CHAPTER- II

REVIEW OF RELATED LITERATURE

CONTENTS POINTS

• Meaning
• Need and Importance
• Sources of Review of Literature
• Related Studies

“One of the most important early steps in a research project is the conducting of the literature review. This is also one of the most humbling experiences you're likely to have.”
CHAPTER-2

REVIEW OF RELATED LITERATURE

2.1 MEANING
The essential aspect of a research project is the review of the related research literature before taking up the research project. It helps the researcher in many ways in conducting study with full insight. Any investigation /research, whatever the scale, will involve reading about what other people have done, about their area of interest, gathering evidences to support or refute their arguments and finally drawing their conclusions on the basis of available evidences.

Therefore the purpose of the reviewing of literature is to build up the context and background of the research as well as to provide a basis for formulation of hypothesis. Since a good research is based upon the relevant evidences that are known in the area of the research. For comprehensiveness, it is essential that the new work should be based and build on what has already been accomplished. The review of research literature helps the researcher to delimit and define his problem and to avoid duplication of well established findings. It gives the investigator an insight into the problem and research methodology.

The review traditionally provides a historical overview of the theory and the research literature, with a special emphasis on the literature specific to the research topic. As well it serves to support the argument/proposition behind ones research, using evidence drawn from authorities or experts in ones research field.

A review of the literature has the following functions:

- To justify ones choice of research question, theoretical or conceptual framework and method;
• To establish the importance of the topic;
• To provide background information needed to understand the study;
• To familiarize reader with significant and/or up-to-date research relevant to the topic;
• To establish one's study as one link in a chain of research that is developing knowledge in one's field.

2.2. NEED AND IMPORTANCE OF RELATED LITERATURE

1. To have a strong theoretical base on which research is stand.
   It is the very basis of research platform on which one will build argument. It places research in context within discipline and demonstrates how research improves discipline. In other words, the literature review is the meat of one's project.

2. To justify research:-
   • To prove that there are gaps in knowledge in field that merits a closer investigation.
   • To demonstrate that work will improve field in some way, filling in gaps and adding to knowledge and understanding of field.
   • To prove that work hasn't been previously done, thus ensuring that intellectual contribution is indeed original.
   • For purely practical considerations: a good literature review demonstrates to dissertation or thesis advisor that has read extensively in your field, that one has a thorough comprehension of field and that are capable of intelligently and knowledgeably critiquing others' work.

3. As an exercise in thesis development.
   • To educate yourself on the primary theoretical approaches to your discipline, as well as the primary actors:
• To provide yourself with an intellectual, historical and theoretical context within which one can frame one's research and writing. To illustrate how your field has been previously studied, and any flaws/gaps/problems with previous research.

4. A good literature review will help to do the following:

• Narrow your research focus;

• Pose questions that might not have previously occurred to you; and

• Build a knowledge base for future research.

5. It boils down the results of your research into a concise, coherent account of what is known in your field of inquiry and what remains to be learned.

6. It identifies controversies and differences of opinion among scholars in one's field and makes a case for one's research as a valid, important response and possible resolution of controversies. It asks questions that need further research and examination.

2.3 SOURCES OF REVIEW OF RELATED LITERATURE:

There are many sources of literature which may be used for this purpose. These sources can be broadly classified into these heads.

1. Books and Text Books material:- The most useful list of books published in the English language is the Cumulative Book Index and Book Review Index, Books Review Digest, Subject Guide to Books indicates that books are in print or press or forth coming books. National union Catalogue is also useful for this purpose. There are a number of publications that locate specific references that cover particular area of knowledge. The Cumulative book Index is published monthly to provide the references. All these books published in the English Language.

2. Periodicals: A periodical is defined as a publication issued in successive parts, usually at regular intervals, and as a rule, intended to be continued indefinitely. These include Yearbook,
3. Abstracts: Another type of reference guide is the abstract, review or digests. In addition to provide a systematized list of reference sources, it includes a summary of the contents. Usually brief summaries of research studies are given in the form of abstract. Name of few abstracts are Educational Abstracts, International abstracts in humanities.

4. Encyclopedias: Encyclopedias provide concise information on a number of subjects written by specialists. They provide a convenient source of information, and often include illustrations and bibliographies. only specialized encyclopedias deal with restricted areas of knowledge. Encyclopedia of Educational Research, New York, it is published, every ten years. It refers to important work on educational problems.

5. Almanacs, Handbooks, Yearbooks and Guides: These general categories of references include those publications that present rather detailed up-to-date information on a variety of subjects, organized around a given theme. They are the references that one consults to find specific information, often of a statistical nature. Generalized sources are listed first, followed by those with a more specialized emphasis.

2.4 RELATED STUDIES

A) Indian Studies

- **Sivaramayya B. (1983): Status of Women and Social change-** Objective- To study Hindu law in matters of rights of women, sati practices, the involvement of the British in enacting laws to protect women's social status. It examines views, interpretations of courts, legislature in matters of bigamy, conjugal rights, inheritance, divorce, maintenance under Hindu marriage act and Muslim personal laws. It also looks at the Muslim community views. It examines the provisions of criminal procedure code and the Indian penal code in relation to above topics. This study cites instances, circumstances of litigation and court interpretations and views. In this study an attempt is made by the author to critically examine the social status of women by way of legislation, judicial interpretations and processes.
• **Sehgal Neeru (1987) Employment of Women and reproductive hazards in Work Places: Objective-** The study examines exposure hazards of toxic substances on fertile, pregnant mothers, discriminatory, exclusionary practices against women by employers to avoid legal, moral accountability. Probes instances of transfers to low paid jobs, self inflicted sterilization, law amendments introduced in U.S, disparate treatment on women, safety measures, fetal protection, medical screening. It cites instances and court judgments. It examines Indian perspective of the problem in developing countries and also examines Indian factories act in disallowing women from doing hazardous jobs, timings prescribed for women, hazards in industries of tobacco, cotton, agro based etc.

• **Sehgal Berendrapal Singh (1989): Law, Woman and Population in India: Objective:** The study examines on the issues related to women and marriage, women and family planning, education, employment and conclusion. They provide birth rates, population statistics, land area-population comparisons, women population census figures. Cites various laws of India relating to marriageable ages. It examines practices in various religions their impact on population. Discusses legal aspects of abortion, government policies, provisions of Indian penal code pertaining miscarriages, concealing birth, abortion statistics, sterilization etc statistics. Author explores education influence on population statistically. Author analyses interaction of employment and population growth, legislations like factories act, ESIC act, maternity benefit act, thereby studying their impact on population growth. discrimination against women.

• **Sachchidanand and Sinha’s (1988):** The Study revealed that even after several decades of introduction of social legislation, bulk of rural women and many urban women had not even heard of the existence of various laws. Very few were able to enumerate provisions incorporated in these rights. Even if they knew, women did not like to have a share in the property and did not want to break away from the holy wedlock and were willing to nurture any number of children. Thus the situation was not conducive to enforce social legislation.

• **Ali Baug, Tara (1988) Woman’s rights:** This study attempts to trace the origin of the ‘sati practice’ in the continent and especially in India. It enumerates the ill treatment meted
out to the woman by the man under the influence of the patriarchal system and the use of fear psychosis to tame the woman. This period is compared to the ancient period during which the woman was revered in the same way as the Goddess earth was as a giver of life. The commentary concludes that the nation should utilize its funds for strengthen the nation rather than for religious fundamentalism.

- **Chatterji, Angana, (1990) Women in Search of Human Equality:** This study attempts to situate women in the present context of national development, to assess their condition since the changes in their status and study the link between economic progress and the class to which the woman belongs. The study has indicated that there is a close connection between the two. It analyze the problems in the path of women's equality. After an overview of awareness of their situation among various classes of women. The study ends with a view of the future and the possible solutions.

- **Mahajan (1990),** The study found that age, education and employment of women had impact on the awareness of women regarding their legal rights. Awareness was more in older, in educated and in gainfully employed women. Few studies, which focused attention of people’s awareness and attitude towards women rights, have confirmed that like most social enactments women’s rights to inheritage are likely to remain ineffective in patriarchal societies.

- **Fernandes, Walter (1991) Slum women's status:** This study is based on women's status in the Delhi Bastis. The consequences of migration on rural poor women who join the urban informal sector. It is affirmed that migration alone does not add to the woman's status and may even result in her downward mobility. It is emphasized that an educational approach aimed at the organization and attitudinal change is an essential condition for status change.

- **Ghadially.R, (1991) All for Izzat** This study throws light on the practice of female circumcision among Bohra Muslims (especially in India). "Khatna"(circumcision) of female is practiced only by this sect. The justification for Khatna is mainly to curb female sexuality and that she must safeguard the izzat (honour) of the family. There are various forms of circumcision. The most common problem faced by girls after Khatna is difficulty
in discharging urine. The author described in detail the profile of a woman who does the circumcision. They are mostly uneducated, lack formal first aid or nursing training, they use unsterilized instruments, and do it as a religious duty. The origin of this practice is traced to Africa where the Islamic movement started from and came to Gujarat in India and converted the Hindus to their fold.

- **Mita Majumdar (1991) Rural women and Modernization:** This study discusses at length the effect of modernization on the rural women. It states that the declining status of the rural woman is not because of technology alone. It is the result of a combination of forces in the form of literacy, caste and class barrier, low self-perception of women and the lackadaisical attitude of the government towards women's issues. It also emphasized that to increase the participation of women in agricultural development it is not enough to review the policy matters alone. They will be effective only when there will be social change in favour of women, particularly, those from the most marginalized classes.

- **Sheth, Surabhi D (1992) Women’s Sexuality: A Portrayal from Ancient Indian Literature:** The patriarchal system in India, evolved over centuries has created durable patterns of attitudes and behavior which make for the wide spread practice of treating women as property. Women were made to appear inferior to men. A woman earns respect if she performs her assigned role of wife, mother or daughter. Hinduism is probably the only religion where women are both feared and worshipped as goddesses. But ironically, in reality women often get ill-treated. Various examples from the ancient Indian literature are quoted which bring out these aspects. Women are subject to legal and social disabilities as per their various strata and different stage of life cycle.

- **Sukla Deb Kanungo (1993) Dalit women's search for identity**- This study discusses the struggle of dalit women for existence and to protect themselves against the hostile social environment. While discussing the hazards dalit women are facing, it also comments upon the handicaps of dalit women like lack of education and poor economic condition. It expresses the view that the movements dealing with the position of dalit women need to develop strategies to sustain the process initiated by such movements to ensure that they sustain their positive impact.
• **Chowdhary Prem (1994) Widow Remarriage in Haryana** - The study explores the practice of widow remarriage in the state of Haryana in India which has several possible repressive aspects, including forcible remarriage into mismatched and undesirable alliances, polygamy and being deprived of inheritance rights. Widow Remarriage is popular among the landowning classes as it emanates out of the desire to retain landed property within the family. The author shows how the state by its own legislative measures contributes not only to subverting the more positive facets of widow remarriage but it also becomes an accomplice in the subversion of the potentially beneficial effects of its laws, making them ineffective and in fructuous.

