



MEASURING
VIOLENCE AGAINST WOMEN:
A STATUS REPORT(Part 1)

A REPORT COMPILED & PREPARED BY EQUITY FOUNDATION
2016

Position of Women in India

WOMEN IN ANCIENT INDIA

The position of women in ancient India was vital. They used to take important decisions and were also allowed to choose their own husbands through the ancient system of "Swayamvara". Access to education was easy for the women in ancient times. Through the massive Women Education in Ancient India several women seers and thinkers originated in ancient times such as Gargi and Maitreyi. Women enjoyed the tremendous right to education and teaching. The women intellectuals in ancient India gathered eminence by participating in educational debates and discussions in the assemblies of erudite persons. *Gargi was a prominent participant in the ancient society beside men such as Uddalaka Arni.* Mahabharata by Veda Vyasa sketch the persuasion of Draupadi on the husbands to overthrow the Kauravas. Valmiki's Ramayana also depict the influence of Sita that resulted in the wiping away of Ravana.

WOMEN IN MEDIEVAL INDIA

The Indian woman's position in the society further deteriorated during the medieval period when Sati among some communities, Child Marriages and a ban on widow remarriages became part of social life among some communities in India. The Muslim conquest in the Indian sub-continent brought the Purdah practice in the Indian society. Among the Rajputs of Rajasthan, the Jauhar was practised. In some parts of India, the Devadasis or the temple women were sexually exploited. Polygamy was widely practised especially among Hindu Kshatriya rulers. In many Muslim families, women were restricted to 'Zenana' areas. In spite of these conditions, some women excelled in the fields of politics, literature, education and religion. Razia Sultana became the only woman monarch to have ever ruled Delhi. The Bhakti movements tried to restore women's status and questioned some of the forms of oppression. Mirabai, a female saint-poet, was one of the most important Bhakti movement figures. Bhakti sects within Hinduism such as the Mahanubhav, Varkari and many others were principle movements within the Hindu fold to openly advocate social justice and equality between men and women. Shortly after the Bhakti movement, Guru Nanak, the first Guru of Sikhs also preached the message of equality between men and women.

WOMEN IN INDEPENDANT INDIA

Women in India now participate in all activities such as education, sports, politics, media, art and culture, service sectors, science and technology, etc. Indira Gandhi, who served as Prime Minister of India for an aggregate period of fifteen years is the world's longest serving woman Prime Minister. The Constitution of India guarantees-

- to all Indian women equality (Article 14),
- no discrimination by the State (Article 15(1)),
- equality of opportunity (Article 16),
- equal pay for equal work (Article 39(d))

In addition, it allows special provisions to be made by the State in favour of women and children (Article 15(3)), renounces practices derogatory to the dignity of women (Article 51(A) (e)), and also allows for provisions to be made by the State for securing just and humane conditions of work and for maternity relief (Article 42).

WHAT IS GENDER BASED VIOLENCE?

Violence against women and girls includes physical, sexual, psychological, and economic abuse. It is often known as "gender-based" violence because it evolves in part from women's subordinate status in society.

FORMS OF VIOLENCE AGAINST WOMEN

Any form of Physical, Sexual, Emotional harm that is caused to a woman, whether at home or out in the open, whether a threat or depriving her of her rights.

Whether a woman is beaten by her husband, or other members of the family, or she is raped by an unknown individual

Acid attacks, dowry deaths, female foeticide and infanticide, rape, emotional torture, child marriage, forced marriage.

FORMS

LAND AND PROPERTY RIGHTS

- In most Indian families, women do not own any property in their own names, and do not get a share of parental property. Due to weak enforcement of laws of protecting them, women continue to have little access to land and property.
- The Hindu Personal Laws, 1956 gave women rights to inheritance. However, the sons had an independent share in the ancestral property, while the daughters' shares were based on the share received by their father. Hence, a father could effectively disinherit a daughter by renouncing his share of the ancestral property, but the son would continue to have a share in his own right. After amendment of Hindu laws in 2005, now women have been provided the same status as that of men.
- In 1986, the Supreme Court of India ruled that Shah Bano, an old divorced Muslim woman was eligible for maintenance money. However, the decision was vociferously opposed by fundamentalist Muslim leaders, who alleged that the court was interfering in their personal law. The Union Government subsequently passed the Muslim Women's (Protection of Rights upon Divorce) Act.
- 1994: all the churches, jointly with women's organisations, drew up a draft law called the Christian Marriage and Matrimonial Causes Bill.
- However, the government has still not amended the relevant laws

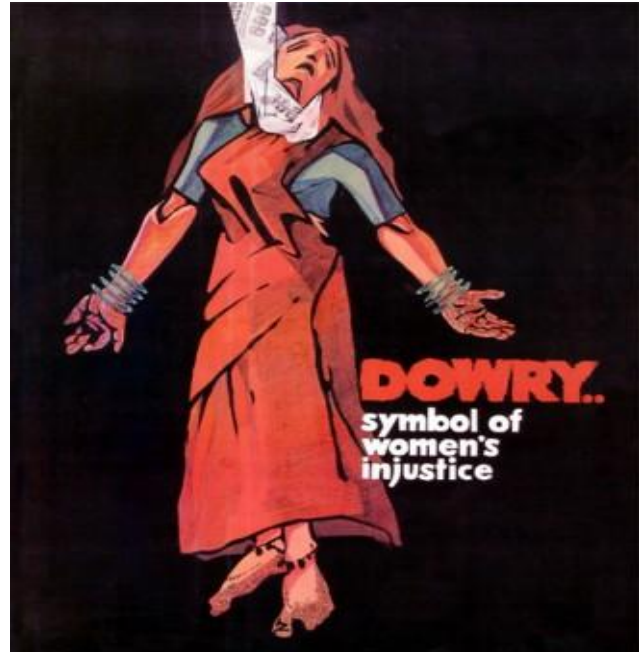


SEXUAL HARASSMENT

- Half of the total number of crimes against women reported related to molestation and harassment at the workplace.
- Eve-teasing is a euphemism used for sexual harassment or molestation of women by men. Many activists blame the rising incidents of sexual harassment against women on the influence of "Western Culture".
- On September 2012, Indian Parliament passed legislation protecting women from sexual harassment at work.

DOWRY

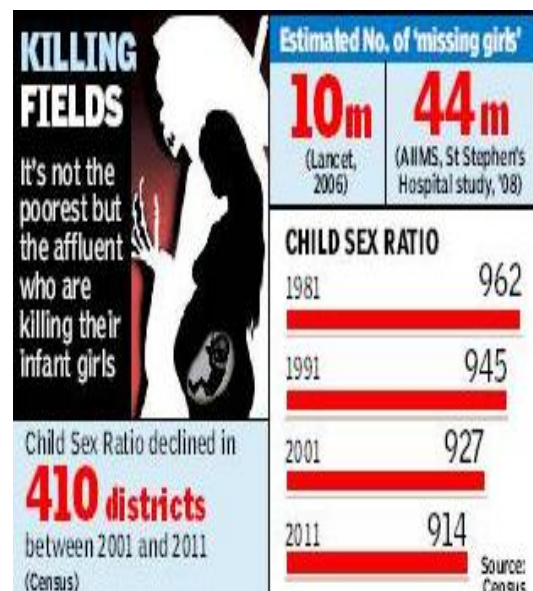
- Dowry, traditionally an upper caste Hindu practice of the bride's family offering wedding gifts to the bridegroom's family, is now widely practiced by all religious communities across the country, despite the law that prohibited dowry way back in 1967
- The Dowry Prohibition Rules, 1985: A signed list of presents given at the time of the marriage to the bride and the bridegroom should be maintained. The list should contain a brief description of each present, its approximate value, the name of whoever has given the present and his/her relationship to the person.



- Women's Rights Activists have been complaining that the police inaction and low rate of conviction make this social evil an acceptable practice in the country.
- According to statistics released by the National Crime Records Bureau, 8391 dowry death cases were reported in the year 2011 while the conviction rate was just 34%.

FEMALE FOETICIDE

- Studies show a sharp drop in the sex ratio after the introduction of ultrasound machines, used for determining the sex of fetuses, resulting in selective abortion of female fetuses.
- Estimates for the total number of "missing girls" since 1980 range between 10 million to 44 million, depending on assumptions.
- The results of the 1991 Census came as the first major shock, with the child sex ratio crashing from 962 girls per 1000 boys to 945 in just 10 years.



- The Pre-natal Diagnostic Techniques Act came into effect in 1996 and it outlawed the disclosure of the sex of the foetus. The act has not been able to arrest the continuous decline of India's child sex ratio.
- In 2001, it fell further to 927 girls per 1000 boys, and
- In 2011, it crashed to 914. In just thirty years, there are now 48 fewer girls per 1000 boys.
- Violations of the PNDT Act are rampant, and campaigners accuse the government of not being proactive in clamping down on clinics offering sex determination tests. And here comes in the truly shameful part — it is not the poorest and least literate areas and communities that are killing off their infant girls; in fact the reverse is true.
- The 2011 numbers show that the states with the worst child sex ratio (CSR) are not the most backward: the prosperous agrarian states of Haryana and Punjab bear that shame with the neighbouring industrial hubs of Delhi and Chandigarh just slightly better.



