

National Human Rights Commission

SRO Unit-PRP&P

Minutes of the meeting of the Core Group on Women held on 25th October 2019 at 11:00 am on 'Declining sex ratio in India' and 'Work-life balance of working women' in Room No. 508, Manav Adhikar Bhawan, C-Block, GPO Complex, INA, New Delhi

The second meeting of the Reconstituted Core Group on Women was held in the Commission on 25 October 2019 at 11:00 a.m. to discuss the issues relating to **declining sex ratio in India and to deliberate on work-life balance of working women**. The meeting also provided a platform for the Core Group Members to review the existing Government policies, laws, rules, orders, etc, relating to women from the perspective of human rights and make suggestions/recommendations for changes or for their better implementation in light of the relevant provisions of the Protection of the Human Rights Act, 1993. The meeting was chaired by Hon'ble Member, Smt. Jyotika Kalra, and co-chaired by Shri. Jaideep Govind, Secretary General, NHRC. The list of the participants who attended the meeting is at **Annexure 1** .

2. **Shri. Jaideep Govind, Secretary General, NHRC**, welcomed all the participants and expressed gratitude towards all the members for attending the meeting on the crucial issues related to Women. He briefed all the participants about the need to have a core group on women in present time. He also introduced the agendas of the meeting before requesting the Chair to preside over the meeting.

3. **Smt. Jyotika Kalra, Hon'ble Member, NHRC**, began by thanking all the participants of the core group for taking time out during festive season and to attend the meeting. She also appreciated the Secretary General for organising the meeting at a very short notice. She explained the concept of '*nip in the bud*' with reference to women and also spoke about how they have to prove their competency

at every point in their life. She shared various incidences of discrimination and prejudices against women from various parts of the country.

In one of the villages of Maharashtra, a man found a living new-born girl child buried three feet under the ground inside a '*matka*' (earthen pot) while he was burying his own dead daughter. She shared a story from Azamgarh in Uttar Pradesh where, while interacting with the people, one of the residents compared a girl child with a calf and said that both are considered as a financial burden for a family. On one of her visits to Amritsar, Hon'ble Member felt how, a daughter, in order to be identified and recognised needs to achieve something in life and how, even the long lost relatives take pride in identifying themselves with that high profile daughter.

Smt. Kalra further stated that, biological, emotional and physical needs of a woman are different from that of a man. While talking about work-life balance of working women, Smt. Jyotika Kalra said that a woman is supposed to be just an 'employee' in the office and just a 'wife/mother' at home. She pressed upon the need to extend a supporting hand to women at both workplace and at home. She also emphasised on the development of skill and confidence in women as need of the hour since that will help them become independent. Lastly, while quoting Mahatma Gandhi, Smt. Kalra said "***We must be the change we wish to see in the world***" and therefore we should walk the talk in helping women to maintain work life balance.

4. **Dr. Seemi Azam, Research Officer, NHRC**, started by thanking both the Hon'ble Member and Secretary General for organizing a core group on women. She explained the first agenda for the meeting, "Declining Sex Ratio: Challenges and Remedies" and gave a roadmap for the discussion and the points to be covered ranging from factors responsible for the decline, government initiatives and way forward.

5. **Ms. Kumud Das, Advocate on Record, Supreme Court** stated how declining sex ratio in India is more of a socio-economic issue than that of a socio-cultural issue. She said that the day a women gets married, she stops contributing to the national income as the socio-economic reasons to send women for work far outweighs that of letting her stay at home. She shared an incident where an Irish

man wanted to marry an Indian woman solely because he believed that an educated woman in India is happy to let go of her job and stay at home and take responsibility of household.

6. **Ms. Vidushi Chaturvedi, Director (PNDT/IEC), Ministry of Health & Family Welfare**, stated that declining sex ratio is indeed a matter of great concern for the country. She emphasised that there should be Gender Budgeting, i.e., preparing budgets or analyzing them from a gender perspective, as that will have a macro effect. She also appreciated the efforts of government and social groups for bringing the woman issue in public discourse.

7. **Dr. Indu Agnihotri, Visiting Fellow, Centre for Women's Development Studies** appreciated constitution of the core group especially designed for women. She pointed out how during census in Punjab, families only refer to male children as their child because of the misconception of the girl child being a '*paraya dhan*' (belongs to the family she'll marry into). She stated that one of the major reasons for fall in sex ratio is issues related to security of girl child and lack of economic opportunities present for women in both urban and rural areas and therefore emphasised on job reservation based on equality. She also pointed out that due to social bias, care for a girl child is much more difficult and different from that of a male child. While talking about government initiatives and actions, Dr. Agnihotri said that the government's flagship program of *Beti Bachao, Beti Padhao* can only be complete if schools are not forced to shut down in rural areas of the country due to financial burden. She also said that minimum educational qualification required to file nomination for panchayat election should be removed as women are not send to school at the first place, because of which they also lose out on opportunity to fight these elections. She said that legislature and amendments related to women issues must be brought out in public domain so as to educate and inform people of women issues and also the punishments for violation of these laws must be swift and timely. Lastly, she informed the commission that words like female foeticide must be avoided and a better substitute must be used to define killing of the unborn girl child.