• **Sarkar Latika (1994) Rape: A human rights versus a patriarchal interpretation** - The study makes an attempt to redefine rape not only as a sexual offence but also as an act of violence, which goes against the fundamental human rights laid down in the universal declaration of human rights. The treatment meted out to the rape victim and the onus on her to prove her lack of consent is all the reflection of patriarchal criminal justice system. The change in Indian rape law following the recommendations of law commission of India to change the substantive law as well as law of evidence and procedural law, has been highlighted. A large number of custodial rape cases and subsequent acquittals of the guilty also cause concern. Insensitivity and apathy of the government results in delay and injustice and in most cases very little punishment. The issue of marital rape and legal sanction of cohabitation with a minor wife are discussed.

• **Kishwar Madhu , (1995)Where Daughters are Unwanted** - The study emphasizes the magnitude of the problem of sex determination tests (SDT) in India which has resulted in sex selective abortions of thousands of female fetuses. The state of Maharashtra passed the Prenatal Diagnostic Techniques (Regulation and Prevention of Misuse) Act of 1988 to ban SDT. But in spite of stringent provisions, due to lack of proper implementation, this law has failed to curb the problem.

• **Pathania Sunita  (1996) Women's Movement in State of Haryana : Problems and challenges** :- This study intends to evaluate and locate the women's movement in Haryana in the context of the parameters in which women's movement has developed in the country
as a whole, keeping in view the goals and directions which have been set for it during the eighties and nineties. An attempt has also been made here to analyze the reasons on account of which the movement has failed to take off in Haryana. It emphasizes that initiatives at grass root level should be preferred in place of launching a state wide movement. It explains that why a sustained women's movement through large scale mobilization on the sensitive issue of the dignity of women has failed to develop in Haryana is an important question that deserves serious attention and close analysis.

- **Pandey Suraj (1996)** conducted a study on Curriculum and Gender Question: The Indian Experience. This study explores the development of the curriculum in formal educational organizations from the point of view of gender equality, tracing back the historical antecedents. It comments on the pre-independence and post independence status of women's education. It discusses recommendations made by various committees formed for women's education after independence. While appreciating the absence of visible curriculum differentiation. It states that gender inequality still persists in a social form. The article emphasizes that there is a need for sincere and sustained efforts to improve status of women in India.

- **Sreenath Lalitha,(1996) Victimization of girl-child in the home:-** This study comments on the case of Biswanath Das Vs Maya Das, which acquires significance as it highlights the deficiencies and inadequacies that exist in the present legal system, statutory laws, judiciary and the Society. The Indian society is still plagued by victimization of girl child through performance of child marriage despite the forthcoming Beijing Summit focusing on women's right and the affirmation in the UN Declaration of 1989 to which India is a signatory. There is an urgent need for law reform to protect the status and rights of child brides in India.

- **Bajpai Asha (1997) Women's Rights at the Workplace:-** The study expresses the views of the author, emerged after a symposium held in Bombay to discuss the effects of the post 1990 economic liberalization era on the women workers in organized and unorganized sectors and to recommend thereby a legal strategy for empowerment of
women comparing the situation in India and U.K. It explains that due to the job losses in organized sector there will be further pressure on the unorganized sector.

- **Gail Omvedt , (1997) Violence against Women: New Movements and New Theories in India-** The study discusses some recent Indian feminist theorizing of violence by activist leaders closely involved in movements of women as peasants, forest dwellers and members of the lower castes. The author, while discussing violence in traditional Marxist and Radical Feminist theories delves into the emerging theories of violence in India.

- **Kishwar, Madhu, (1997) Sex, Harassment and Slander as weapons of subjugation:-** The study focuses on the more insidious and routine forms of sexual harassment women have to deal with when they step into the world to earn a livelihood or take part in social, political and educational activities. The segment of society chosen is university students and teachers from middle class. Real life experiences have been recounted which show how men use aggressive sexual encounters to maintain dominance and control and how and why women are forced to suffer such behavior. Steps towards protecting women from sexual harassment are suggested to bring a meaningful change in women's currently powerless and vulnerable position. Also, sexual slander is used as a weapon to keep women in a perpetual state of fear, the fear of losing izzat (honour) in a way that can affect a woman's very chance of survival and result in loss of family, job and being a social outcaste

- **Mishra, Sweta (1997): A study on Women and 73 rd Constitutional Amendment Act,** briefing about the marginal position occupied by the Indian woman in the society and also in the political process due to socio-economic constraints. It outlines the evolution of the Panchayati Raj Institutions (PRIs) against this backdrop. It then gives a brief account of the position of women in the PRIs before the 73rd Constitutional Amendment Act. Finally, it examines the probable role of women in the context of the 73 rd Amendment Act. It examines whether women will be able to exercise political power through this system, what hurdles are there on their way, and finally how they can overcome these.

district in Karnataka to draw one's attention to the gender inequalities in the officially sponsored family planning programme. The sex composition of living children showed that people prefer male to female child. And this was the determining factor for acceptance of the family planning methods in the sample. The author concludes that the programme should motivate men as much as they motivate women to go for family planning to make it effective in the true sense.

- **Venkatesan, Jayshree,(1997): Women's Multiple Roles and Coping Strategies; Myths and Realities**- This study show how women mostly from the lower income group meet the competing demands of work and family, especially child care, through formal or informal facilities available to them. A survey conducted of the urban and rural areas of the Pudukkottai district of Tamil Nadu, India brings out in details the problems faced by the woman who is the head of the household in managing her work and her child. The study tries to remove some of the misconceptions associated with the life of such women, like formal assistance being there for her child care whereas the reality is that the woman mostly has to make do with whatever informal assistance is available for the same.

- **Ahuja Ram (1998) Violence against Women**: The study noting the rise in violence against women attempts to answer questions regarding the nature of and causes for violence against women. The effectiveness of women's groups in tackling issues of sexual exploitation and harassment of women. These and other issues are critically examined from sociological perspective. It also deals with issue of trauma faced by victims of violence as they seek acceptance in a hostile environment. The study also offers suggestions regarding treatment of such issues through preventive measures, redefining patriarchal norms, developing support for victims within the family and through women's organizations etc. thus providing a balance between practical and theoretical issues.

- **Alter Chen, Martha (1998) Widows in India: Social Neglect and Public Action**- This study aimed at a better understanding of the status and condition of widows as a marginalized group of Indian society.

- **Chahar Surendra , (1998) Offence of rape: The marital exception**- The study explains the offence of rape as per S.375 of the Indian Penal Code (IPC), its significance and the
objective of the law to protect and under aged wife from premature sexual intercourse by her husband. The new provision of the IPC, S.376A makes sexual intercourse with one's own wife, who is living separately due to law or custom, punishable but it needs to be amended in such a way that after there is a withdrawal of consent to sexual intercourse by the wife to the husband then such act after the withdrawal should be made punishable. Illustrations have also been given where the husband is not justified in having sexual intercourse against the will of the wife. The study suggests that the legislature should remove from the code the marital exception to rape as it cannot be said to represent the true position of the wife in the marriage.

- **Lal, Ajeet, (1998) Abortion under the Indian Penal Code and the medical termination of pregnancy act-** The study explains the meaning of abortion and miscarriage. The abortion laws have been liberalized to keep pace with the changing needs of the society. Various sections of the Indian Penal Code (IPC) and the Indian Medical termination of pregnancy act (MRTP), 1971, provide for the legal grounds for miscarriage. When, where and by whom the pregnancy can be terminated is also discussed. The author suggests that the Act should provide the medical practitioner with guidelines to decide what substantial risk is to terminate pregnancy and although the main objective of the Act is to maintain the health of the woman, ‘mental health’ has not been defined in the Act.

- **Masoodi. Saqlain.G and Dhar Lalita, (1998) Women’s rights in Christianity: Some reflections on divorce laws-** This study primarily examines Christian matrimonial law albeit Christian wife's right to claim divorce under section 10 of the Indian Divorce Act,1869 and her place within Christianity. As per this s.10, a Christian wife has to prove adultery with some other ground like cruelty for divorce. The Indian law regulating Christian marriage is squarely rooted in Common law. The authors then analyse the nature of marriage at Common Law and evaluate if the marriage law regulating Indian Christian is deficient thus lagging behind the Common law, in any of its aspects. Lastly, it attempts to ascertain the attitude of the Indian courts vis a vis the rights of women albeit wife to be deduced from the decided cases involving matrimonial issues and in particular which cover Indian Divorce Act, 1869.
- **Nirmala Banerjee & Swasti Mitter (1998): Women Making a Meaningful Choice Technology and New Economic Order-** The study addresses two contemporary issues, one related to Indian working women's response to technological changes and globalization; and second relates to the impact of these changes on women's work in India. The reference used in the article published secondary material and documents of the grassroots experiences of NGO's that are currently engaged in women workers in the formal and informal sectors. It focuses exclusively on India which emphasis on demands, concerns and aspirations of Indian working women with respect to technological changes as reflected in those commissioned reports. The study examines women of diverse background and their co-relation with changing technologies in the past and present, in different regions and industries of the country. It further analyses the position of Indian Women's movement in context with women's traditional role in the society.

- **Ram, Ranjini, (1998) Divorced women's right to custody and guardianship of children:** This study explains the evolution and concept of custody and guardianship under the Hindu Law. It points out that the laws continue to be discriminatory and relegates the position of the mother to a secondary status. Divorce of parents proves to be very traumatic on their children. Whatever maybe the differences between the parents, responsibilities towards children cannot be avoided. Determination of custody, child support and alimony has not yet indicated a compliance with non-discriminatory policies. Comparison with Western laws shows that the focus in the west is concentrated on a blend of the welfare and tenderness concept towards furthering the rights of the child and also gives an equitable status to the hitherto weak mother. Finally, some of the Indian Law Commissions recommendations are provided which aim at removing discrimination of children, at the same time keeping in mind the welfare of the children.

- **Shashi. S. Narayana (1998) Gender equality through reservation in decision-making Bodies:** Discusses the need for political empowerment of women through reservation in its decision making bodies like parliament, and state legislature in the same line as at ‘Panchayat’ (village) level in India. The current economic and socio-political maladies along with increasing violence against women and children are attributed to the failure of male oriented polity. Representation of women in higher bodies of political authority has
been considered a prerequisite for the success of democracy at the grass-root level. However the need for accountability and sense of commitment on the part of the elected women representatives is stressed.

- **Sarkar, Lotika, (1998) National Specialized Agencies and women's equality.** The study examines the role of the Law Commission of India, assesses its contribution to women's equality and identifies ways of improving that contribution. Specialized agencies like the Law Commission of India were recommended by the UN Commission on the Status of Women to play a multiple role in eliminating women's inequality. Finally, it concludes with cautious recommendations like as per Indian laws a mother is continued to be treated as coming only after the father as a natural guardian of a minor child is against the recommendations of the UN Commission.