WITCHCRAFT KILLINGS

Dayans are usually women, who have lost their husbands, live alone or are unconventional in some way, thus being feared and avoided. They are accused mainly of targeting men and children, thereby demonising them and victimising men. Upon speaking to a local in a village in Bihar, it was revealed that branding widows as '*dayan*' has a deep connection to property owned by these women, who are usually widows. Thus branding a woman as a witch, an exercise that is often orchestrated by in-laws or other relatives, would allow for her to be ostracised and driven away, leaving the property to be usurped by interested parties.

CHILD MARRIAGE



- Child Marriage has been traditionally prevalent in India and continues to this day. Although Child Marriage was outlawed in 1860, it is still a common practice.
- According to UN Agencies, more than 40% of the world's child marriages happen in India. In eight states of the country, more than half of young girls are married before

the age of 18.

- The UN Women will conduct a programme to promote women's political leadership and governance in 16 districts in five states of India- Madhya Pradesh, Andhra Pradesh, Karnataka, Rajasthan and Odisha. Prevention of Child Marriage would be the part of the programme.
- In India, roughly 47.6% of girls are married by the age of eighteen. The practice is particularly rampant in states like Rajasthan, Madhya Pradesh, Uttar Pradesh, Bihar and West Bengal.
- *Factors:* Traditional Gender Norms, the value of virginity, and parental concerns surrounding pre-marital sex, pressure of marriage transactions, and poverty.

KHAP PANCHAYAT: POWER OR HONOUR

- *Khap is a cluster of villages united by caste and geography. It was started in the 14th century by upper caste Jats to consolidate their power and position.*
- *The main rule is that all boys and girls within a Khap are considered siblings. Khap Panchayat governs the Khap formed by same gotra (clan) families from several neighbouring villages.*
- *Khap Panchayats are prevalent in Haryana, western Uttar Pradesh and parts of Rajasthan. Love marriages are considered taboo in areas governed by Khap Panchayat.*
- *Those living in a Khap are not allowed to marry within the same gotra or even in any gotra from the same village. Many young couples have been killed in the past for defying Khap rules. Khap Panchayat imposes its writ through social boycotts and fines and in most cases end up either killing or forcing the victims to commit suicide. All this is done in the name of honour and brotherhood.*

TRAFFICKING OF WOMEN & CHILDREN

- Trafficking in women and children is the most an abominable violation of human rights.
- Trafficking in its widest sense include the exploitation girls by pushing them into prostitution, forced labour or services, slavery or practices similar to slavery and the trade in human organs.
- Women and children are trafficked an exploited, and forced to lead a life of indignity, social stigma, debt bondage and a host of ailments including HIV/AIDS.
- Acute poverty and lack of employment opportunities has been abetting an increased voluntary entry of women into sex work. Trafficking is a complex challenge as it is an organized criminal activity.





WORLDWIDE VIEW



A quick look through the daily newspapers will give us an idea of the epic proportions the phenomenon has taken. Sample some of these facts from around the world:

- At least one out of three women has been beaten, forced into sex, or abused during her lifetime, according to a study based on 50 surveys from around the world. On most occasions, the abuser was a member of the woman's family or someone known to her.
- One woman in four has been abused during pregnancy.
- More than 60 million women worldwide are considered 'missing' as a result of sex-selective abortions and female infanticide, according to an estimate by Nobel Laureate Amartya Sen.
- The World Health Organisation has reported that up to 70% of female murder victims are killed by their male partners.
- Interpersonal violence was the 10th leading cause of death among women between the ages of 15 and 44, in 1998.
- Population based studies report that between 12 and 25% of women have experienced attempted or completed forced sex by an intimate partner or ex-partner at some point in their lives.
- The United States has a dismal record in this: the numbers of women murdered by their close relatives are 15 per million per year
- In a recent report by the United Nations Population Fund, it emerged that as many as 70% married women in India between the age of 15 and 49 are victims of beating, rape or coerced sex. Despite a series of laws that have been enacted to tackle this problem, the only result has been a slight decrease in domestic violence and a large number of cases in which the law has been abused by women
- According to the UN, one in three women around the world between the ages of 20 and
- 24 years old were first married before they turned 18. In total, over 60 million girls worldwide are child brides, married before the age of 18, primarily in South Asia (31.1 million) and sub-Saharan Africa (14.1 million). Child marriage exacerbates all the challenges faced by girls, increasing the chances of domestic abuse, a poor or non-existent education, isolation from family, and unhealthy pregnancy.



- In Britain, one woman is killed by her partner every three days, one woman in four experiences domestic violence and attacks on partners account for a quarter of all violent crime.
- In France, six women die each month at the hands of men who profess to love them.
- Women earn less than men in all 27 European Union countries, according to a recent European Commission report. In 2005, the pay gap was 15% across the European Union.
- Acid attacks also known as vitriolage is a violent attack especially on women. Every year around 1500 people are attacked in this way across the world. Reports indicate that out of them, 80% are women and 40% to 70% are below 18 years of age.





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NATIONAL SCENARIO

Crimes against women reported every two minutes in India

As many as 2.24 million such crimes were reported over the past decade.

Marital and other rapes grossly under-reported

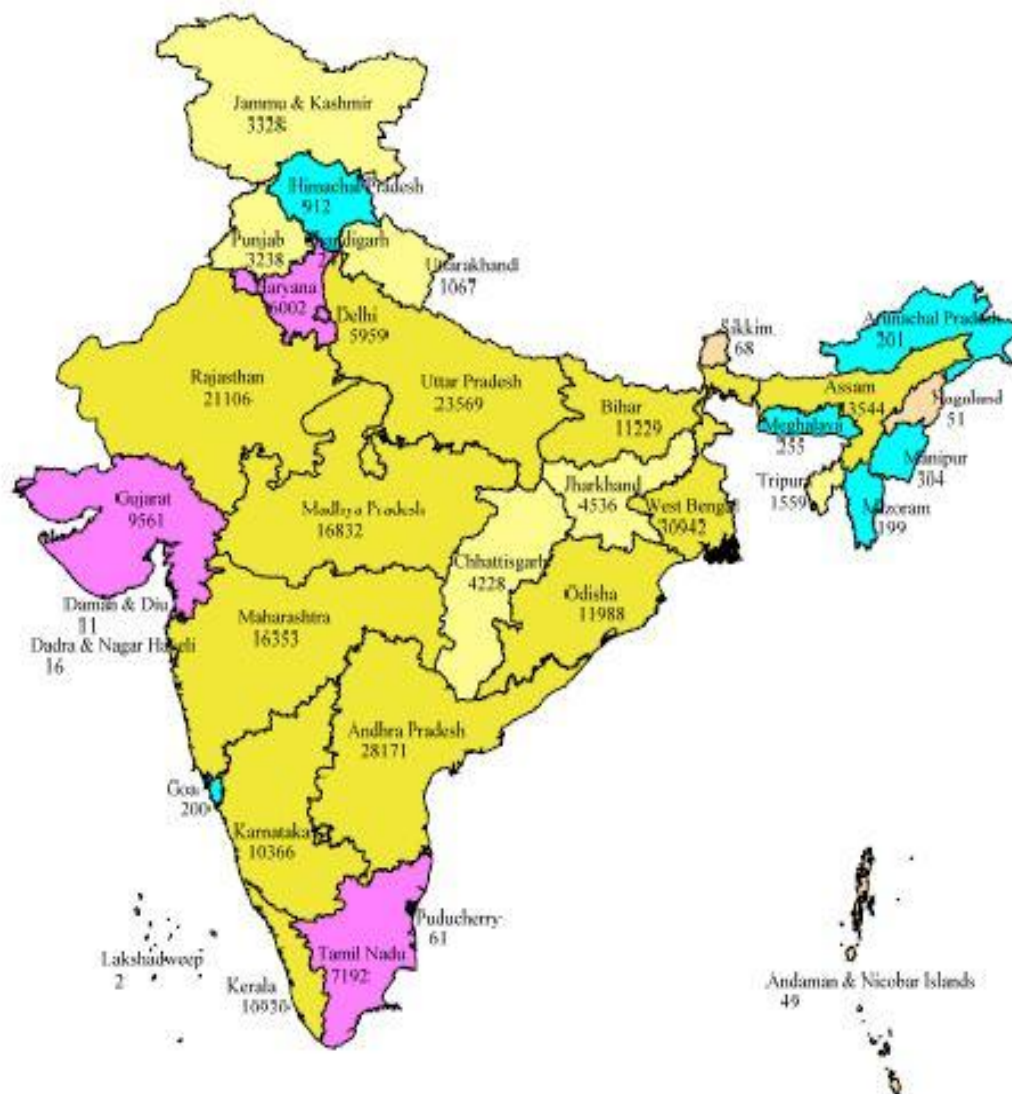
157 per 1,00,000 women reported to NFHS that they had experienced rape by men other than their husbands in the past 12 months, 6,590 said their husbands had physically forced them to have sexual intercourse against their will.