8. **Dr. Arathi P.M., Assistant Professor, Council for Social Development,** explained how Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994(PCPNDT) must be strictly implemented throughout the country to stop female foeticides and arrest the declining sex ratio in India and suggested that there must be incorporation of certain changes in the act with improvement of technology. She also suggested that studies and reports undertaken by various organisations must be complied and compared to better understand reasons for lower sex ratio in India.

9. **Dr. Rukmini Sen, Professor, Ambedkar University, Delhi** explained how declining sex ratio is the direct outcome of the patriarchal structure of our society and how the same societal structure is forcing gender roles and expectations from particular gender. She pointed out that there is a need to connect the declining sex ratio with other legislatures and to look at best practices from the state where sex ratio is higher than the national average. Lastly, she stated that there is a need for care and compassion with respect to raising girl child and removing restrictions.

10. **Ms. Madhu Mehra, Partners for Law in Development, New Delhi** stressed upon the need for an in-depth research on topics related to women. She pointed out how lack of knowledge in public domain regarding government policies and their implementation is creating a gap between policy makers and potential beneficiaries which need to be bridged. She stated that the issue of reservation to woman will only have merit if adequate jobs are available, with special focus on paid employment than on entrepreneurship. Lastly she said that government pension must be provide to child-less parents and not just parents with no male child.

11. **Ms. Ishita Kaul, Technical Expert, EVAW, UN Women** emphasised on the need to push for gender desegregation data for better analysis and implementation of various policies by the government. She also spoke about the role of man and boy in social patriarchy.

12. **Smt Stuti Kacker, Former Chairperson, NCPCR** explained that it is the lack of safety of women that is making parents paranoid. The additional social and financial burden that the society attaches to a girl child is one of the major

reasons for decline in sex ratio in India. Smt. Kacker also brought to the commissions notice that women themselves do not want a girl child due to lower social status attached to a woman.

13. **Ms. Ritu Gupta, Professor, NLU Delhi** started with how the agenda for the meeting was a 'much awaited discussion' that was the need of the hour. She stated that women are raised with the idea of suppression and hence women also do not want a girl child. She termed the situation as a 'Silent Emergency' that need to be addressed at the earliest. However she also spoke about how Abortion Rights and Article 14 of the Indian Constitution along with other laws can be discriminating towards the males.

14. **Ms. Jayashree Velankar, Legal Expert, JAGORI, New Delhi** continued with the idea of having researches on topics related to women. She pointed out that since India has a fairly high infant mortality rate and due to male child preference of Indian parents, *two children policy* cannot be the solution as it not only unfits to suit the Indian societal structure but also violates human rights and therefore is responsible for low sex ratio in India. Pointing out at the mentality of Indian parents towards girl child, Ms. Velankar said that women breastfeed girl child less than the boy child, thereby exhibiting gender bias.

15. **Ms. Deepa, SAMA, New Delhi** while talking about IVF technology and artificial insemination said that the technology has moved so ahead of the laws that sex selection is happening way before conceiving. She also spoke about greater access to healthcare for women by increasing the share of health in the budget.

16. **Dr. Charu Walikhanna, Senior Advocate, Supreme Court** said that the increased incidence of gender based violence is one of the most important reasons for low sex ratio in India which is due to lack of state supports and safe spaces for women and children. She stated that due to various societal norms and tradition that leads to increase financial burden on the parents, 'girls become a liability, both in social and economical sense' and therefore there is a need for more inclusive and visible policy making and stricter implementation of Dowry Prohibition Act.

17. **Ms. Archana P. Dave, Advocate on Record, Supreme Court** pointed out that giving birth to a male child comes with incentives from in-laws and families and therefore state must step in to provide support in form of more incentives at birth of a girl child. Supporting her argument, Ms. Dave gave an example of villages in rural Rajasthan where incentives are given on birth of girl child which has resulted in improved sex ratio.