- **Shanthi, K. (1998) Empowerment of women**—The study narrates about the existing empowerment strategies and their shortcomings. It speaks about the General, Political, Legal, Social, Economic and Cultural empowerment of women. The issues like reservation for women starting from Panchayats to Parliament, role of education in social empowerment of women, employment as an important tool for empowerment, role of governmental and nongovernmental organizations in women development, need for concretization of men and women on the importance of women development and women empowerment.

- **Bhadra Mita Girl Child in Indian Society (1999).** The main focus of this study is on the prevailing inequalities, discrimination against the girl child and her gender marginalization. It presents information on the social status of the girl child in India including child labour and child prostitution. It also discusses the various laws enacted to secure the rights of the girl child in India. The first article deals with declining sex ratio, under nourishment, child marriage, female feticide and the SAARC Plan of Action and the Government of India's initiative to improve the status of girl children. It deals with gender stereo-typing, prejudices, girl child abuses, the exploration of situations under which the girl child is living, upon issues of child marriage, which is rooted in tradition and illiteracy and its impacts.
• **Flavia Agnes (1999) Law and Gender Inequality: The Politics of Women's Rights in India.** In this study she explores the issue of gender and law reform with reference to the politics and history on India. It also explores the strategies, which could safeguard the women's rights in a country like India, which has a typical social, cultural and political background.

• **Giri, V. Mohini (1999) Kanya: Exploitation of Child-** This study is on children prostitution deals with almost all relevant issues from prevention of child prostitution, to rescue and rehabilitation, awareness and social mobilization, health care, housing and civic amenities, economic empowerment, legal reform, law enforcement trafficking and other human rights issues.

• **Madhu Kishwar (1999) Rethinking Gender Justice for Indian Women** studied the women's issues in India today: The role of marriage payments and dowry, unwanted daughters, denial of inheritance and land rights to women, love, sex and marriage, sexual harassment, identities, beauty contests etc. The study is an attempt to grapple with one of the most serious challenges to women in India: In spite of all the high profile attention on women's issues many remain unresolved. Most of the work thus far has resulted only through symbolic actions such as passing of laws, which very often are inappropriate and not implemented. In most cases where laws are misused it contributes to increasing the vulnerability of women's lives.

• **Menon Nivedita (1999) Gender and Politics in India-** This study presents an overview of feminist theory and politics in India. The introductory chapter provides an outline of the issues involved and the importance in explaining the politics of gender in India. The study focus on different aspects of feminism in India and debates on various issues like environment and gender. The impact of technological change on women work force, interpreting constitutional guarantee of ‘right’ to equality with gender perspective, different women's movement and the challenges encountered; and sexuality and gender. The problem of a contemporary theory of ‘gender’ in the perspective of present socio-cultural change in Indian society has been highlighted.
• **Rehana Sikri, Kanishka (1999) Women and Sexual Exploitation: Harassment at Work** Place- Taking cognizance of the increasing number of women in the total workforce of countries of the world and the consequent emerging patterns of social interaction views the work place as a new domain of conflict in the 'running battle of the sexes'. As the work presents a comprehensive profile of the working force in India drawing upon data from decennial Censuses, National Sample Surveys and small scale socio-economic surveys, it includes women's occupational profile as well as the social mores and family values that determine behavioral patterns specifically in the workplace. These survey results are analyzed for a further interpretation of the components of sexual harassment and male-female relationship in the workplace. Working women's search for identity is also addressed in the context of the traditional pattern of gender and sexual exploitation. The book brings out the distinctive and alarming aspects of gender confrontation and its sociological significance.

• **Dhanda Meena (2000) Representation for women**- In this study a defence of gender quotas in legislative bodies and debates on potential political and socio-cultural consequences of the institution of gender quotas in the Indian parliament by a constitutional amendment and provides justification for the use of a gender quota in legislative bodies. Conclusion: Feminists support the women's bill for an amendment to the Indian constitution that has provided 33% reservation for women in the Indian parliament and state legislature.

• **Kishwar Madhu (2000): Equality of Opportunities vs Equality of Results, Improving Women's Reservation Bill.** The study is on the improvements in Women's Reservation Bill and reasons out its shortcomings. She further refers to impact caste and gender upon women politicians and their insensitivity to women's concerns. The author states the salient features of the Alternative Bill and presents its advantages. The article presents statistical data analyzing gender advantage in Lok Sabha elections since 1952 and statistic on comparative performance of men and women candidates of recognized parties in Lok Sabha elections.
• **Lori Mcdougall (2000): Gender gap in Literacy in Uttar Pradesh: Questions for Decentralized Educational Planning** the study is on gender differences in literacy attainment in Uttar Pradesh, 1951-91 reveals significant regional variations in female achievement and the gender gap. A study of changing spatial patterns in the literacy gender gap within Uttar Pradesh illustrates national statistics on regional gender and caste inequities. It raises questions for further study about the ability of decentralized planning to promote educational equality and its threats to community cohesion. The study is mainly based on female and male literacy rates as reported by government of India census data collected in 1971, 1981, and 1991. It analyses total female literacy rates per state and district, comprising both rural and urban. Uttar Pradesh has high female literacy and gender gap and is a big state of 140 million people. The study covers status of literacy in northern and eastern parts of the state and influence of religion, urbanization and income on literacy rate and emphasis of history, social relations and politics on the female literacy level and gender gap in state. The study illustrates female literacy rate in both national and state maps and comparative study in graphs. The study is supported by relevant statistics.

• **Maitreyi Das (2000) Mahila Mandals in Gender Politics: It studies the status of Mahila Mandals, the traditional local women's organization, during India's struggle for independence, in early 20th century. It analyses the tremendous potentials of these women's groups to address women's strategic gender needs and whether they are traditional associations that consolidates gender inequalities or simply formed to enable women to successfully enter into public domain. It briefly covers the history of the mandals and explains the insignificant role mandals have played in women's movement in India. The author illustrates ethnologies of successful mahila mandals in the rural areas of Thane district in Maharashtra state, during 1993-96 and presents archetypal characteristics of the Mahila Mandals.

• **Rustagi Preet (2000)- Identifying Gender Backward Districts using selected Indicators:** In this study he identifies gender backward districts among fifteen major Indian States — Andhra Pradesh, Bihar, Gujarat, Haryana, Himachal Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal — based on 13 gender sensitive indicators — such as demographic, educational, health related, socio-
cultural and economic levels of development. The findings of the study conclude that no state or district exhibits a uniform pattern of backwardness or development in terms of gender sensitive indicators.

- **Shobita Rajagopal and Kanchan Mathur (2000) Economic Empowerment through State Benevolence**- The study analyses the Rajasthan State Policy on Women announced by the government of Rajasthan (GOR) on March 8, 1994. It is the fourth policy statements issued by different state government led by the Maharashtra State Policy on women announced in 1994. The writers argue that the Rajasthan State Policy on women is a significant more considering the states feudal culture and patriarchal structures that determine low status of women. The article states objectives of the policy as enunciated in chapter II and analyses salient features of the policy. The writers considers that though the policy by definition is a statement of intent and therefore can not be question. Yet it needs to be analyzed and reviewed in the context of several initiatives for women's development in Rajasthan.

- **Khandai, Hemanta, (2001) The role of university in empowering women**: It is women's studies centers started by the universities to have a better understanding of women's contribution to social process. The study concludes by giving various aspects on which the university can work on and how for the empowerment of women.


- **Werner Menski, (2010) South Asians and the Dowry Problem**, the study deals with the issue of dowry is treated not only as a matter of criminal or property law but also as a complex phenomenon with historical and socio-economic roots. The issues discussed include economic and sociological explanations, geographical distributions of dowry deaths, legal strategies to curb dowry and its effective implementation, and the increase in the incidence of dowry related violence among Sikhs and Guajarati’s settled in Britain. In conclusion, a practical strategy to eradicate dowry and bride burning has been formulated on the same line as was adopted at the 1st International conferences on dowry and bride
burning in India in 1995 and revised and ratified at the 2nd and 3rd conferences in 1996 and 1997.

B) Foreign Studies:

- **Marylynn Salmon Women (1989) The Law of Property in Early America:** In this first comprehensive study of women's property rights in early America, Marylynn Salmon discusses the effect of formal rules of law on women's lives. By focusing on such areas such as convincing, contracts, divorce, separate estates, and widows' provisions, Salmon presents a full picture of women's legal rights from 1750 to 1830. Salmon shows that the law assumes women would remain dependent and subservient after marriage. She documents the legal rights of women prior to the Revolution and traces a gradual but steady extension of the ability of wives to own and control property during the decades following the Revolution. The forces of change in colonial and early national law were various, but Salmon believes ideological considerations were just as important as economic ones. Women did not all fare equally under the law. In this illuminating survey of the jurisdictions of Connecticut, Massachusetts, New York, Pennsylvania, Maryland, Virginia, and South Carolina, Salmon shows regional variations in the law that affected women's autonomous control over property. She demonstrates the importance of understanding the effects of formal law on women’s lives in order to analyze the wider social context of women's experience.

- **Ruth Dixon-Mueller (1993) Population policy & women's rights:** The study reveals that global population policies are under intense scrutiny as environmental and development organizations worry about the threat of overpopulation and call for stronger measures of population control. At the same time, women's organizations in both developing and industrialized countries are intensifying their attacks on the simplistic thinking of the "population controllers" and the quest for a "technological fix" on the part of the family-planning establishment. Population Policy and Women's Rights presents a forceful argument for a more responsive approach to fertility limitation in developing countries--one that builds on women's concerns about their survival and security and strengthens women's rights. Ruth Dixon-Mueller reviews the history of the debate between feminists
and the birth control movement, examines the forces affecting U.S. population policy on the domestic and international fronts, and documents the relationship between women's reproductive rights and their rights in other areas. Dixon-Mueller begins by focusing on the evolution of the political positions of the women's movement and the birth control/population control movements. She examines the relationship between different aspects of women's rights and reproductive choice in developing countries. She concludes with a proposal for a woman-centered approach to reproductive policy-making, based on promoting women's rights and protecting women's sexual and reproductive health. Written from a sociological perspective, Population Policy and Women's Rights is recommended for researchers, policy-makers, and students in the fields of population, development, women's studies, and human rights.

- Julie Peters, Andrea Wolper (1995): Women’s rights, human rights: The study reveals that under democracy and dictatorship, in times of war and times of peace, women's human rights are violated daily and often systematically. Women may be denied the right to vote or hold office. They may be subjected to rape and sexual abuse by soldiers, police, employers, family members. They may not be free to choose when or whom to marry, or how many children to have and when to have them. The United Nations Universal Declaration of Human Rights proclaims that "all human beings are born free and equal in dignity and rights." Yet women's freedom, dignity and equality are persistently compromised by law and by custom in ways that men's are not. The mere extension of existing human rights protection to women is insufficient: women's rights must be understood as human rights.

- Ellen Carol DuBois (1998): Woman suffrage and women's rights: the study reveals that in recent decades, the woman suffrage movement has taken on new significance for women's history. Ellen Carol DuBois has been a central figure in spurring renewed interest in woman suffrage and in realigning the debates which surround it. This study is against the backdrop of changing attitudes to politics, citizenship and gender and the resultant tensions over such issues as slavery and abolitionism, sexuality, religion, class and politics. The study includes a highly original re-conceptualization of women's rights from Mary Wollstonecraft to contemporary abortion and gay rights activists and a histo-graphical
overview of suffrage scholarship, provides an excellent overview of the movement, including international as well as U.S. suffragism, in the context of women's broader concerns for social and political justice. In the public sphere are crucial for expanding debate conditions.