848 Indian Women Are Harassed, Raped, Killed Every Day

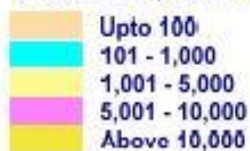
- ‡ **By 2013, the number of cases of violent abuse has increased by over 50 percent. That's over 848 women who are harassed, raped or killed after abduction every single day. Some are sold off to traffickers.**
- ‡ **In 2013, over three lakh women were kidnapped, raped, molested—and in some extreme cases, killed—by men across the country. That's almost a 27 percent increase since 2012**
- ‡ **In 2013, almost 34,000 women were raped. That's a 35.2 percent rise from 2012, with the highest rate of increase in Delhi.**
- ‡ **A sizeable portion of the rape survivors—over 13 percent—are under the age of 14 years. If you count all the women who are raped by the time they turn 18, that's almost 40 percent of the entire demographic of women rape survivors. Worse, almost all of these women are raped by their neighbours, parents, a close family member or other relatives. Rapes in 15 out of India's 35 states and Union Territories are only committed by people known to the survivor. *Delhi in the north, Assam and Tripura in the northeast, and Rajasthan in the west are the most unsafe states for women in India.***

INCIDENCE OF CRIME AGAINST WOMEN DURING 2012

(All India 2,44,270)



Incidence (No. of Cases)

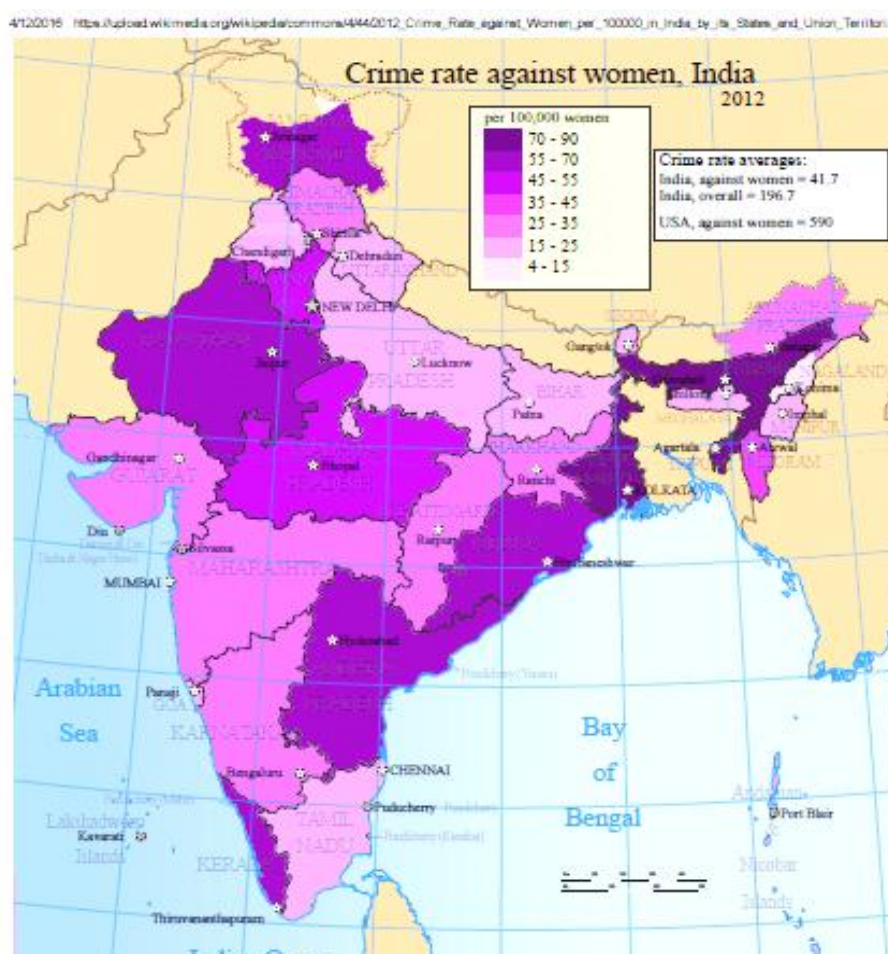


INCIDENCE OF CRIME AGAINST WOMEN

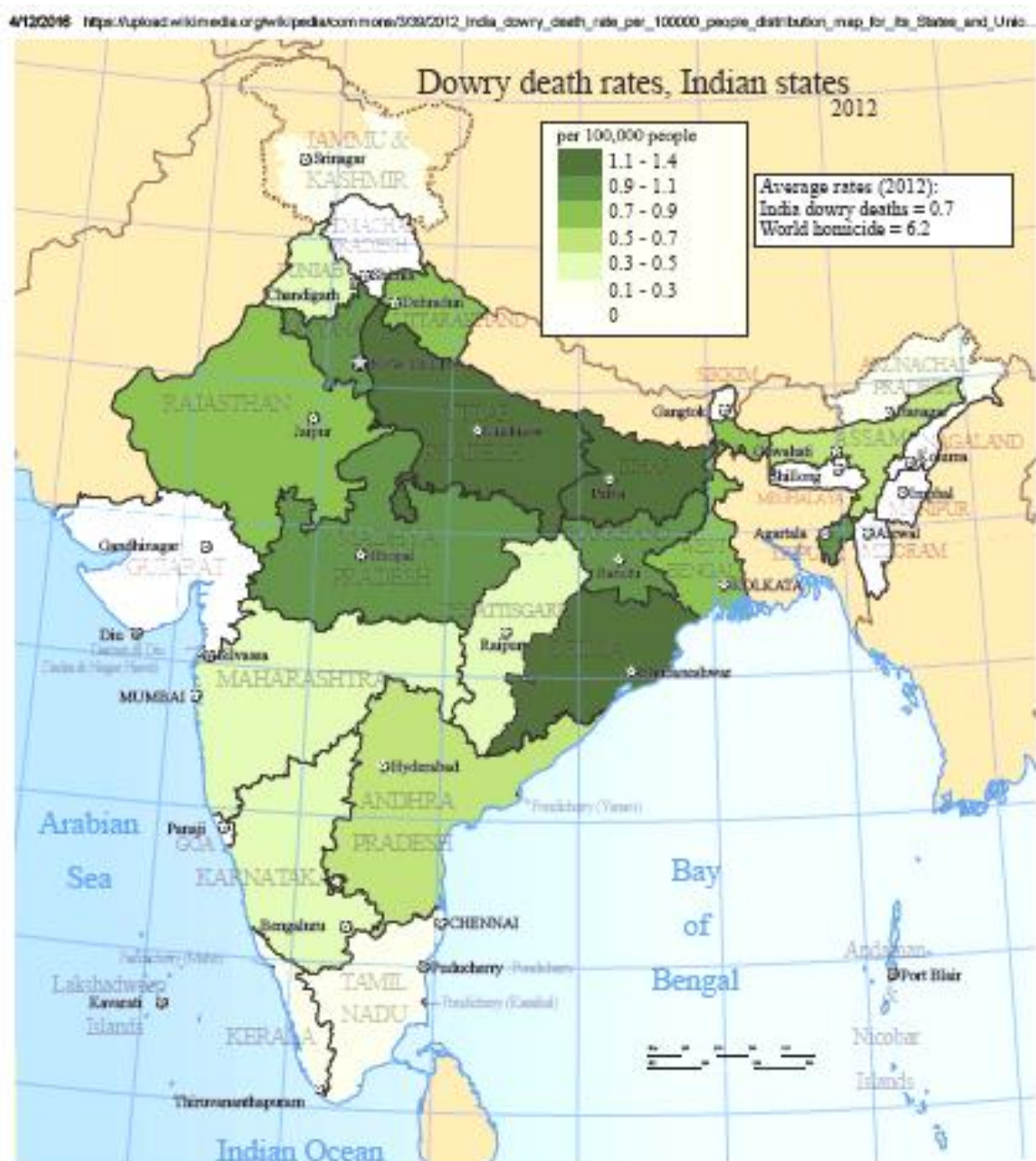
Sl No.	Crime Head	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Percentage Variation in 2012 over 2011
1	Rape (Sec. 376 IPC)	19,348	20,737	21,467	21,397	22,172	24,206	24,923	3.0
2	Kidnapping & Abduction (Sec. 363 to 373 IPC)	17,414	20,416	22,939	25,741	29,795	35,565	38,262	7.6
3	Dowry Death (Sec 302/304 IPC)	7,618	8,093	8,172	8,383	8,391	8,618	8,233	-4.5
4	Torture (Sec. 498-A IPC)	63,128	75,930	81,344	89,546	94,041	99,135	1,06,527	7.5
5	Molestation (Sec. 354 IPC)	36,617	38,734	40,413	38,711	40,613	42,968	45,351	5.5
6	Sexual Harassment (Sec. 509 IPC)	9,966	10,950	12,214	11,009	9,961	8,570	9,173	7.0
7	Importation of Girls (Sec. 366-B IPC)	67	61	67	48	36	80	59	-26.3
8	Sati Prevention Act, 1987	0	0	1	0	0	1	0	-100.0
9	Immoral Traffic (Prevention) Act, 1956	4,541	3,568	2,659	2,474	2,499	2,435	2,563	5.3
10	Indecent Representation of Women (Prohibition) Act, 1986	1,562	1,200	1,025	845	895	453	141	-68.9
11	Dowry Prohibition Act, 1961	4,504	5,623	5,555	5,650	5,182	6,619	9,038	36.5
	Total	1,64,765	1,85,312	1,95,856	2,03,804	2,13,585	2,28,650	2,44,270	6.8

A map of the reported comparative rate of violence against women in Indian states and union territories in 2012, based on crimes reported to the police.