18. **Ms. Varsha Deshpande, Advocate, Girls Court** started with an argument saying that decline in sex ratio is a 'crime and not a social issue' and pointed that there has been a decline in the sex ratio in majority of the state of the country. She said that gaps must be bridged between departments to implement policies like *Beti Bacho, Beti Padhao* and to improve the sex ratio. She also stated that the conviction rate is extremely low when it comes to the cases of crime against the girl child and there is no accountability of prosecution as well. She also said that there should be compulsory provision for equal division of land and property between the male and female child. Pointing out at various publications by the government departments, she said that it must be overseen that there is no depiction of sex determination or illustrations that may hint towards the same.

19. **Ms. Shobhana Boyle, National Programme Officer, United Nation Population Fund** emphasised on the need to change the terminologies as the starting point to change the mindset of people. She said as the life style changes, all the states are experiencing low fertility rate and therefore more families are going for smaller size in which male child is preferred with the idea of '*At least one son and at most one daughter.*' While talking about dropout rate of girls in schools she said that enrolment and course completion for women must be looked into by the government. Pointing out at the interventions at governmental level, Ms. Boyle said that there should be a dedicated survey for mobility issues with respect to women and also suggested that the impact and implementation of *two child policy* must be looked into.

20. **Dr. Madhumala Chattopadhyay, Joint Director, NCBC, Ministry of Social Justice and Empowerment** gave an insightful observation of Toda tribes in Nilgiri hills of Tamil Nadu said that the tribe once practised *fraternal polyandry*, a practice in which a woman marries all the brothers of a family. All the children

of such marriages were deemed to descend from the eldest brother, due to this practice, the sex ratio in the tribe is highly skewed

21. **Dr. Gowri N. Sengupta, ADG, DGHS, Ministry of Health & Family Welfare** stated that we need to look into and bring out the good practices for/by/with women, since every district has a different and distinct practice related to women. She gave examples of various tribal belts of Jharkhand that have good sex ratio and good primary health care services. She also pointed out that usually, females outlive their male counterpart in terms of life expectancy and therefore special programs and provision must be made for the concerned gender relating to old age.

22. **Dr. Sushma Dureja, Additional Commissioner, Ministry of Health & Family Welfare** talked about how society and its prejudices must be considered before formulation of policies and how these policies must be directly introduced at grass root level.

23. **Shri. K. Moses Chalai, Additional Secretary, Ministry of Women and Child Development** pointed out at the fact how the country has witnessed a freefall in child sex ratio since 1961, but also talks about the positives that have come up with programs like *Beti Bacho, Beti Padhao*. He said that whatever limited data collection that the government has, reflects the positive outcome of the program. Adding to this, he said that currently *Beti Bacho, Beti Padhao* is being implemented in 405 districts throughout the country and almost 90% of the people have heard about this program due to special focus by the government, however, he also states that this promotion is not translating in the changing of mindset of people and therefore said that though we are in the right direction, a lot needs to be done to penetrate deeper.

24. **Shri. Surajit Dey, Registrar(Law), NHRC** stated that NHRC has a robust method of complaint management especially dealing with women issues. He pointed out that almost 93% of the crimes against women are committed by family or near and dear ones and therefore it is important to deal with the psychological aspect of these crimes. He also stated that with 28% conviction rate in these crimes, the country is slowly moving towards a more inclusive and faster redressal system.

25. **Dr. Manjula Batra, Dean, SGT University, Gurugram, Haryana** said that families need to make the girl child feel important and give them love and special care and not just bank on laws and policies. She said that the society needs to be reconditioned for change in all aspects and men must be made more sensitive and aware of the women issues. She also pointed out that girls in India themselves forgo their rights in the parental property to avoid conflict within the family.

26. **Dr. Arvinder Ansari, Professor, Jamia Milia Islamia** briefly talked about faith based organisations whose values are based on faith and/or beliefs. These organisations are locally very active hence they can be used by government and local bodies to spread awareness relating to women issues and also to promote the idea of equality among genders by eliminating rudimentary ideas related to last rites of parents and other such practices which completely exclude the women.

27. During the discussion in the meeting, some of the **gaps and problem areas** that were identified with relation to declining child-sex ratio in India are:

- i. Societal outlook towards women that treats them as financial burden and a financial liability as after getting married etc. she leaves the family & money is to be spent on her marriage
- ii. Due to lack of employment opportunities for women, a popular misconception is that only a male child will be able to take care of his aging parents and support them in their old age
- iii. Strict gender roles creates pressure on both the genders
- iv. Unawareness among people about various government policies and acts for safeguarding women and girl child which raises safety issues related to women's mobility is one of the major concern for parents
- v. School dropout rate is much more prevalent in the girls than in boys since a girls' education is not linked to economic development