- **Brown, L. (2000). Sex Slaves -** The Trafficking of Women in Asia. London: The Asian sex trade is often assumed to cater predominantly to foreigners. Sex Slaves turns that belief on its head to show that while western sex tourists have played a vital part in the growth of the industry, the primary customers of Asia's indentured sex workers and of its child prostitutes are overwhelmingly Asian men. Here are the voices of some of the worlds most silent and abused women-women who have been forces into prostitution by the men they trust.

- **Mounira M. Charrad (2001)** States and women's rights: The study unlocks the mystery of why women's fates vary so greatly from one country to another. Analyzes the distinctive nature of Islamic legal codes by placing them in the larger context of state power in various societies. Charrad argues that many analysts miss what is going on in Islamic societies because they fail to recognize the logic of the kin-based model of social and political life which she contrasts with the Western class-centered model. In a skillful synthesis, she shows how the logic of Islamic legal codes and kin-based political power affect the position of women. These provide the key to Charrad's empirical puzzle: why, after colonial rule, women in Tunisia gained broad legal rights (even in the absence of a feminist protest movement) while, despite similarities in culture and religion, women remained subordinated in post-independence Morocco and Algeria.

- **Weller (2001) Religious Discrimination in Health and Social Care: ** The study focuses upon experiences in England and Wales, it is likely that many of the issues it raises, and indeed many of the lessons which can be drawn from the report, are also of relevance to Northern Ireland. The report identifies a number of areas in which differential treatment is prevalent in a health or social care setting.

- **Blanchet, T. (2002). Beyond Boundaries: A Critical Look at Women Labour Migration and the Trafficking Within Dhaka:** The study is based on the study of 112 Bangladeshi
girls and women who were purchased to serve as wives to men of Uttar Pradesh or other parts of North India. In most cases, parents had consented to the marriage but were not aware of the sale. The obligation to marry a daughter early and the impossibility for poor parents to meet dowry demands were the main push factors.

- **Bauer, T. G. and B. McKercher (2003).** The dark side of tourism and sexuality: trafficking of Nepali girls for Indian brothels. In Sex and tourism: It provides an insight into the trafficking of Nepali girls for brothels in neighbouring India. The author observes the link between poverty in remote districts of Nepal and the ease with which people traffickers can lure their victims into following them away from their homes. Their efforts are aided by the prevailing cultural and religious traditions that encourage a low status for women and by the complicity of the family members who agree to send their girls to India to earn money for the family.

- **Cathcart, Susan (2004) Rhetoric Versus Reality:** Prospects for Women's Rights in Post-Taliban Afghanistan: This study examines roles of patriarchal structures in global geopolitics and state systems in marginalizing women's perspectives and experiences. Using Afghanistan as a case study it argues that, despite the discourse of increasing women's rights, these structures, which once rendered women invisible and which now seem focused on women's issues, remain indifferent to women's conditions. It shows how the rhetoric of women's liberation and gender equality is being used to obscure the reasons for ongoing U.S. military action in Afghanistan and camouflage barriers to women's rights caused by entrenched patriarchal norms.

- **Hennink, M. and P. Simkhada (2004). "Sex Trafficking in Nepal: Context and Process." Asian and Pacific Migration.** The aim of this study was to provide a clearer understanding of the process and context of sex trafficking from Nepal using data from trafficked women themselves. It develops a conceptual framework of the trafficking process and uses this to identify detailed strategies for reducing the risk of trafficking. Quantitative data were analyzed from case records of 202 sex-trafficked women at rehabilitation centers in Nepal. In-depth interviews with 42 sex trafficked women, mostly residing at rehabilitation centers in Kathmandu, provide contextual information on the
process and circumstances of sex trafficking. The results of this study provide a clearer understanding of the stages of movement through the Project Parivartan Draft not for reproduction or distribution without permission sex trafficking process. In particular that sex trafficking does not always begin at the village level, it may also occur after voluntary migration or after trafficking to urban areas for other purposes (i.e. labor exploitation). Interventions therefore need to target each stage of movement through sex trafficking. Respondents were most commonly sex trafficked by familiar persons, including relatives; and force and abduction are less common. Women exited from sex trafficking through rescue, escape, or release. One of the outcomes of sex trafficking is a return to sex work upon return to Nepal.

- **Lynn Welchman (2004) Women's rights and Islamic family law:** This study explores the present-day realities of Islamic family law, with particular emphasis on the rights of women. Three contrasting country cases have been selected: Egypt, the most populous Arab state with a constitutional clause on the place of "principles of the shari`a" as the principal source of legislation. The West Bank and Gaza, family law here being a contested site between different visions of national identity in the process of trying to build a Palestinian state; and the United States, where some in the minority Muslim communities seek to regulate their family relations in accordance with "principles of the shari`a" within the context of a non-Muslim state applying civil law requirements to all family matters. A concluding study ranges further a field in order to explore the challenges and potential of "principles of shari`a" in advocacy on the question of violence against women.

- **Mojbol Olfnk Okome (2004) Domestic, regional, and international protection of Nigerian women against discrimination:** constraints and possibilities: This study approaches questions concerning human rights and discrimination against women from a perspective that differs the dominant view within the human rights literature. This has an intrinsic pro-Western bias and operates on the implicit assumption that international human rights have their origins in Western liberal thought. The existence and defense of national, regional and international rights of Nigerian women against discrimination then must necessarily be located within Nigeria's particular historical experience from the pre-colonial era to contemporary times. The promotion and defense of such rights would be
meaningless otherwise. Moreover, I argue for the combination of efforts that tend to be separated in scholarly activities to date. The identification of instances of discrimination and the struggle to defend and extend women’s rights has to be critically examined in light of the power relations that structure the regime of human rights worldwide. This paper argues that in this regime, both western thought and western feminist groups are privileged.

- **Onyejekwe, C. J. (2004).** "Trafficking in Women Migrants: Issues of Concern in South Asia." The study reveals that Women and girls are mostly vulnerable to the various forms of exploitation that accompany both migration and the trade in humans. This paper links the problem of trafficking in women migrant workers with other issues of concern to women such as poverty and HIV/AIDS. Examples are variously given from some South Asian countries such as Bangladesh, Maldives, Nepal, Pakistan and Sri Lanka. The efforts so far being made by the international community, especially the United Nations to combat these problems, are discussed and further preventative policies suggested.

- **Long S, (2005)‘Anatomy of a backlash: Sexuality and the “cultural” war on human rights’.** This study highlights the growing alliance of conservative forces which is threatening progress in defending sexual rights and sexual freedom, in particular the right to express homosexual orientation. It cites examples from various countries including India, Zimbabwe and Namibia.

- **Horton T, (2006).** ‘Healthy motherhood: an urgent call to action’: This study introduces the Lancet series on maternal survival, commenting on the lack of progress in reducing maternal mortality in developing countries, and calling for action, in particular to address human resource issues.

- **Zaheer Udin Babur, (2007) Violence against Women in Pakistan: The study revels that Women in Pakistan live in a world, which is structured by strict religious, Family and tribal customs. They are subjected to discrimination and violence on a Daily basis. Pakistan's interpretation of Islam views women as needing protection. That ultimately results in their oppression physically, mentally and emotionally. Women in Pakistan are facing various forms of violence, discrimination and Inequality in almost every aspect of
life. Violence against women in many fields is often not conceived as a violation of human rights but rather as a normal aspect of lives of Pakistani people. They live in an atmosphere of fear and their lives are guaranteed in exchange for obedience to social norms and traditions.

- **Arzoo Osanloo (2009) The politics of women's rights in Iran:** The study explores that in The Politics of Women's Rights in Iran, Arzoo Osanloo explores how Iranian women understand their rights. After the 1979 revolution, Iranian leaders transformed the state into an Islamic republic. At that time, the country's leaders used a renewed discourse of women's rights to symbolize a shift away from the excesses of Western liberalism. Osanloo reveals that the post revolutionary republic blended practices of a liberal republic with Islamic principles of equality. Her ethnographic study illustrates how women's claims of rights emerge from a hybrid discourse that draws on both liberal individualism and Islamic ideals. Osanloo takes the reader on a journey through numerous sites where rights are being produced—including Quranic reading groups, Tehran's family court, and law offices—as she sheds light on the fluid and constructed nature of women's perceptions of rights. In doing so, Osanloo unravels simplistic dichotomies between so-called liberal, universal rights and insular, local culture. The Politics of Women's Rights in Iran casts light on a contemporary non-Western understanding of the meaning behind liberal rights, and raises questions about the misunderstood relationship between modernity and Islam.

- **Christina Wolbrecht (2009) The Politics of Women's Rights:** The study demonstrates how the Republican and Democratic parties have helped transform, and have been transformed by, American public debate and policy on women's rights. She begins by showing the evolution of the positions of both parties on women's rights over the past five decades. In the 1950s and early 1960s, Republicans were slightly more favorable than Democrats, but by the early 1980s, the parties had polarized sharply, with Democrats supporting, and Republicans opposing, such policies as the Equal Rights Amendment and abortion rights. Wolbrecht not only traces the development of this shift in the parties' relative positions—focusing on party platforms, the words and actions of presidents and presidential candidates, and the behavior of the parties' delegations in Congress—but also seeks to explain the realignment. The author considers the politically charged
developments that have contributed to a redefinition and expansion of the women's rights agenda since the 1960s—including legal changes, the emergence of the modern women's movement, and changes in patterns of employment, fertility, and marriage. Wolbrecht explores how party leaders reacted to these developments and adopted positions in ways that would help expand their party's coalition. Combined with changes in those coalitions—particularly the rise of social conservatism within the GOP and the affiliation of social movement groups with the Democratic party—the result was the polarization characterizing the parties' stances on women's rights today.

- **Jadwiga E. Pieper Mooney (2009): The politics of motherhood: maternity and women's rights in twentieth-century in Chile:** The study reveals that the increased legitimacy of women's demands for rights, both locally and globally, has led to some improvements in gender equity. Yet feminists in contemporary Chile continue to face strong opposition from neo-conservatism in the Catholic Church and a mixture of public apathy and legal wrangling over reproductive rights and health.