The map shows the comparative rate of violence against women in Indian states and union territories in 2012, based on crimes reported to the police. Crime rate data per 100,000 women in this map is the broadest definition of crime against women under Indian law. It includes rape, sexual assault, insult to modesty, kidnapping, abduction, cruelty by intimate partner or relatives, trafficking, persecution for dowry, dowry deaths, indecency, and all other crimes listed in Indian Penal Code. The map shows the comparative rate of violence against women in Indian states and union territories in 2012. Crime rate in this map is the broadest definition of crime against women under Indian law reported by the data source. It includes rape, sexual assault, harassment and insult to modesty, kidnapping, abduction, cruelty by intimate partner or relatives, importation or trafficking of girls, persecution for dowry, dowry deaths, indecency, and all other crimes listed in Indian Penal Code. Data Source: Crime in India 2012 Statistics, National Crime Records Bureau (NCRB), Ministry of Home Affairs, Govt of India,



A map of the reported dowry deaths in India, per 100,000 people (2012)



The map shows the annual dowry death rate per 100,000 people for Indian states and UTs. Data Source: Crime in India 2012 Statistics, National Crime Records Bureau, Ministry of Home Affairs, Govt of India (2013)

28.9 per cent of dowry cases were reported from Uttar Pradesh (2,335 cases) followed by Bihar (1,182 cases) accounting for 14.6 per cent of total cases.

- The Gender Development Index, sponsored by the UN, paints a reprehensible image of India. In last five years that is from year 2000 to 2005 position of India dipped from 105 to 113.
- The child sex ratio in India continues to be alarmingly skewed with just 914 girls to 1000 boys. Female feticide and infanticide are rampant in India.
- Only 58% of childbirths in India are attended by a health specialist – rest are left in His hands. 28% of the girls who survive get married at a tender age of 15-19 years – and marriage for most implies punctuation to education or career.
- The girl child is looked upon as a burden by our society and people apply all possible methods to stop the birth of a girl child. The girl child is slaughtered mercilessly in the mother's womb and according to reports; around 50 million women are missing because of female foeticide in India.
- The gender pay differential in India, though shrinking, is still hovering in the teens (18% in 1983, 13% in 1999).
- India still has one of the lowest female literacy rates in Asia. Compared to boys, far fewer girls are enrolled in the schools, and many of them drop out.
- Reports of rape, dowry deaths, molestation, sexual harassment and other crimes against women in India rose by 6.4 percent in 2012 from the previous year, with the highest number of rapes recorded in the capital city.
- Statistics showed that 244,270 crimes against women were reported to the police in 2012 compared with 228,650 in 2011, according to the National Crimes Records Bureau (NCRB).
- 98 percent of those who reported rapes last year named parents, relatives and neighbours as the accused.
- Husbands commit a majority of acts of sexual violence in India, and just one per cent of marital rapes and six per cent of rapes by men other than husbands are reported to the police. Only 0.6 per cent of rapes by the husband were reported.
- More than half-a-billion Indians lack access to basic sanitation. Most of the cases of rape of women and girls in India occur when they go out to defecate in the open.
- India is at 123rd position when assessed on Economic Participation and Opportunity parameters. Share of women in non-agricultural wage employment is just 18%.
- Acid attacks also known as vitriolage is a violent attack especially on women. According to the report of NCRB for the year 2013, Andhra Pradesh, Uttar Pradesh and West Bengal earned the dubious distinction of leading a list of states where crime against women in 2013 was highest. However considering the rate of crime

committed per lakh of female population, Assam and Tripura top the list followed by Rajasthan.

- Only 20 percent of the world's parliamentarians were women. Women make up only 10.8 percent of the Lok Sabha and 10.3 percent in the Rajya Sabha. Today women only constitute a meagre 12% of the parliament strength and hold only 11% of the ministerial berths.
- The gender profile in Indian Parliament is woefully lopsided with women constituting only around 11 percent of the total membership. Women generally don't prefer to enter into politics, as they think it is difficult to manage and present their opinion in a party meeting or in assembly where more than 90% members are male persons. Although the percentage of women parliamentarians has increased over the years, it is still lower in comparison to countries like Sweden, Argentina, the UK and the US.



Trust Law, a news service run by Thomson Reuters, has ranked India as the worst G20 country in which to be a woman.

New research by economists Siwan Anderson and Debraj Ray estimates that in India, more than 2 million women are missing in a given year. The economists found that roughly 12% of the missing women disappear at birth, 25% die in childhood, 18% at the reproductive ages, and 45% at older ages. They found that women died more from "injuries" in a given year than while giving birth injuries, they say, "appear to be indicator of violence against women". Deaths from fire related incidents, they say, is a major cause each year more than 100,000 women are killed by fires in India. The researchers say many cases could be linked to demands over a dowry leading to women being set on fire. Research also found a large number of women died of heart diseases. These findings point to lifelong neglect of women in India. It also proves that a strong preference for sons over daughters leading to sex selective abortions is just part of the story. Clearly, many Indian women face threats to life at every stage violence, inadequate healthcare, inequality, neglect, bad diet, lack of attention to personal health and wellbeing.



SHOCKING CASES OF VIOLENCE AGAINST WOMEN IN INDIA

1. On most days, Indian newspapers report shocking new atrocities - a 10-month-old raped by a neighbour in Delhi; an 18-month-old raped and abandoned on the streets in Calcutta; a 14-year-old raped and murdered in a police station in Uttar Pradesh; a husband facilitating his own wife's gang rape in Howrah; a 65-year-old grandmother raped in Kharagpur.

But in a country where a rape is reported every 21 minutes, even these most horrific of crimes soon get forgotten - except by the victims and their families. They are left to fight their long lonely battles for justice which, more often than not, is denied to them. Violence against women is deeply entrenched in the feudal, patriarchal Indian society, where for the rapist, every woman is fair game.

1. One of the most painful and lingering cases is that of the **Mumbai nurse Aruna Shanbaug**. Brain dead by the attack and remains in a vegetative state. Sodomised by a cleaner in the hospital where she worked, the 25-year-old was strangled with metal chains and left to die by her attacker, Sohanlal Bharta Walmiki, on 27 November 1973. She was saved, but barely so. For the past 39 years she has been lying in a hospital bed in a vegetative state, brain dead, unable to recognise anyone, unable to speak, unable to perform even the most basic of tasks. She died last year. "He was not even charged for raping her," says journalist and author Pinki Virani, who wrote Aruna's Story, a book on the nurse's plight. So Walmiki was given a light seven-year-sentence for robbery and attempted murder. In what can be described as a real travesty of justice, while a brain dead Aruna remains confined to a hospital room, her attacker roams free - out of jail and able to rebuild his life.
2. In 2003, the country was shamed when a 28-year-old Swiss diplomat was forced into her own car by two men in south Delhi's posh Siri Fort area and raped by one of them. The rapist, whom she described as being fluent in English, spoke to her about Switzerland and is believed to have even lectured her on Indian culture.
3. In 2004 in Manipur, 32-year-old Manorama was taken away from home by the soldiers of Assam Rifles who accused her of helping insurgents. A few hours later, her **mutilated body was found by the roadside, her pelvis riddled with dozens of bullets.**
4. Last year, **14-year-old Sonam was raped and killed** inside a police station in Uttar Pradesh.
5. During the 2002 riots in Gujarat, a number of Muslim women were gang-raped, and campaign groups routinely accuse the security forces in Indian-administered Kashmir and the troubled north-east of using rape as a weapon to punish the entire community.

6. In May 2009, Indian-administered Kashmir witnessed **47 days of violent protests and strikes** after two young women were raped and murdered, allegedly by police, in Shopian town.
7. And in Chhattisgarh, Soni Sori has been in police custody since October 2011 when she was arrested on charges of being a courier for the Maoists. She has alleged in the Supreme Court that while in custody, she has been raped and stones have been shoved inside her vagina.

Most of these victims are still waiting for justice, sometimes years after the crimes have been committed.

9. The rapists sometimes escape with a light sentence because a judge accepts their argument that they committed the crime because they were drunk, or that they were living away from their family, or they had a family to look after, or that the accused was a high-caste man who could not rape a Dalit - low caste - woman in 1972 when Mathura, a 16-year-old tribal girl, was raped by two policemen inside a police station. The courts set free the accused - they said she did not raise an alarm, she was not injured, and since she was sexually active, she would have "voluntarily" consented to sex.