28. Major **recommendations** emanating from the meeting are:

- i. Special focus on development of various skills in women to bring confidence and make them financially independent. **(Action by Ministry of Skill Development and Entrepreneurship)**
- ii. Since there is a lack of economic opportunities present for women in both urban and rural areas, there should be emphasis on job reservation for women, so that they are able to take care of their aging parents. **(Action by MoSJ/MHRD/Ministry of Labour and Employment)**
- iii. State government must ensure that schools are not forced to shut down in rural areas due to financial burden **(Action by State Education Boards/MHRD)**
- iv. Legislature related to women safety must be brought out in public domain widely so as to educate and inform people about women safety and also the punishments for violation of these laws must be swift and timely **(Action by MoI&B/NCERT/AIR)**
- v. Strict implementation of Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994(PCPNDT) and Dowry Prohibition Act. **(Action by NCW/MoWCD/MoHFW)**
- vi. Best practices from the state where sex ratio is higher than the national average must be analysed **(Action by MoWCD/NHRC)**
- vii. Publications by the government departments must be overseen by experts so that there are no illustration of sex determination in stereotypical depiction of a family that consists of one male child and one female child. **(Action by MoI&B/Concerned department of Ministries)**
- viii. Terminologies related to women issues need to be changed as they create biases and prejudices, along with awareness & involvement of faith based organisations for elimination of backward and oppressive ideas related to gender roles **(Action by MoWCD/NCERT/UGC/ICSSR/Ministry of Home Affairs)**

29. Dr. Seemi Azam concluded the Core Group meeting by thanking the Hon'ble Member, Smt. Jyotika Kalra and Secretary General, Shri Jaideep Govind, Shri. Surajit Dey, Registrar (Law) and all the employees of NHRC who helped in organising the meeting, along with all the participants of the meeting for making it a very informative and interactive session. She requested all the participants to provide their recommendations and suggestions on the agenda via email also.

LIST OF PARTICIPANTS

Core Group Members

1. Dr. Charu Walikhanna, Senior Advocate, Supreme Court
2. Dr.Indu Agnihotri, Visiting Fellow, Centre for Women's Development Studies
3. Ms. Jayshree Velankar, Director, JAGORI
4. Shri. Kush Kalra, Assistant Professor, Delhi Metropolitan Education, NOIDA
5. Dr. Manjula Batra, Dean, SGT University, Gurugram, Haryana
6. Ms. Ritu Gupta, Professor, NLU Delhi
7. Dr. Rukmini Sen, Professor, Ambedkar University, Delhi

Special Invitees

1. Ms. Adsa, SAMA- Resource Group for Women and Health
2. Dr. Arathi P.M., Assistant Professor, Council for Social Development, New Delhi
3. Ms. Archana P Dave, Advocate on Record, Supreme Court of India
4. Dr. Arvinder Ansari, Professor and HoD, JMI
5. Ms. Deepa, SAMA- Resource Group for Women and Health
6. Ms. Ishita Kaul, Technical Expert, EVAW, UN Women
7. Ms. Kumud Das, Advocate on Record, Supreme Court of India
8. Ms. Madhu Mehra, Partners for Law in Development, New Delhi
9. Ms. Saumya Maheshwari, Partners for Law in Development, New Delhi
10. Ms. Shobhana Boyle, National Programme Officer, UNFPA
11. Ms. Stuti Kacker, Former Chairperson, NCPCR
12. Ms. Varsha Deshpande, Advocate, Girls Court, Maharashtra

Representatives of the Union Ministries/Government Bodies

1. Shri. K. Moses Chalai, Additional Secretary, Ministry of Women and Child Development
2. Dr. Gowri N Sengupta, ADG, DGHS, Ministry of Health & Family Welfare
3. Dr. Sushma Dureja, Additional Commissioner, Ministry of Health & Family Welfare
4. Ms. Vidushi Chaturvedi, Ministry of Health & Family Welfare

5. Dr. Madhumala Chattopadhyay, Joint Director, NCBC, Ministry of Social Justice and Empowerment
6. Ms. Ifat Hamid, Senior Consultant, Ministry of Health & Family Welfare

NHRC

1. Smt. Jyotika Kalra, Hon'ble Member, NHRC
2. Shri. Jaideep Govind, Secretary General, NHRC
3. Shri. Prabhat Singh, DG(Investigation), NHRC
4. Shri. Surajit Dey, Registrar(Law), NHRC
5. Dr. Seemi Azam, Research Officer, NHRC
6. Shri. Pallav Kumar, JRC, NHRC
7. Ms. Rimanshi Goel, JRC, NHRC
8. Ms. Priyanka Tariyal, JRC, NHRC
9. Ms. Devosmita Bhattacharya, JRC, NHRC
10. Ms. Riddhima Puri, JRC, NHRC