Punjab has increased from 876 to 894:1000 males. The State Government has named these villages as ‘Villages of girls’.

When approached to the above three villages out of these 75 it came to surface that the villagers made conscious efforts for improving the sex ratio. In the 0-6 years sex ratio in Beladheyani village there were 73 girls out of 113 children. The recent trend has made these villages as the families of two or more daughters. The education given by the village elders supplemented with the religious guidance no woman in these villages even thinks of sex determination tests and consequent abortions.

All these village panchayats were given cash prize of Rs. 1.5 lakh per gram panchayat. These are the examples which the other villages need to emulate.

While appreciating the positive contribution of these Gram Panchayats this researcher does have a doubt as to how the female male ratio could be 1825,1778 and 1635 per 1000 males. The researcher wanted to probe into the fact but could not find any tangible substance to contradict the same.

In 2014 in Amritsar district this award was given to these 7 villages—Supariwind, Birbalpura, Bua Nangli, Riaru, Gurala, Shahpur, Lopoke and Veroeke25 and there are seven villages of Sangrur district which have been awarded the same in 2014 ---Rai Singh Wala, Tolawaal, Jharoon, Mangwal, Mana, Baddharwa, Mubarkpur and Chungao26

VI.6 CONCLUDING OBSERVATIONS:

The empirical study of this research work is an eye opener where we note that the PCPNDT Act, has miserably failed because it is flouted by the nexus of greedy doctors their fraternal comrades named as regulators and the traditional, orthodox, backward and non scientific approach found in the pack of our cultural values backed by religious sentiment and thought that is not breaking away even with the education, economic empowerment and technological advancement of our society. To achieve the desirable results only a multi pronged approach can work, wherein the available scientific knowledge work, the available

26 “7 Panchayats of Sangrur honoured for improvement in sex ratio” (Hindustan Times 7 March 2014)
scientific knowledge making sex of the foetus unknown even to the doctors, change of cultural values through the force of State, the persuasion is from the religious and social institutions, as well as plugging the loopholes of the law not only in the PCPNDT Act but also in the Medical Termination of Pregnancy Act-1971 and also the Dowry Prohibition Act-1961 and violations dealt with firmly, all work effortlessly to improve the situation. Governments must be made accountable for not working to curb crime against women and making women confined to the four walls of the house. A conscious, concerted and consistent effort jointly by the State and social institutions is urgently required. And beginning is desirable to be made from ‘US’ i.e.let us first take the lead to become path breakers and recognize worth of daughters as much more than of sons not in the family alone but in the country as well.