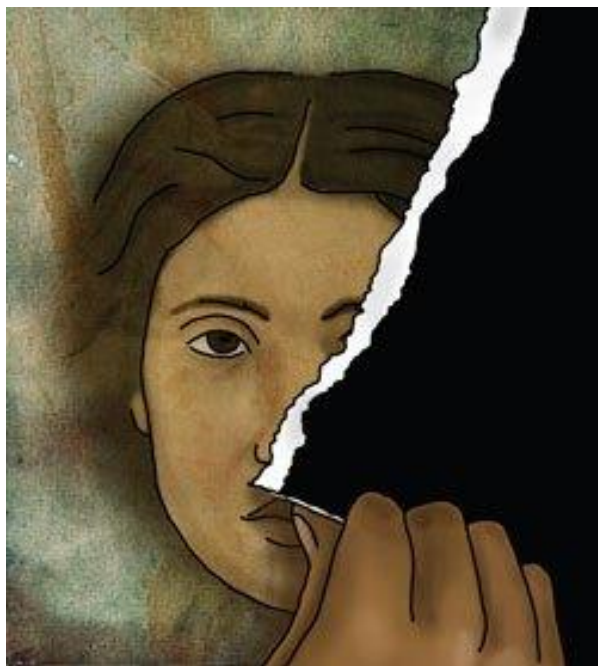




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WHERE IS BIHAR?

NEWS SNIPPETS

Bihar Panchayat bans use of mobile phones by girls

Bihar teacher beaten to death for dowry

Bihar: Six men rape women after tying husband and son to the tree

Bihar: Woman gang raped by 4 men; 3 arrested

Five-year-old girl 'Gudiya' was gang-raped by two people

In India, a woman dies every hour due to dowry related problems: The National Crime Records Bureau (NCRB) report

Minor girls in Bihar battle rape and pregnancy

INTRODUCTION

Bihar is the twelfth largest state of India and also its third most populous state, with

8.07% of the country's population. This eastern state comprises of 38 districts, and has close to 85% rural population. Eighty-five percent of this inhabits the rural areas and the state lags behind other states in human development and economic indicators. Scheduled Castes (SCs) make up 15.4% of its population, while Scheduled Tribes (STs) constitute 0.9% (Census of India, 2001). Violence against SCs is very high and Bihar accounts for 9.8% of all crimes committed against Scheduled Castes in India.

The economy of the state is largely service oriented (accounts for 55% of economy), albeit with a significant agricultural base (accounts for 35%) but a small industrial sector (accounts for 9%). The state averages a per capita income of \$148 a year against India's average of \$997 and 30.6% of the state's population lives below the poverty line against India's average of 22.15% (Directorate of Economics & Statistics of respective State Governments and Central Statistical Organisation).

Bihar's literacy rate is 47.53%, which is low compared to the national average of 65.38%, and its female literacy rate is amongst the lowest in the country (33.57%). More than 40 lakh children of Bihar are out of school (Bihar Education Project Council Report, 2004-05) and till the beginning of 2006, the total number of primary and middle schools in the state stood at 59,000 – The same as the number in 1980.

Health indicators in the state show the lack of basic medical services and infrastructure. Reproductive and child health, not surprisingly, are the hardest hit, and the state records a high Maternal Mortality Rate (MMR) of 371, as against the national average of 301. Bihar is only one of the two states in India where polio cases were detected in 2006 even after various rounds of intensive immunisation campaigns. Infant Mortality Rate stands at 61 per 1000 live births.

The status of women in Bihar is abysmal. While the state's sex ratio stands at 919 females per 1,000 males, the state accounts for nearly 5.2% of all crimes committed against women in India (National Crime Records Bureau Report, 2004). Though this number is not very high compared to the national average (14.2%), a very large number of cases of crime against women go unreported in Bihar due to the low status of women in the state. Key forms of crime against women include dowry harassment, rapes, murders and witch-hunting.

Women have limited access to even elementary education and basic health services. High MMR indicates their poor status in the household, which denies them essential hours of rest, requisite nutritional intake, antenatal care and necessary medication. Absence of adequate number of female medical practitioners in the health posts of the state further aggravates the

issue, and most deliveries are conducted at home. Abject poverty has led to a high rate of trafficking of women and children to various red light areas around the country.

The status of women in Bihar is particularly low because of a lethal combination of feudal, caste and patriarchal oppression. The Dalit women especially bore the brunt of the combined effects of these three kinds of oppression and they had it hard put to secure their “izzat” or honour. Indeed a major theme of the battles fought by the ultra left parties in

Central Bihar that got them tremendous support from Dalit women was the assertion of their gender rights which had been flouted at will by the upper castes for centuries (Bhatia, 2005a). Sexual harassment with frequent abductions and rape of Dalit women was a common phenomenon and most of it went unreported due to the power of the upper caste offenders. Apart from this there is a tremendous amount of domestic violence and seclusion of women within the home. Though matters have improved slightly with time the situation is still biased heavily against women.

The status of women is still very inferior to that of men. A majority of women get married below the age of 18 and 25% of them get pregnant. The total fertility rate which is a crucial indicator of the prevalence of male preference arising from patriarchy is as high as 4. Similarly another indicator of patriarchal oppression the maternal mortality rate too is unacceptably high at 451 per 100000 live births. The body mass index of 43 % of the women is below normal and a shocking 68.3 % are anaemic. Literacy is very low at 33.1 % and 59% report having suffered from domestic violence. The crimes reported against women are also quite high in number.

Their representation in legislative bodies is very low and their participation in the work force is only 21%. Thus in all the major spheres of health, education, political empowerment and work participation the women of Bihar are faring extremely badly. This marginalisation of women has manifested itself in the elections in the form of gender based violence.

Bihar is one of the state which scores among the lowest across all human development indicators in terms of health, below Poverty Line families, literacy, per capita income, etc. It is also a State known for its deeply ingrained caste and gender divisions.

Given the above, surprisingly, it was the first Indian State to provide 50% reservation for women in Panchayats. However, they were forced to step very carefully in this highly sensitive and hostile environment. Given the above scenario, it is hoped that the development agenda will positively improve with the advent of these newly elected women leaders. There are now a total number of 1, 35,805 members across all three tiers of the Panchayati Raj institutions of whom 73,204 are women. This critical mass of women leaders of whom 4535 hold the posts of Presidents in Gram Panchayats will definitely impact and change positively the trajectory of Bihar's development. Most women elected to village Panchayats in Bihar and the rest of the country hold public offices for the first time in their lives. Non literate, overworked, undernourished, married at a very young age with several children these women have spent the majority of their lives in their house with no voice in political decision making. In villages where subjugation of women is very high, these women face serious mobility issues and are not expected to talk to strange men.

-  The state of Bihar is the third most populous state in India. The level of violence against women and girls in Bihar is the highest in India: 56% of women have experienced violence, and 57% of men and women believe that intimate partner violence is acceptable. Only 21% of women in Bihar who have suffered violence have sought help.
-  A total of 56% of women, aged 15 to 49, are subjected to physical or sexual violence in Bihar against the national figure of 35%.
-  A whopping 58% of women in Bihar are already mother when they attain the age of 19. Among other indices women's work participation is also very low in Bihar. It is just 18.4%.
-  Bihar has the dubious distinction of being the state with the highest number of women having been beaten by their husbands. What's worse, many women in the state find nothing wrong with what is a punishable offence under the Indian Penal Code and the Protection of Women from Domestic Violence Act of 2004.
-  About 50% women in Bihar are subjected to domestic violence at home and pregnant women are the worst sufferers, according to the State Commission for Women. The main reasons behind it include the desire for male child, resistance to female foeticide and denial of physical intimacy. A large number of males also beat up their wives during pregnancy.
-  According to the survey, 59% of women in Bihar have been beaten by their husbands and 32% of women find such abuse justified if a woman argues with her spouse, shows disrespect to her in-laws or is suspected of having an extramarital relationship.
-  More than half the surveyed adults in the age group of 15-49 (57%) believe it is justified for a husband to beat his wife under specific circumstances.
-  In Bihar, the perpetration of physical, sexual and emotional violence against women cut across demographic categories. If 66% of males in the lowest wealth index scales had perpetrated violence on their wives, those in the highest wealth index were not far behind at 56%.
-  Wife beating in middle class homes stood at 55%. Nuclear families recorded more widespread violence, with 63% women saying they were victims of domestic violence.
-  Despite the various laws and statutes, the crime against women has not decreased. If the statistics of female trafficking in India are analyzed, it is seen that about 90% of the 200,000 humans are trafficked and sold within the country. 6 years back 23% girls from West Bengal, 17% from Bihar, 13% from Assam, 11% from Andhra Pradesh, 8% from Orissa and 6% from Kerala were trafficked to different parts of the country even after having an act to prevent immoral trafficking.

Looking at the figures released by the National Crime Records Bureau (NCRB) recently for Bihar for 2011, one realises that the State has actually become an increasingly unsafe place for women:



The crime rates against them have increased from 6,186 cases in 2008 to 10,231 cases in 2011, a 65 percentage point increase in just the last three years. 56% of the women between ages 15 and 49 are subject to physical and sexual violence.



The roads to the school are not safe for the girls, many of whom complain of eve teasing and lewd comments.



The sex ratio has seen a decline over the last decade. And not just women, Bihar today ranks among the top three States in murder (3,198). According to a recent BBC news report, a senior police officer in Bihar said some 400 women would have "escaped" rape last year if they had toilets in their homes.



According to a national survey conducted by AC Nielsen and Plan India in 2012, 23 per cent girls dropped out of school after reaching puberty due to lack of access to toilets. There have been studies carried out by NCERT and state education boards that show lack of sanitation for post pubescent girls. They go through a harrowing time during their menstrual cycles. So between visiting the common toilet and not going to school, they choose the latter.