- **Denise M. Walsh (2010): Women's Rights in Democratizing States:** This study offers a new explanation for why advances in women's rights rarely occur in democratizing states. Drawing on deliberative theory, Denise Walsh argues that the leading institutions in the public sphere are highly gendered; meaning women's ability to shape the content of public debate and put pressure on the state to advance their rights is limited. She tests this claim by measuring the openness and inclusiveness of debate conditions in the public sphere during select time periods in Poland, Chile and South Africa. Through a series of structured, focused comparisons, the book confirms the importance of just debate for securing gender justice. The comparisons also reveal that counter publics in the leading institutions concludes with an analysis of counter publics and suggests an active role for the state in the public sphere" Though lot of work related to the women’s problem is available but little work has been reported regarding the present study. So the researcher has got the direction to take the problem as a research problem for her Ph.D. work.
Following are the Cases related to atrocities against women as taken from the women commission of India:

- National Commission Report, Punjab and Haryana (1993-94): Interventions in Court proceedings under Section 12 (b) of the Protection of Human Rights Act, 1993:- Cruel, inhuman and degrading punishment of women- The Commission took cognizance of a press report dated 12 January 1994 concerning the alleged tattooing of the words "Jeb Katri" on the forehead of four women by Amritsar Police personnel. The victims had also filed a Writ Petition before the Punjab and Haryana High Court, Chandigarh, praying for directions to the respondents, viz. Government of Punjab, Superintendent of Police, Amritsar and others to arrange for plastic surgery for removal of the objectionable tattoo, giving adequate compensation for inhuman torture and humiliation and for punishing the guilty police officials. On 17 January 1994, the Commission addressed a letter to the Chief Secretary, Government of Punjab calling for a report in the matter.

As the matter was pending before the High Court, the Commission decided to intervene under Section 12 (b) of the Protection of Human Rights act and, upon intervention being allowed, filed an Affidavit through a Counsel asking for

(i) investigation to be handed over the CBI as the accused belonged to the State police and investigation by a sister wing may not inspire confidence.
(ii) allow the victims to have their foreheads operated by competent plastic surgeons of their choice at State cost, and
(iii) Allow interim compensation.

The High Court, after hearing made a direction accepting all the suggestions of the Commission.

- National Commission Report, Delhi (1994-95): Alleged rape in custody by an Assistant Sub-Inspector of Delhi Police-In July 1994, pursuant to its circular of 14 December 1993, the Commission received a report from the Dy. Commissioner of Police, South District. New Delhi, in regard to a custodial rape by an ASI of the Delhi Police force. The victim had been brought to the police station by another ASI, as she had got lost on her way to her parent’s home. No report was made in the daily diary of the police station of the victim
having been taken to the police station, nor was due care taken to ensure the return of the victim to their family. The ASI who took her to the police station was accordingly placed under suspension. The victim was raped by another ASI who took her to his house in the residential quarters of Paharganj police station. The ASI who committed the rape was arrested and the case was sent to Court for trial. The Commission also received a complaint and a report on this incident from the Peoples Union for Democratic Rights (PUDR), Delhi. The Commission, on perusal of the report from the Government and directed the Government of NCTD to explain as to why the woman was detained at the police station for the night, how it was that there was no supporting entry for her detention at the police station, and what steps had been taken or were proposed to be taken to ensure that women were not called to and detained at the police station for investigation, particularly at night.

- **National Commission Report, Tamil Nadu (1995-96):** Rape in police custody of T. Uma:- On receipt of a report from the Collector, Kamarajar District, Tamil Nadu about the custodial rape of T. Uma by the Head Constable of Alangulam police station, the Commission called for a report. The Government of Tamil Nadu, through their letter dated 2 May 1995 stated that the accused was placed under suspension and that a case under section 354 and 376 IPC was registered against him on 30 September 1994. It was also stated that the enquiry report on the alleged rape was under examination and that action would be taken against the delinquents, if necessary, and that a report would be sent in due course.

The Commission considered this report in May 1995 and commented adversely on the long delay; it also called upon the State Government to complete its scrutiny of the report expeditiously and indicate its final view quickly.

Subsequently, the State Government reported to the Commission that it had accepted the findings of the enquiry officer and had come to the conclusion that Uma was indeed raped by the Head Constable and that there was reasonable ground for launching criminal prosecution and simultaneous departmental action against him and other policemen who were involved in this incident. Further, considering the indigent circumstances of the family of Uma, the State Government also sanctioned Rs. 100,000 as compensation to
Uma. While accepting the State Government’s report, the Commission recommended that the prosecution should be launched without further delay and that the investigation be entrusted to a senior police officer.

- **National Commission Report, Madhya Pradesh (1995-96):** Alleged rape of Jain Sadhvis: Police asked to follow the spirit of law The Commission has asked the Madhya Pradesh Government to take cognizance of and to start investigating allegations relating to the rape of two Jain Sadhvis, a matter which was the subject of widespread media coverage. Interpreting the relevant provisions of the Indian Penal Code (IPC), the Commission held that it was not necessary for the State Government to wait for a formal report from the victims or anyone on their behalf. Sakshi, a Delhi-based non-governmental organization, had earlier drawn the attention of the Commission to this incident and requested it to conduct an enquiry into it.

- **National Commission Report, Delhi (1996-97):** Education of children of sex workers:- The Joint Women’s Programme (JWP) and Mashaal Mahila Sangathan (MMS) sent a petition to the Commission on 17 February 1997 complaining about the reluctance of the Municipal Corporation of Delhi (MCD) to allocate one additional room in the MCD Primary School, GB Road, Delhi for the education of children of sex workers and attempts to vacate them from the existing room which was allotted to them. In response to the Commission’s notice, MCD stated that it was not their responsibility to provide accommodation to JWP to educate the children of the sex workers or to provide other health programmes to the sex workers and their children. The MCD added that the terms of the initial allotment to JWP to organize their part-time programme after school hours in room no. 9 had been violated and that the MCD was itself providing education to all children in the school run by Corporation. The MCD also said that it would be open to the children of sex workers to get admitted in that school.

The Commission in its proceedings of 7 July 1999 noted that the increased inflow of students every year compelled the JWP to commit a breach of the conditional order of allotment. The breach of the condition was neither volitional nor for any private profit motive but to serve the public cause. The Commission was of the considered view that the
breach was inconsequential. Having regard to the circumstances, the Commission held that MCD, being a local authority and an arm of the State, had a duty to implement the programmes of education and health care of the children of sex workers. In the light of the provisions of the Constitution, relevant Supreme Court judgments and the provisions of international instruments, the Commission recommended the allotment of an additional room to the complainant organization, in addition to it retaining possession of the existing room. After repeated efforts to secure compliance of its directive, the Commission received a report from the MCD indicating that appropriate action had been taken in accordance with the view expressed by the Commission.

- **National Commission Report, West Bengal (1996-97):** Disparities in Maternity Leave to the Employees of Private Schools:- A complaint was received by the Commission alleging that management of certain private schools in West Bengal had not been providing maternity leave benefits to the teaching and non-teaching women employees. The Secretary, Department of Education, Govt. of West Bengal on notice from the Commission submitted a report based on inquires made by the Department with regard to the three specific categories of private schools, where the provisions of maternity leave allegedly were not enforced. The report said that different provisions were made for different categories of schools and that the schools were strictly following the rules which were applicable to each of these categories. On consideration of the report from the Secretary, Department of Education and examining the report of the Ministry of Labour on the subject of maternity leave, the Commission observed that there was no uniformity in the rules/code framed by different boards like the ICSE and the West Bengal Board of Secondary Education with regard to maternity leave and that they were at variance with the maternity leave rules framed by the Government. It was noted that, in some cases, the existing rules/codes had not been followed. The Commission directed the Government of West Bengal to undertake a review of the existing rules / codes and to bring about uniformity and also to incorporate the provision of grant of 120 days maternity leave to the teaching and non-teaching women employees of various educational institutions. The Commission further stated that it was up to the authorities of the State Government to restrict the facility of maternity leave to two child births, if it thought necessary and appropriate.
• **National Commission Report, Bihar (1996-97):** Torture and sexual assault of a minor tribal girl from Bihar in Maharashtra: The People’s Union for Civil Liberties, Bihar brought to the attention of the Commission six cases of serious violations of human rights which included, among others, an incident of torture and sexual abuse of a minor tribal girl "Baby" by the relatives of an influential officer of the Bihar Police. The girl was working as domestic help in Bombay at the house of the sister and brother-in-law of the police officer, where she was allegedly tortured by the couple and was also sexually assaulted. There were reports in the press on the hushing up of this matter by the police (Bihar) in connivance with the said police officer.

The Commission initially issued notice to the Bihar Government calling for a report. Subsequently, it also sent a Superintendent of Police from its Investigation Division to look into the case.

Upon perusing his enquiry report, the Commission termed the whole episode "shocking" and resulting from "depraved human conduct". As a result of steps taken by the Commission, a case of torture and rape was registered in Raigarh, Maharashtra which was the place of the incident.

The Commission noted down that Baby, an orphan, who is now living with her grandmother in Jamshedpur, would not be in a position to go to Raigad, the place of trial. It further noted that Jamshedpur would also be inappropriate to serve as the venue for a trial as the brother-in-law of the accused was a senior police officer in Bihar. Under these circumstances, the Commission felt that the trial should be transferred to a venue such as Delhi and it moved the Supreme Court in this respect.

The Supreme Court has entertained the petition and stayed further proceedings of the trial pending disposal of the transfer petition. Having regard to the trauma of the minor Adivasi girl, the Commission has also provided some interim financial assistance through an NGO, in Ranchi that has agreed to look after her interests.

• **National Commission Report, Kerala (1997-98):** Stripping of teenagers in police lock-up: Upon the recommendation of the Commission, the Kerala Government has sanctioned
payment of compensation of Rs 10,000 to each of seven boys who were stripped and forced to spend two nights in the police lock-up at Tirunelli in Wayanad District. Necessary action has also been initiated by the State Government for recovering, through departmental proceedings, the total compensation amount of Rs. 70,000 from the delinquent police officers, who have been placed under suspension.

The Commission took suo motu cognizance of press reports which stated that some tribal youths, mostly students, were picked up by the police when they were agitating against the opening of liquor shops in Appappara and who were treated in a very harsh manner. The Commission also subsequently received complaints in this regard from the Kerala Harijan Samajam, Centre for Human Rights, Legal Aid and Research, Kerala and Madhya Pradesh Youth Organization, all of them being non-governmental organizations.

In response to the Commission’s notice calling for a report, the Kerala Government accepted that certain boys and girls, peacefully demonstrating in front of an arrack shop, were unnecessarily arrested and the police constables behaved indecently with them. As the allegations were prima-facie found to be true, the State Government suspended four police personnel responsible for this incident and ordered a detailed enquiry.

The Commission, after considering the State Government’s report, termed the whole episode "reprehensible" and as yet another case of the violation of human rights of the less fortunate in society. The Commission recommended that Rs 10,000/- be paid as compensation to each of the victims and that the money be recovered from the errant personnel. In its reply, the Government of Kerala has stated that necessary compensation has been sanctioned and that efforts are on to recover it from the delinquent officers through Departmental or other appropriate proceedings.

- **National Commission Report, Rajasthan (1997-98):** Sexual exploitation of woman: The Commission received an anonymous complaint alleging that a 24 year old woman had been forcibly detained and was being sexually abused by certain persons at Jaipur for the last 2-3 years. According to the complaint, the woman had a young child and was in a pitiable condition and the culprits were planning to force her into prostitution. The Commission
took cognizance of the anonymous complaint. A report submitted by S.P. (Rural) Jaipur on notice from the Commission stated that both the suspected persons had been contacted and that, as they belonged to a respected family, their involvement was ruled out. The report also stated that no such woman as mentioned in the complaint could be located. Not satisfied with the report, the Commission deputed its investigation team for an on-the-spot inquiry. The Commission’s team, along with local police, rescued the woman on 13 April 1998. According to the report of the investigation team, she was recovered from the house of one Manoharlal Sharma, a criminal, and was found to be undernourished, in ill health and in traumatized condition. She was sent for medical examination and was found to be pregnant. According to the report, a case under relevant provisions of the IPC was registered and 6 persons, including a police constable, were identified as being responsible for her desperate condition; two of them had already been arrested. The Commission considered the report of its investigation team and noted that the law had been set in motion. Further, taking note of the travails of the victimized woman as well as the trauma that she had undergone, the Commission recommended that the Government of Rajasthan accord her appropriate assistance, inter alia by providing her suitable employment.

- **National Commission Report, Rajasthan (1997-98):** Girl rescued from captivity:- The Commission received an anonymous petition stating that a young girl had been kept in captivity in a house in Dholpur, Rajasthan for about 5 years and, as a result of that, she had become mentally ill and her condition was serious. The Commission, taking cognizance of the matter, directed its investigation team to submit a report after making an on-the-spot inquiry. It also directed the investigation team to take up the matter with the members of the family in case the facts alleged were found to be true. The investigation team, on finding that allegations made in the petition were true, undertook a rescue operation. The team reported to the Commission that, after the Commission’s intervention, the victim had been given appropriate care and had been receiving proper medical attention. Noting the report of the investigating team, the Commission further directed the Rajasthan Police to vigorously pursue their efforts to apprehend the culprit, the brother of the victim, and to monitor the progress of treatment of the victim. The Commission also directed the SMS hospital to continue to provide medical assistance to the victim and report to the Commission.
• **National Commission Report (Year 1997-98):** Escape of inmates from Juvenile Homes, etc.: In this group of 87 cases, the attention of the Commission was drawn to the escape of several inmates from the Beggars’ Homes/Juvenile Homes/Remand Homes situated in different parts of Maharashtra. The Commission pointed out that it was the State Government’s duty to take appropriate measures for the safe custody of the inmates. The escape of such a large number of inmates was indicative of the fact that there were either serious infrastructural deficiencies or that security arrangements were faulty.

The Commission directed that the Chief Secretary, Government of Maharashtra should review the functioning of the Beggars’ Home/Juvenile Homes/Remand Homes with a view to ensuring better care in these institutions and avoiding the recurrence of circumstances leading to such instance.

• **National Commission Report, Rajasthan (1997-98):** Sexual exploitation of woman:—The Commission received an anonymous complaint alleging that a 24 year old woman had been forcibly detained and was being sexually abused by certain persons at Jaipur for the last 2-3 years. According to the complaint, the woman had a young child and was in a pitiable condition and the culprits were planning to force her into prostitution. The Commission took cognizance of the anonymous complaint. A report submitted by S.P. (Rural) Jaipur on notice from the Commission stated that both the suspected persons had been contacted and that, as they belonged to a respected family, their involvement was ruled out. The report also stated that no such woman as mentioned in the complaint could be located. Not satisfied with the report, the Commission deputed its investigation team for an on-the-spot inquiry. The Commission’s team, along with local police, rescued the woman on 13 April 1998. According to the report of the investigation team, she was recovered from the house of one Manoharlal Sharma, a criminal, and was found to be undernourished, in ill health and in traumatized condition. She was sent for medical examination and was found to be pregnant. According to the report, a case under relevant provisions of the IPC was registered and 6 persons, including a police constable, were identified as being responsible for her desperate condition; two of them had already been arrested. The Commission considered the report of its investigation team and noted that the law had been set in motion. Further, taking note of the travails of the victimized woman as well as the trauma
that she had undergone, the Commission recommended that the Government of Rajasthan accord her appropriate assistance, inter alia by providing her suitable employment.

- **National Commission Report (1998-99):** Illegal detention of three year old child for ten years due to apathy of the Police and other authorities: - Syed Shahabuddin, former MP, drew the attention of the Commission to the plight of a young girl who had witnessed a murder and was thereafter detained in police custody for about ten years, as a result of which her childhood was lost. The incident had been reported in "The Times of India" under the caption "Witness spent 10 Years in Custody – Case yet to begin". The Commission immediately took note of the letter and called for a report from DGP West Bengal. The Office of the DGP forwarded the report which stated that although the name of the girl had not been mentioned by the trust for her future.

- **National Commission Report, Haryana (Year 1998-99):** Rape of a minor Dalit girl; failure to comply with the law: - The Commission received a complaint from Faridabad, Haryana wherein the complainant stated that her daughter aged 7 years was raped by one Lekhraj, who was subsequently sentenced to 10 years of rigorous imprisonment and a fine of Rs.2,500. The complainant added that the crime committed against her young daughter was heinous in nature and that there was great need to rehabilitate her daughter as she was suffering from a deep sense of humiliation and was mentally and psychologically scarred by this experience. The Commission reported it to Government of Haryana and provided justice to victim and her family.

The Commission expressed its shock at the inhuman and apathetic manner in which the case was handled by the police and other authorities. The Commission found the very idea of retaining a girl child, who was only three years old at the time of the incident, and considering her competent to be a witness in a court of law and keeping her waiting for the commencement of the trial for ten long years, as shocking. The appalling lack of interest shown by the authorities in the welfare of the innocent child resulted in depriving her of her normal childhood which could never be regained. No amount of compensation, the Commission felt, would be adequate for the loss she had suffered. However, in order to alleviate her suffering to some extent, the Commission recommended to the Government of
West Bengal to ensure that child is suitably rehabilitated and educated in the SOS Children’s Home or sent to a reputable institute run by an NGO in or around the city of Calcutta, till she became a major. The Commission also recommended that a sum of Rs.50,000/- be deposited in her name through a court guardian, the interest of which would be paid to the institute looking after her, and the principal amount to be released to her on her becoming a major to enable her to settle in life. A Compliance report from the West Bengal Government has since been received.

- **National Commission Report, Uttar Pradesh (1998-99):** Torture of a child labourer:- The Commission took suo-motu cognizance of a report appearing in Nav Bharat Times of 3 July 1998 in which it was stated that two drunken police constables allegedly tortured a young boy, working in a roadside Dhaba. The news item further alleged that the two constables ordered him to fetch his mother to entertain them and when the boy refused, they stripped him and branded him with a hot iron rod used for making "tandoori roti".

  On instructions of the Commission, the case was investigated by the Commission’s own investigating team and it was found that the boy was beaten with footwear and, later, with a walking stick, by the police constables. The two constables involved in the incident had been placed under suspension and a criminal case started against them.

  In view of the sufferings of the boy, the Commission recommended to the Chief Secretary, Government of Uttar Pradesh, the payment of a sum of Rs.5,000/- to the parents by way of immediate interim relief to be spent on the welfare and education of the boy. At the instance of the Commission, the District Magistrate has initiated action against the Dhaba owner under the Child Labour (Prevention) Act for employing a child in his Dhaba.

- **National Commission Report, Uttarakhand (1999-2000):** Death of a minor boy, Chanderpal owing to negligence by the Police:- On 29 July 1999, the Commission received a complaint from Shri Kalyan Singh, a resident of Village Bhan, Pauri Garhwal alleging that, on 9 June 1999, his son Chanderpal, aged 14 years, was shot dead by the Assistant Sub-Inspector with his revolver. Upon notice being issued, the Senior Superintendent of Police, Pauri Garhwal sent a report admitting the killing of Chanderpal by an Assistant
Sub-Inspector, who was employed with the Delhi police. In view of the fact that the death of Chanderpal was admitted to have occurred as the result of the act of a police official, the Commission issued a show cause notice to the Commissioner of Police, Delhi under Section 18(3) of the Act.

- **National Commission Report, Raichur, Karnataka (Year 1999-2000):** Rape of a Ten Year Old Girl Inmate of the Juvenile Observation Home:- The Commission took cognizance of a complaint received from Juvenile Rights Forum, Hyderabad, Andhra Pradesh alleging that a 10 year old girl, an inmate of the Juvenile Observation Home, Raichur, Karnataka was transferred on 10 July 1998 to Girls’ Juvenile Home, Hyderabad where at the time of her admission and again on 3 August, 1998 she was found to be bleeding from her vagina. On examination by the doctors at Niloufer Hospital on 11 September 1998, it was opined that she had been subjected to ‘brutal rape’. It was further alleged that the police, after registering a case under section 376 IPC did not conduct proper investigation. In response, the Director General & Inspector General (P) Andhra Pradesh submitted the investigation report stating that as certified by the Medical Officer, Raichur, the girl was in a normal condition when she was sent with two make escorts to Hyderabad from Raichur. On 2 September 1998, the Matron of the Observation Home at Hyderabad, however, reported that the child was bleeding profusely and therefore she was taken to Niloufer Hospital where the doctors, after medically examining her on 3 September 1998 opined it to be a case of sexual rape. A case was registered on 11 September 1998 under section 376(2)(f)IPC at Kachiguda Police Station, Hyderabad. On consideration of the aforesaid reports, the Commission directed the State Police to step up efforts for completion of investigation in the case and to pay “interim compensation” of Rs. 50,000/- to the parents of the girl who had been subjected to rape while in the Juvenile Home.

- **National Commission Report, Uttar Pradesh (1999-2000):** Rape of a minor dalit girl by protectors of Law:- Shri Chandradhas Maurya, a member of Samta Sainik Dal and a resident of District Bulandshar, Uttar Pradesh, in a complaint to the Commission alleged the kidnapping, rape and suicide of a 15 year old dalit girl ABC (name withheld to protect identity). He stated that two firemen, along with a police constable, enticed ABC away on
14 August 1998 and took her to their rented premises in front of the police station where they raped her repeatedly. She was allowed to go away next morning with the threat that she would be killed if she reported the incident to anyone. The girl disclosed the incident to her family members and she along with her family members went to the Police Station, Dibai and met the Sub-Inspector and later the Fire Station Officer both of whom, instead of taking cognizance of the case, abused the girl, passed derogatory remarks and also threatened them with implication in false cases. Upon returning home, ABC committed suicide by setting herself on fire and later succumbed to her burn injuries at 9 AM on 15 August 1998.

As the complaint related to a grave violation of human rights of a dalit girl, the Commission took cognizance of this matter on a priority basis and issued notice to SSP Bulandshar calling for a report.

- **National Commission Report, Uttar Pradesh (2000-01):** Death of a Girl in VVIP Movement:- The Commission received a complaint from one Ram Bahadur Singh alleging that his daughter, Vandana Singh, a student of the ninth standard, was crushed by a vehicle which was deployed for the security of an Ex-Prime Minister on 7 November 1997 while she was returning from her school on her bicycle. Though she was rushed to the hospital by the police, she succumbed to her injuries. The complainant further alleged that though this incident was reported to the Thana Cantt, and Crime No. 2006/97 under section 279/304A IPC had been registered, no serious investigation had been carried out owing to the involvement of a police vehicle. He sought an inquiry by an independent agency to punish the errant policemen. The Commission took cognizance of the complaint and obtained a report from the concerned Senior Superintendent of Police. It stated that, on that particular day, a large number of police vehicles were on duty and it was not possible to identify the vehicle involved in the incident. The report further added that, on completion of the investigation, a Final Report had been filed in the Court on 30 June 1998.