Only 24.2 per cent families in Bihar have toilets. Some 85% of the rural households in the state, one of India's poorest, have no access to a toilet. Most of the cases of rape of women and girls in India's Bihar state occur when they go out to defecate in the open.

CONCERN AREAS

- 65% rise in cases of atrocities on women from 2008-11

- 56% of women in the age group of 15 to 49 years victims

- 4,268 abduction cases in 2011. 3,050 were women

- Bihar ranked second in cases of abduction of women and girls in India

- Second after UP in dowry death cases. But rate of increase higher than UP

Majority of women in Bihar still marry before reaching the legal eligible age of 18 years. In cases of domestic violence, we try to counsel the couples first, but if police find the level of violence has crossed the limit, action is taken.



Even abduction of young girls is on the rise, with a massive 71% of all kidnapping cases in the State reported against women and children. Some 3,050 cases of kidnapping and abduction of women were reported in 2011, a 104 percentage point increase over 2008! In fact, Bihar ranks second in the country in kidnapping cases, with a total of 4,268 cases registered in 2011.



The recent uterus scam from Samastipur has shown that crime and corruption continue to prevail, with teenagers, pregnant women and even men being on the list of those whose organs were removed!



Police officials admit that more than 1,000 cases of rape and sexual assault are pending in the courts in Bihar as there are no fast track courts to deal with such cases. The lack of fast track courts is not only delaying the trials in rape cases, it also helps the culprits to get rid of timely punishment.



54.35% of children between the age group of 5-12 years in 2007 in Bihar reported of being photographed nude. The National Crime Record Bureau (NCRB) statistics also suggests that in the same year 22.83% of children among the age group of 13-14 years and 22.83% of the group of 15-18 years were photographed nude.



The NCRB data also suggests that there has been an increase in the number of cases of child sexual violence from around 2,000 in 2001 to 6,371 in 2010. "42% of the Indian population consists of children and among them 29.4% faced abuse," said Reddy. As per Reddy, in 95% of such cases of child sexual abuse, the perpetrators are those known to the victims.



According to NCRB a total of 8541 cases of child rape were reported in the country during 2012 as compared to 7,112 in 2011, accounting an increase of 20.1% during the years 2012.

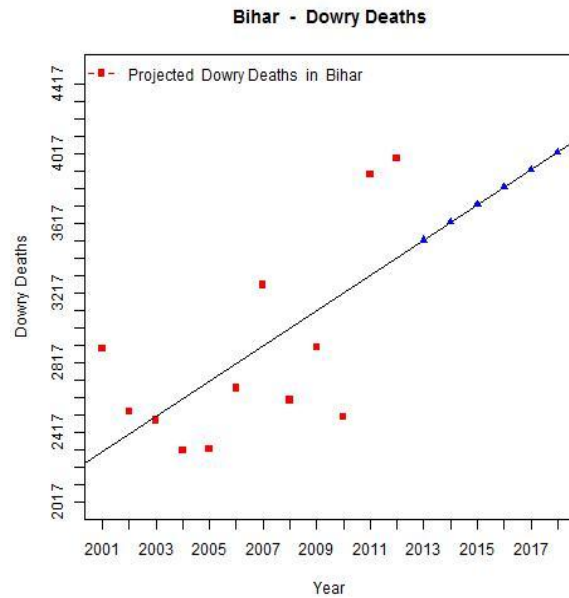
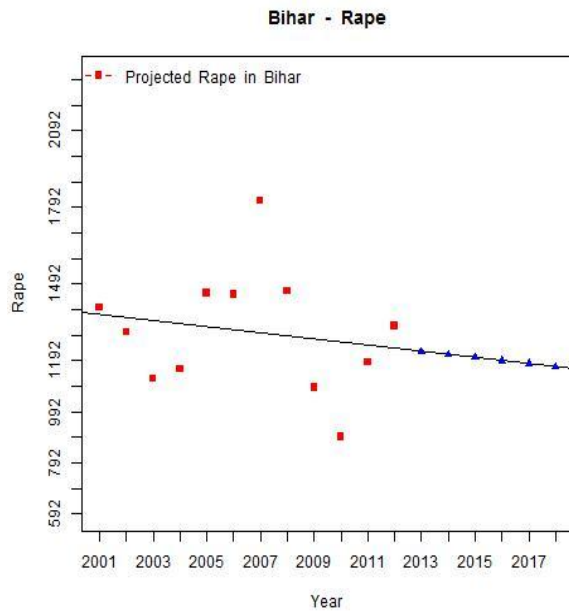
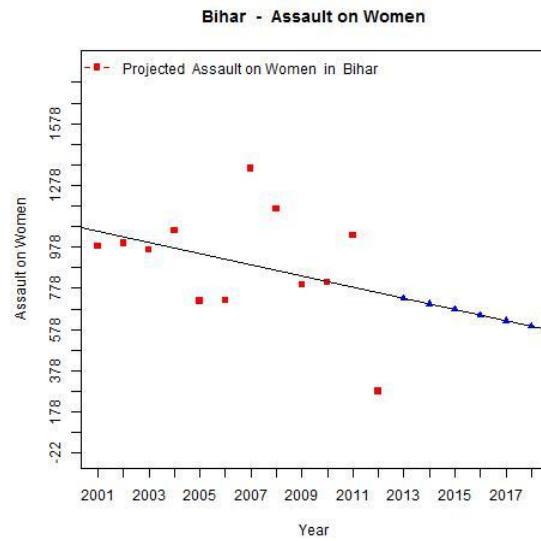
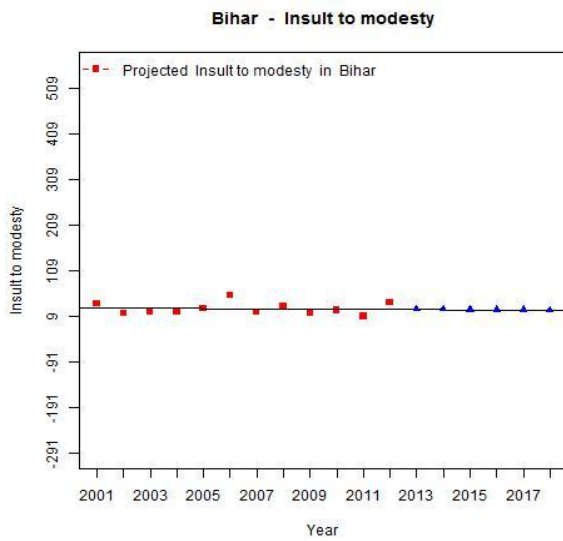
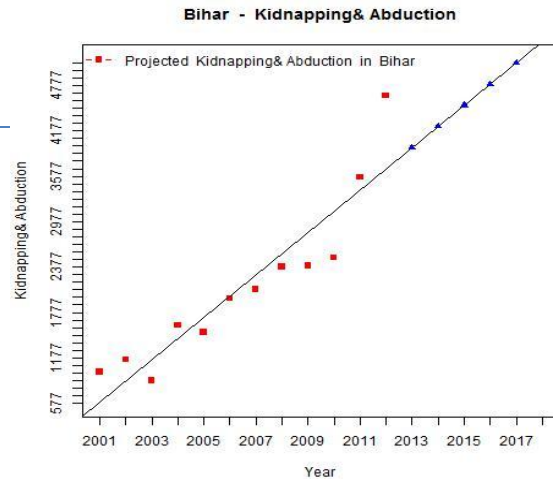
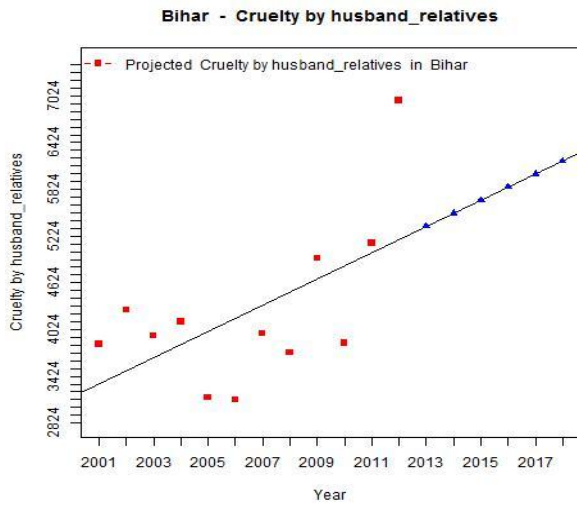


In 2007, 53.22 % of children sampled from across 13 states had faced sexual abuse. Against the popular belief that girl children are the obvious victims of sexual violence, among these, 52.94% were boys and 47.06 % girls.

According to police records, around 150 cases of violence against women get registered with different police stations every month in Patna district. After the creation of Patna Mahila thana on June 3 this year, only five cases have been registered. The Mahila thana officials said, "Initially, many women came to the police station, but later they got hesitant and despite all odds, decided to stay with their husbands due to financial insecurity."

'Romeo' units in Patna to stop crimes against Women

Patrolling by 'Romeo Mobile' units to check crime against women on road will be done. Since educational institutions have become a hub of such nefarious activities, the 'Romeo Mobile' units would concentrate on the vicinity of schools and colleges as well as other crowded places. Romeo Mobile units were started to end the menace of eve teasing, but somehow they failed to create the desired impact. Police are also in the process of reviving helpline number 1090 dedicated to deal with women related issues, including incidents of harassment through cell phones and the internet. These units will operate at the time of beginning and dismissal of classes when 'Road Romeos' start thronging the schools, colleges and coaching centres. Police even in civvies would be deployed around these educational institutions



Some recent cases of sexual harassment in Bihar

Fresh graduates from universities are the most vulnerable targets at the workplace. The young girls who have recently passed out from colleges are joining different private sector companies as trainees. These girls are sought to be lured by their immediate bosses with promises of a salary hike to permanent job. Apart from women in the age group of 20-30 years, women in their early thirties and married are also being targeted at their workplace by their male counterparts. Passing sexist remarks, spreading defamatory rumours and using abusive language have become everyday affairs for working women of the city.

Bihar Women Commission clueless about the guidelines

Long after the apex court set the guidelines for the governments to set up internal committees for cases of sexual harassment at the workplace, the Bihar State Women's Commission does not know if such committees have been formed in all the offices.

January, 2011: BJP MLA from Purnia Raj Kishore Keshari was stabbed to death allegedly by a woman who had earlier accused him of sexual harassment. Rupam's long-standing complaint of rape and sexual harassment by Kesri and his aide BN Rai had been ignored by the Bihar police and the BJP-JD (U) alliance, of which Kesri was a prominent leader. She had sought justice by filing an FIR, but had withdrawn her case on the eve of the Assembly elections, obviously under political pressure. Seeing no hope of justice, Rupam Pathak was pushed to take the desperate step of confronting Kesri in his own house, in full public view.

August 22, 2012: Nisha (name changed), an agent of a life insurance company, contacted Rahmat Ali, inspector, Pirbahore police station. The inspector allegedly called her to meet him at a city hotel where he tried to outrage her modesty. She went to women's helpline complaining about the incident.

October 10, 2012: A domestic help, Rina (name changed), lodged an FIR with Patna Mahila police station alleging that she was raped several times by her employer and his other staff.

December 12, 2012: The Patna high court ordered Canara Bank to accept the resignation of its officer, Amrita Bhushan, who had levelled charges of sexual harassment against her senior colleagues and submitted her resignation letter on the same ground.

February 20, 2013: 35-year-old Rupashree Dasgupta Associate Professor of the nursing cadre had written a complaint to health minister Ashwini Kumar Choubey on September 24, 2012, accusing the IGIMS director Dr Arun Kumar of sexual harassment. In the complaint letter, the associate professor said Dr Arun Kumar had wanted to have an affair with her. When she repeatedly turned down the proposals, she was demoted on grounds of inadequate qualification.

December 4, 2013: A written complaint of sexual harassment at workplace was lodged by Ratna Purkayastha additional assistant director-cum-programme head of Doordarshan on Wednesday with Patna police. The complainant accused state food and consumer protection minister Shyam Rajak and one of her colleague, Navin Prasad, of harassing her.

March, 2014: A lady teacher of DAV school was slapped by the clerk for opposing his sexual advances.

December 31, 2014: Senior Bihar Cop Transferred After Allegations of Sexual Harassment by Woman Officer- In a written complaint to the women's police station in Kaimur, the woman police officer, the second in command in the district, has accused SP Pushkar Anand, a 2009 batch IPS officer, of sexually exploiting her after promising to marry her. The officer has claimed that SP Anand and his family later backtracked and threatened to destroy her career. She also alleged that the SP had been sending her threatening messages in the last few days. As a result, the arrest of IPS officer Pushkar Anand, facing charges of sexually harassing a woman Dy SP, seems imminent with top Bihar police officials giving the go ahead for completion of the investigation process. The committee (set up to probe the case) has found evidence (against the officer) and follow up action is being taken in the case

Sept 15, 2015: A student of Patna Women's College (PWC) on Tuesday, Sept 15 lodged a complaint of sexual harassment against a male teacher of Department of Mass Communication with the college principal. After getting disappointment over the non-cooperation by the college, some students have started raising their voices through Whats App groups. One of the What's App message says, "if you to stand up against any thing, you are forced to stay quiet. The most shocking point is that principal asked for evidence of the incident and when girls gave her a video, of teacher trying to do something with the girl, rather than taking matter seriously, she wants all girls to be quiet or else she would dismiss them." Previously some of the alumnae of the BMC department have also alleged that the teacher used to speak 'double meaning' sentences, thus making girls feel uncomfortable. Police team led by SHO is investigating the case and the written letter of complaint filed by girl was also handed over to police for further inquiry.

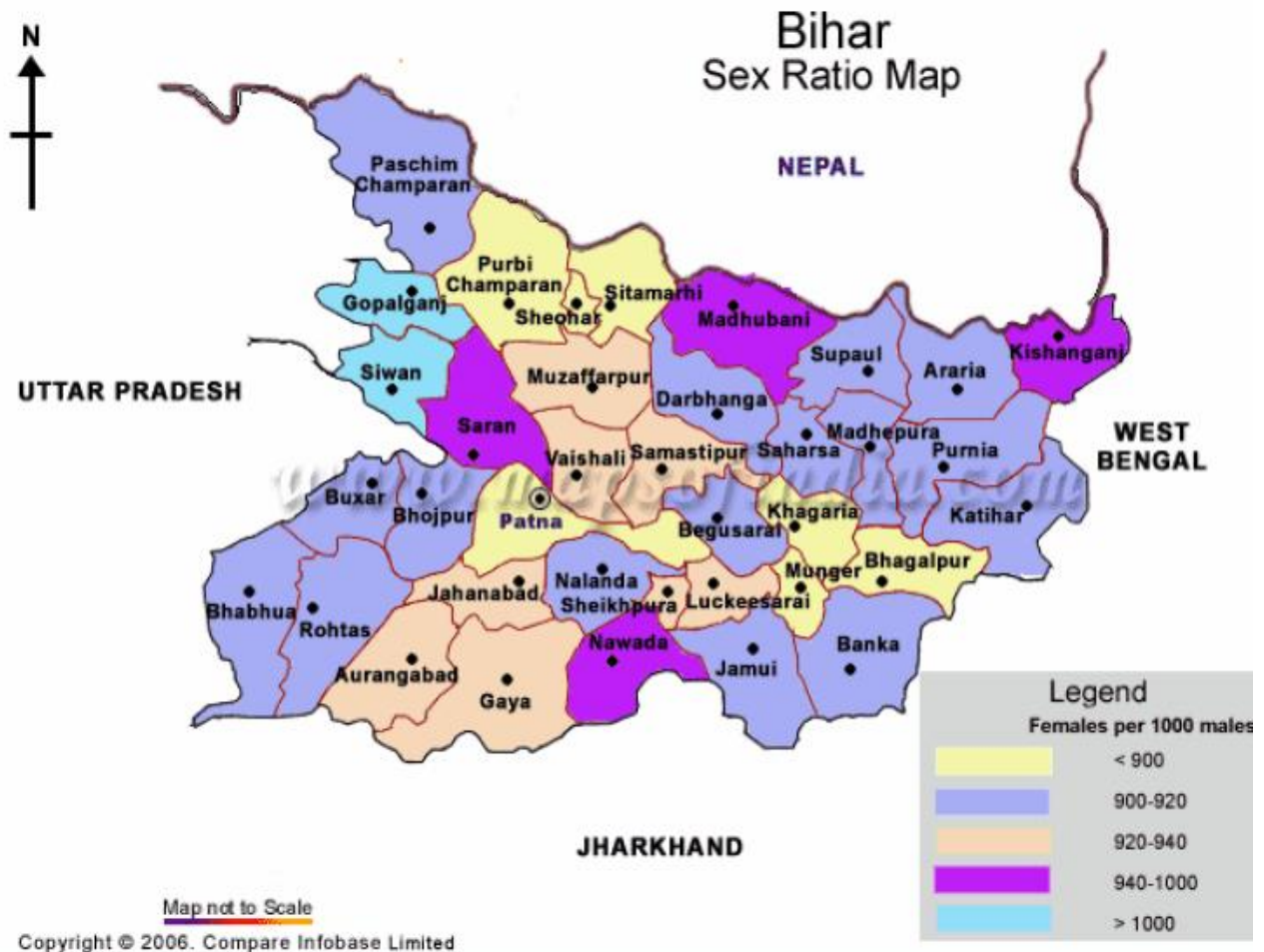
January 18, 2016: MLA accused in sexual harassment case. An FIR of alleged sexual harassment and in connection with other criminals act was lodged against Sarfaraz Alam, MLA of Jokihat assembly constituency in Araria district.

January 29, 2016: Bihar Congress MLA booked for abducting girl. The case against the Bikram MLA was lodged on the basis of a local resident's complaint. The Bikram legislator, son of renowned child specialist Utpal Kant, had earlier abducted the girl in 2014. The girl was brought back by Jehanabad Police after 23 days.

February 14, 2016: The police have booked an RJD legislator for allegedly raping a minor. A minor girl reported to the Nalanda district police on February 6 that a woman named Sulekha Devi took her an undisclosed place about 15 km away from the district headquarters, Bihar Sharif. The woman forced her to have liquor after which she was allegedly raped by a man, later identified as legislator Yadav, the girl said. All this while Devi was present there, the minor alleged in her complaint to the police.