The Commission noted from the above report that the life of a young girl had been lost owing to the negligence of a driver who was deployed on Government duty. The Commission further noted the hazards caused to the public as a result of VIP movement
and also the fact that the local administration was casual and insensitive to the tragedy. The Commission observed that no significance was attached to the fact that it was a Government vehicle driven by a Government employee, which knocked down and killed the girl and which gave rise to the Government’s vicarious liability as well. It was the duty of the driver involved in the accident to report the accident and those in the motorcade to take necessary action, which they failed to do. Even if it was not possible to identify the delinquent driver at this stage, the Government’s liability to pay compensation remained, the Commission noted.

The Commission, therefore, directed the payment of interim compensation of Rs. 2 lakhs to the next-of-kin of the deceased within four weeks. In response, the State Government through its letter dated 31 March 2001 informed the Commission that Rs. 1 lakh has been sanctioned to the next-of-kin of the victim.

- National Commission Report, Bangalore (2000-2001): Death of 12 year old child worker, Naushad:- An NGO of Bangalore, MAYA (Movement for Alternatives and Youth Awareness), made a complaint to the Commission saying that a 12 year old child worker had died in the Silk Filature Unit premises in Ramanagaram town on 14 November 2000 having suffered 79 per cent burns sustained in the unit. It was alleged that the age of the deceased was changed to 17 years by the police, acting in connivance with the doctor who had conducted the post-mortem, in order to save the employer.

Pursuant to a notice issued by the Commission to the Chief Secretary as well as to DGP Karnataka, the Labour Commissioner Karnataka informed the Commission that appropriate cases under the Workmen Compensation Act, 1923 and Child Labour (Prohibition and Regulation) Act, 1986 had been registered in court against the employer. The Commission was also informed that an inquiry had been instituted against the doctors of Victoria Hospital, Bangalore who were involved in falsely certifying the age of the deceased as 17/18 years in the post-mortem report, even though the deceased was aged only about 12 years.
The Commission has been monitoring the progress in respect of the cases that are in court. In addition, after considering the inquiry report submitted against the doctors, the Commission directed the Government of Karnataka to inform it of the action taken by the disciplinary authority on the report of the Inquiry Officer. The inquiry report submitted by the State Government in respect of the departmental action had been taken up for close scrutiny and comments of the State Government have been called for on discrepancies. The matter is still under consideration.

- **National Commission Report, Assam (2000-2001):** Rape by a Minister of State in the Government:- The Commission took cognisance of a complaint from a resident of Kokrajhar, Assam alleging that her 16 year old daughter had been raped by Rajan Mushahary, a Minister of State in Assam in Shantivan Hotel, Barobisa, West Bengal on 27 February 2000. The victim was, allegedly, raped again after one month and threatened with dire consequences if she divulged the matter. The mother thereafter lodged a complaint and a case was registered at Gosaingaon Police Station. However, no action was taken against the erring Minister, even though the young daughter had conceived. Upon notice being issued to the Government of Assam, a report dated 29 November 2000 was submitted by the DGP, Assam which pointed to the involvement of the Minister in the commission of the offence amongst others. The police had arrested three persons out of the seven who were named. The Commission thereupon asked what action, if any, the Chief Minister proposed to take concerning the continuation of the accused Minister of State in the Government, adding that his continuance in that capacity would run counter to basic rudiments of the rule of law. In regard to the reservations expressed by the Commission in respect of the accused continuing as a Minister of State, the report indicated that the continuation of Rajender Mushahary in the Council of Ministers was to be based on the result of the investigation. The Commission, however, firmly repeated its view that the continuation of such a person as Minister in the State Cabinet ran counter to the rudiment of the rule of law and was likely to give the impression of interference in the course of investigation and prosecution for the offences. Press reports thereafter appeared indicating that the Chief Minister had taken strong exception to the proceedings and view of the Commission. On 23 April 2001, therefore, the Commission stated that it was constrained to observe that if the
newspaper reports were correct, the Chief Minister had completely missed the point made by the Commission and that he had made observations which depicted a lack of appreciation of the role and functions envisaged for the Commission under its Statute. The Commission added that it was ‘constituted under the Protection of Human Rights Act, 1993 for the better protection of the human rights and its functions include inquiring into violation of human rights or negligence in prevention of such violation; review of safeguards provided by the Constitution or any law, etc., and such other functions as it may consider necessary for the promotion of human rights.’ The Commission then reiterated yet again its earlier observations that ‘the continuance of the principal-accused of such an offence as a Minister in the State Cabinet, in its view, is erosion of the rule of law and, as a consequence, it is a serious violation of human rights.’ Further investigation reports submitted by the Government of Assam to the Commission indicated that the DNA test established that Shri Rajender Mushahary was the father of the child that had been conceived and that he had been arrested on 6 August 2001. Four others were arrested on 2 January 2002 and two were absconding. In the light of the developments, the Commission did not find it necessary to pursue this matter any further. Accordingly, it closed its proceedings in respect of this case.

- **National Commission Report, Uttar Pradesh (Year 2000-2001):** Atrocities on Usha Kiran Vajpayee by Police personnel: On 19 December 2000, the All India Congress Committee Human Rights Department, through its Chairman, Justice Ranganath Misra, M.P. referred a complaint to this Commission from Atwal Singh Chauhan, Advocate and President, District Congress Human Rights Department, Jalaun, Uttar Pradesh. According to that complaint, on 10 December 2000, while Usha Kiran Vajpayee, aged 37 years, was performing her duties on the Pulse Polio Day, four constables who were in a drunken state misbehaved with her and outraged her modesty. When she protested, she was chased by the four constables who shot at her. The constables were overpowered by the villagers and handed over to senior officers. The victim was admitted in the Jhansi Medical College Hospital, where her one foot had to be amputated to save her life.

Upon notice being issued to the Chief Secretary and the Director General of Police, Uttar Pradesh, the Government of Uttar Pradesh reported that the four constables had been
suspended and, after magisterial enquiry, action had been initiated against them by the filing of a charge-sheet. By its proceedings dated 26 December 2001, the Commission issued a show cause notice to the Chief Secretary, Government of Uttar Pradesh to show cause as to why immediate interim relief be not awarded to the victim under Section 18 (3) of the Act. In view of the gross violation of the human rights of the victim, resulting in the amputation of a leg, and the permanent disability caused to her, and in the absence of a reply to the show cause notice from the Government of Uttar Pradesh, the Commission decided, in its proceedings of 13 May 2002, to awarded Rs. 5,00,000 as immediate interim relief to the victim to be paid by the Government of Uttar Pradesh. While the State Government subsequently reported that an ex-gratia amount of Rs.1,00,000 had been paid to the victim on 21 March 2001, a compliance report in respect of the interim relief of Rs.5,00,000 awarded by the Commission remained under consideration of the State Government as of 31 March 2003.

- **National Commission Report, Jharkhand (2001-2002):** Rape in Ranchi Police Station:- The Commission took cognizance of a press report which appeared in the ‘The Indian Express’ dated 15 July 2001 stating that ABC a widowed mother of three children, was allegedly raped on 13 July 2001 inside the Police Post at Khadgarha, Jharkhand by police Constable, Chakkan Sao. In response to the notice issued by the Commission, the Chief Secretary and DGP Jharkhand submitted a report indicating that a case was registered at Lower Bazar police Station and the accused Constable was arrested and sent to judicial custody. Subsequently, a report received from the Deputy Inspector General (HR), Jharkhand further stated that on completion of investigation of the case, a charge-sheet had also been filed in the Court on 31 July 2001. On consideration of the aforesaid report, the Commission vide its proceedings directed to call for information as to whether any compensation had been granted as required under the provisions of the Scheduled Caste/Schedule Tribe (Prevention of Atrocities) Act, 1989 to the victim. In response, the Special Secretary (Home Department.) Government of Jharkhand sent a report stating that the victim had been paid an amount of Rs. 25,000/- which was 50% of Rs. 50,000/- payable in accordance with Entry 11, Schedule (Annexure I) of the Scheduled Caste/Scheduled Tribe Prevention of Atrocities Rules 1995 for the commission of offences as defined in
Section 3(1) (xi) of the SC/ST (Prevention of Atrocities) Act, 1989 and the balance amount of Rs. 25,000/- would be paid after the decision was pronounced by the Court.

- **National Commission Report, Jharkhand (2001-2002):** Atrocities on inmates by the Superintendent, Probation Home, Devghar:- The Commission received a complaint dated 6 May 2001 from Sita Kumari alleging mal-administration in the Probation Home, Devghar where girls were lodged. It was alleged that the girls were not being looked after properly and that they were being deprived of food, clothing and medicines. As a result, a girl inmate reportedly died on 2 February 2001. The complaint also alleged that some of the girls were beaten by the staff of the Home during April 2001 and that, as a result, one of the girls had escaped from the Home. That girl had made a complaint to the Deputy Commissioner, Devghar and narrated the difficulties faced by the inmates. Upon notice being issued to the Deputy Commissioner, Devghar, the Commission received a report confirming that the allegations had been found to be true. Departmental action had, accordingly, been initiated against the Superintendent of the Probation Home. During the inquiry, food and other essentials had also been found to be of poor quality. The inquiry also revealed ill treatment and beating of the inmates by the Superintendent.

Having regarded to the clear violation of human rights, on 3 December 2002, the Commission issued notice to the Chief Secretary, Government of Jharkhand, asking him to show cause as to why immediate interim relief under Section 18 (3) of Protection of Human Rights Act be not granted to the inmates named in the report. As of 31 March 2003, the response of the Government of Jharkhand was awaited and the matter was being pursued by the Commission.

- **National Commission Report, Tonk, Rajasthan (2001-2002):** Exploitation of child labourers:- The Commission received a complaint on 20 July 2001 from Shri Mahavir Prasad alleging that Shri Babu Lal Baswal, a manufacturer of carpets, had employed child labourers. They were reportedly being exploited, made to work under oppressive conditions and not being paid wages. The complainant further stated that he had not been paid contracted wages for the work that he had done for Shri Babu Lal Baswal. Upon notice being issued to the District Collector, Tonk, Rajasthan, the Commission received a
report which indicated that no child labourers had been found to be working at the alleged site at the time of an inspection that had been conducted by the Assistant Labour Commissioner on 25 July 2001. However, the enquiry indicated that some child labourers were employed by the complainant at the loom belonging to Babu Lal and had not been paid wages for the months of April, May and June. A claim petition had been filed in the competent court on 25 July 2001. In compliance with the directions of the Apex Court, 11 cases of child labour had been instituted in the competent court against Shri Babu Lal Baswal. Having regard to the employment of a number of child labourers by the accused, in contravention of the provisions of Section 3 of the Child labour (Prohibition & regulation) act, 1986 and the institution of cases in the court against the offending employer, by its proceedings dated 2 May 2002 the Commission directed the District Magistrate, Tonk, Rajasthan to prepare a list of the child labourers who were employed by the carpet weaving unit, to recover a sum of Rs.20,000/- per child from the offending employer, and to deposit that sum in a fund to be known as the Child Labour habilitation & Welfare Fund. The State Government was also directed to contribute Rs.5,000/- per child to the said fund in accordance with the directions of the Apex Court. The Child Commission directed that the fund so generated shall form a corpus, the income of which shall be used Government was also directed to only for the concerned child.

- **National Commission Report, Andhra Pradesh (2001-2002):** Sexual harassment in the work place and suicide of Sangeeta Sharma, Advocate:- Dr Kalpana Kannabiran, President, Asmita Resource Centre for Women, Secunderabad, Andhra Pradesh submitted a complaint in respect of the suicide of an advocate of Andhra Pradesh High Court, Sangeeta Sharma, allegedly as a result of sexual harassment by a fellow lawyer and some senior advocates. The intervention of the Commission was requested in order to ensure proper investigation of the case and action against the accused.

Having regard to the sensitive nature of the complaint, the Commission issued notices to the Chief Secretary and DGP, Andhra Pradesh asking for an indication of the current status of the criminal investigation. The Government of Andhra Pradesh submitted a report.
• **National Commission Report, Andhra Pradesh (2001-2002):** Bonded child labour:- The Commission received a petition dated 24 August 2001 alleging child labour and the exploitation of minor girls through their employment in hazardous work in cottonseed farms, tiles units, quarries and bidi manufacturing units in the districts of Mehaboob Nagar, Krishna and Nizamabad in Andhra Pradesh. In response to directions issued by it on 15 October 2001, the Commission received a detailed report dated 19 July 2002 from the Government of Andhra Pradesh. It stated, in essence, that the Government was implementing an action plan to eradicate child labour in the State by the year 2004 in a time-bound manner. The Commission then obtained the comments of Shri K.R.Venugopal, its Special Rapporteur, on the child labour situation in Andhra Pradesh. In his report, Shri Venugopal highlighted two incidents of children who had been used as bonded labourers and kept in chains by their employers in Kurnool district, Andhra Pradesh. On 10 March 2003, the Commission considered the report and the comments of the Special Reporter. It proceeded to ask the State Government to forward a copy of its plan to the Commission along with the details of the follow-up steps taken by the State Government based on that action plan. The matter remains under the consideration of the importance Commission, the issue of child and bonded importance labour being of utmost importance to it.

• **National Commission Report, Tamil Nadu (2002-2003):** Violation of the rights of children arising out of the practice of rituals:-The Commission took suo-motu cognizance of a news item in the Indian Express of 22 August 2002 entitled “105 kids ‘buried’ for a minute, Tamil Nadu Minister watches: Madurai: Parents take part in shocking temple ritual”. According to that news item, at least 105 children were “buried” alive for “just one minute” in Perayur village, 46 kms from Madurai, to propitiate two female deities. It was alleged that the children – who were first rendered unconscious - were placed in makeshift graves, covered completely, kept there for 60 seconds and then pulled out. The entire episode took place in the presence of the Minister for Housing and Urban Development of the Government of Tamil Nadu. On 26 August 2002, the Commission issued notice to the Chief Secretary and the Director General of Police, Tamil Nadu asking for their report on the incident and a clear indication of the action, if any, taken to stop this inhuman practice as well as action, if any, taken against the persons involved in organizing and perpetrating this practice. On 16 October 2002, the Commission considered the reply received from the Government of
The Commission noted that the concerned Minister had resigned, but considered that this was not an adequate answer to this deplorable practice. The Commission emphasized that such a ritual should not only be banned, but that effective measures should be taken to ensure that it did not take place again. The Commission therefore, asked the Chief Secretary of the State Government to indicate the measures taken to end this practice and also to indicate the action taken against the persons responsible for permitting such a ritual to be held.

National Commission Report, Delhi (2003-2004): Kids Slogged 12 hours a Day Paid @ Rs. 5/- a Week:-

The Commission took suo-motu cognizance of a newspaper report which indicated that 8 child labourers, between the age of 8 to 11 years were made to work in an embroidery factory at Garhi, Lajpat Nagar, for 12 hours a day and in return were paid only Rs. 5/- per week. Coupled with this, they were forced to work under humiliating circumstances and that they were terrorized and assaulted.

The Commission directed its Investigation Division to conduct an on-the-spot investigation and submit a report. The report of the Investigation division revealed that eight child labourers were forced to work by their employer in inhuman and miserable conditions and were not paid full wages, besides being subjected to mental and physical torture. As directed by the Commission, this report was sent to the Government of National Capital Territory of Delhi and the Commissioner of Police, Delhi for taking appropriate action. In response, an Action Taken Report was received from the Deputy Commissioner of Police and the Government of NCT of Delhi stating that two cases were registered against the owner of the factory and the accused was also arrested.


The Commission received a complaint on 30 November 2000 from Ms. Sangeeta Kumari alleging that a 24 year-old woman, Bimla Devi, who was diagnosed as having a stone in her stomach, was admitted in the Sawai Mansingh Medical Hospital, Jaipur. She was operated on 11 November 2000 and her uterus was removed owing to the negligence of the doctors. The complainant added that Bimla Devi would have to undergo another operation for the removal of the stone. A prayer was, therefore, to protect the human rights of the victim and to take action against the errant doctors. Upon notice being
issued to the Government of Rajasthan, the Deputy Secretary, Government of Rajasthan submitted a report stating that the doctor involved, as well as the person in-charge of the unit responsible for the removal of the uterus of the victim, had been suspended and had been served with charge sheets. In light of the above, the Commission concluded on 3 April 2002 that the victim deserved compensation for the great loss suffered by her. It therefore issued notice to the Government of Rajasthan to show cause, within 6 weeks, as to why a sum of Rs.100,000/- be not paid to Smt. Bimla Devi and the amount recovered from the salary of the concerned doctors.

- **National Commission Report, Delhi (2002-2003):** Rape of Four Year Girl Belonging to Bhil Adivasi Community:- A case of alleged rape of a four-year-old girl XYZ, belonging to Bhil Adivasi community by one Billu, a 26 year old truck driver was brought to the notice of the Commission by a social activist. So brutal was the act of rape that the victim had to undergo an operation in Safdarjung Hospital to channelize the body waste out through the abdomen. This apart, two more operations were later performed on the victim to repair her ruptures. On consideration of the report submitted by its own Investigation Division, the Commission noted that the police had taken appropriate action in registered the said case on time and that the offender too had been arrested. However, looking at the plight of the victim, the Commission requested the Chief Secretary, NCT of Delhi to grant relief to the victim and her family on humanitarian grounds. In response, the Government of NCT of Delhi informed the Commission that an amount of Rs.25,000/- as assistance from Lt. Governor/Chief Minister Relief Fund was sanctioned and paid to the victim’s mother.

Further at the instance of the Commission, PRAYAS, an NGO, agreed to undertake the responsibility to helping the girl child with suitable medical care and in providing her further assistance, including shelter. The Medical Superintendent of Safdarjung Hospital also informed the Commission that the victim was given proper medical care and the child had recovered well. The mother of the child too was satisfied regarding the medical treatment given at the Hospital.

The Government of NCT of Delhi further informed the Commission that a cheque of Rs. 50,000/- as financial assistance was sent to DCP(South) Delhi for handing it over to the
victim’s family. The Commission thus wrote back to the Government of NCT of Delhi to confirm whether the cheque was handed over or not. The Commission also directed the Government of NCT of Delhi to ensure that the amount be kept in a fixed deposit in the name of the minor girl and that the mother could withdraw the amount of interest of maintenance and medical expenses of her minor daughter. Further, the fixed amount should be made payable to the minor girl on her attaining majority. In view of the fact the ‘PRAYAS’ has been in touch with the victim and her mother to render them assistance, the Commission recorded its satisfaction with the role of ‘PRAYAS’ in helping the unfortunate girl child and closed the case.

- **National Commission Report, Chhattisgarh (2003-2004):** Child Marriages:-The Commission took suo-motu cognizance of a newspaper report which indicated that on 4 May 2003 on the occasion of ‘Akti’ or Akshaya Tritya’, a festival for marrying dolls celebrated all over Chhattisgarh every year, weddings of hundreds of under-age or very young children were performed, despite the Government’s preventive efforts. A survey conducted by the Forum for Fact-finding Documentation and Advocacy during that time also indicated that more than 1,000 child marriages took place in Sarguja. Other agencies too reported 100 marriages in Urla and Kumhari area of Rajpur District in the first fortnight of April 2003.

The report received from the Special Secretary, Women & Child Development, Government of Chhattisgarh indicated that various steps have been taken by the State Government to prevent child marriages. The report further mentioned that child marriages being a social issue could be curbed only slowly and gradually by spreading awareness in the society and that sincere efforts have been made in the past years by the State Government to prevent child marriages.

On considering the report, the Chhattisgarh State Human Rights Commission was requested by the Commission to examine the status of case relating to child marriages in different villages of Chhattisgarh, of which it appeared to have taken cognizance. In response, the Joint Secretary, Chhattisgarh State Human Rights Commission intimated to the Commission that the State Human Rights Commission had taken suo-motu cognizance
of the issue of one thousand child marriage in village Bhaiyyathan, District Sarguja on 7 February 2003. The State Human Rights Commission had also taken cognizance of the child marriages, which took place in the year 2002 on 24 April 2002 whereby it gave detailed instructions to the Government of Chhattisgarh. Acting on the directions of the Chhattisgarh State Human Rights Commission, the Collectors and Superintendents of Police Chhattisgarh correspondingly had also taken action. The Special Secretary, Women and Child Development Department, Government of Chhattisgarh also sent a report dated 5 July 2003 indicating the efforts being made by the State Government to prevent and check incidents of child marriages in the State.

- National Commission Report, Gonda, Uttar Pradesh (2005-2006): Exploitation of Children by the Great Roman Circus: The Commission received a complaint, dated 15.6.2004 from the General Secretary, Global March Against Child Labour, New Delhi – an NGO, alleging assault on its members and parents of children during investigation of alleged atrocities on children including sexual harassment at Great Roman Circus in Golonelganj, District Gonda, U.P. The Commission got the matter investigated through its team of officers and also obtained a report from the Chief Secretary, State of U. P. In response to the notice issued to the Government of Uttar Pradesh, the State Government informed that three criminal cases – one u/s had been registered against the owner of the circus and other persons; the other u/s 376 IPC was registered against culprit, owner of the Circus in respect of alleged rape by him on Kumari Neeta Lama. A third case u/s 354 IPC was also registered against unknown persons. Apart from Neeta Lama, no other woman employee had complained of sexual harassment/other exploitation.

The studies and cases mentioned above give the direction to choose the topic of the study “To Study The Awareness About Women’s Legal Rights Amongst Girl Students Studying In Different Professional Courses”.