FEMALE FETICIDE

BIHAR- WHERE WERE WE ACCORDING TO 2001 CENSUS



Bihar has a sex- ratio of 916 standing 25th among 35 states and union territories. This figure is a decline of 3 points from the 2001 census.



The overall sex ratio has dropped to 916 females per 1,000 males from 919 in 2001, with a sharp fall in the child population (aged 0-6 years) from 942 girl children in 2001 to 933;

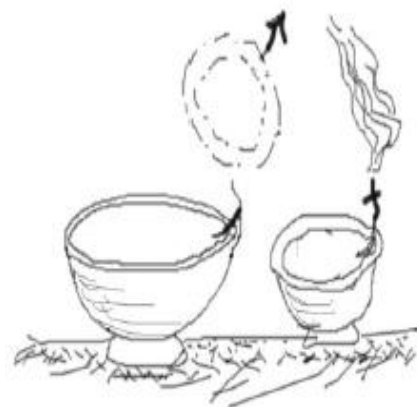


According to preliminary data released by the 2011 census, Vaishali has the worst child sex ratio in the state, with 894 girls for every 1,000 boys aged 0-6. Patna is second from bottom with 899.



In the comparatively urban Patna, Bihar's most populous district, the girl child (0-6 years) ratio has dropped to an alarming 899 girls per 1,000 boys from the erstwhile 923 in 2001;

- ♀ In fact, six of the State's eight urban districts including Patna, have shown a marked decline in the child sex ratio since 2001;
- ♀ Among all the districts Bhagalpur and Begusarai have registered precipitous drops, standing at 934 and 911 from their erstwhile figures of 966 and 946 respectively;
- ♀ Gopalganj tops the sex-ratio list in the State with 1015 females per 1000 males, which is being attributed to high levels of out migration among the males from the district.
- ♀ In rural Bihar, information on sex selection is not easily accessible. Also, the poor cannot afford to pay for the ultrasound or the termination of pregnancy;
- ♀ The problem of female foeticide is seen more in the middle class and affluent families and urban areas which have access to technology
- ♀ People want smaller families and their obsession with the male child means they would want sons rather than daughters;
- ♀ Increased status of a woman as a mother of a son
- ♀ In Bihar, there are more than 1,000 ultrasound clinics, many of them still unregistered
- ♀ The concept of 'Vanshodharak' a male child to perform last rites in Hindus and carry forward measures to reduce female feticide



Sign language used in Ultrasound clinics- India legally allows abortion up to 12 weeks of pregnancy. Gender can be determined only after 14 weeks of pregnancy and sex selective abortion is illegal. But medical practitioners have found a way of circumventing the law. **How?** In Bihar, there are more than 1,000 ultrasound clinics, many of them still unregistered. An ultrasound scan costs a few hundred rupees and there is zero paperwork to avoid leaving any proof. The parents are never given anything in writing. Often, the gender of the foetus is conveyed by signs - a pat on the side of the nose signifies the nose-ring (or a girl) while a twirl of the moustache is meant to be a boy.



DALIT ATTROCITIES IN BIHAR

DAMNING NUMBERS

32,395 CASES OF ATROCITIES AGAINST DALITS REGISTERED BETWEEN 2005 AND AUGUST 2014

10,681 of these cases lodged between January 2013 and August this year alone

4,322 cases between January and August 2014, including 361 cases under Prevention of Atrocities against SC/ST Act

In 2013, **305** such cases

lodged against **81** in 2012, 29 in 2011 and **31** in 2010

During the first term of Nitish Kumar, **10,798** Dalit atrocities cases lodged compared to **19,097** the four years of the second term so far

68 rape cases lodged in 2013

as against **39** in 2012 and **13** in 2011 and seven in 2010.

Till this August, **19** rape cases (excluding Bhojpur cases) filed

Murder cases only respite, down from 100 in 2011 to **52** in 2013 and **39** till August this year



CASES OF ATTROCITIES

1) This is a case of land grab, caste atrocity and murder with a firearm

The victim had bought land (2 katha) for Rs. 25,000 from the late Lalita Lal eight years ago. This land is surrounded from all the sides by Rambilas Yadav's land. The land in the centre belongs to the Scheduled Caste community. To forcefully acquire this land, Rambilas fought with BH-04 as well as her husband Bindeshwari Paswan. The victim and her daughter Anju Kumari tried to help and rescue Bindeshwari but Rambilas Yadav and his friends fired on the victim and started beating Anju Kumari. Then, they took Bindeshwari away to Bellai village and shot him dead. The accused argued that people belonging to Scheduled Castes cannot construct their houses adjacent to their land. The police are also in cahoots with the culprits and have not arrested them yet. After killing her husband they stuffed his mouth and face with stones, so that the body could not be identified. The police have been pressurizing the victim and her daughter to compromise and settle the case. The police are offering a marriage proposal with the culprits for the victim's daughter. The family had bought land for 25,000 from the Lala, for ten years the land was lying fallow, but once the Dalit family started to build a house on the land, the Rajput and Yadav castes started to oppose them as the land is surrounded by Rajput and Yadav houses. The entire problem is that the upper caste people do not want the Dalit family to build their home in an upper caste area. The victim's daughter has completed her 10th grade and has dropped out of school out of fear. The victims had to flee from their village for 2 months out of fear.

2) Dalit woman sexually abused, cheated and burnt alive, in Bihar

The victim was sexually abused for a long period of time, then raped and burnt alive. The Indira Awas Yojana funds allotted to a Dalit woman were taken away by a policeman as a loan, and when she demanded it back, what followed was a horrific series of atrocities. The victim was raped in front of her family and then burnt alive.

3) Dalit woman dies due to gross medical negligence, in Bihar

*The case of Ms. BH-01 (name changed): BH-01's daughter-in-law was pregnant and she took her daughter-in-law to the hospital but the hospital did not have doctors to conduct delivery. There they met an agent who took them to another private doctor, who operated on the pregnant woman. However, the negligent doctor conducted a wrong surgery due to which the daughter-in-law's health got critical. BH-01 was then asked by the doctor to go to some other district hospital. From there, she was directed to go to Banaras BHU hospital where she was asked to go back to the first doctor who treated her daughter-in-law. BH-01's daughter-in-law died during this period due to medical negligence. With the help of local a Dalit activist, when BH-01 went to file a complaint, the police made her run from pillar to post. The police have now asked to compromise but BH-01 wants to continue fighting the case as it is a question of larger justice. It is not only about her daughter-in-law but also about other women who have fallen in the trap of the fake private doctor. **The accused doctor Arun Verma still continues with his medical practice. It is an RMP clinic***

4) Dalit woman beaten up by priests for not paying service charges in the temple, in Bihar

Case of Brahminism: The newlywed victim went to the temple with her family, to pray but the pundits demanded 1000 rupees which she did not have. Therefore, they were not allowed to pray inside the temple. The victim then decided to pray from outside the temple. However, a pandit of the temple saw this and started to abuse the victim. He kicked her worship thali, when the victim protested she was beaten and abused, her clothes were torn apart while the Brahmins beat her. She was beaten till she fainted. The priests thrashed her so severely that even now she suffers from back pain and limps while walking. Now the Brahmins have filed a counter case against the victim alleging that she has stolen temple jewellery. The police did not conduct the medical examination; the victim had to go to a PHC for treatment. Irrespective of a strong case, no action has been taken against the perpetrators.

5) Dalit woman beaten to death for demanding wages, in Bihar

Caste violence by dominant OBC caste: The victim used to work as a labourer in the farms of the dominant caste OBCs; after working for four days she asked for her wages that was 400 rupees! She was then slapped and beaten by the OBC farmer and four of his sons. After two days, the accused caught her again when the victim was going somewhere. He dragged the 50 year old woman to his door and beat her till she was unconscious. When he realized that she would not survive, he and others dragged her back to her home and threw her near the door, where she died after a few hours. The victim's family has not got any compensation, the police are pressurizing for a compromise. The FIR report has been wrongly filed and the post mortem report has been changed.

Source: Savari

adivasi bahujan and dalit women conversing
<http://www.dalitweb.org>

These are just some of the human right abuses mentioned by the Asian Centre for Human Rights (ACHR) in its 'Indian Human Rights Report 2009'. The situation in neighbouring Bihar is no better. The crime graph against dalits is showing an upward trend. In 2008, 2,786 cases were registered as against 1,572 in 2005. A total of 2,766 cases of atrocities are pending in various courts in Bihar. Vishwanath Rishi, chairman of the Maha dalit Commission, Bihar, believes that the police should not register cases under criminal offences against dalits but under the SC/ST (Prevention of Atrocities) Act, 1989. "This will allow victims to receive compensation while the accused receive harsher punishment," he said. It's the same story in Delhi and Haryana too. Although the Delhi state government runs several schemes for the welfare of dalits and ST/OBC/minorities, almost 50% of funds allocated for their welfare remain unused.

BIHAR CRIME DATA IN A NUTSHELL

About 50% women in Bihar are subjected to domestic violence at home and pregnant women are the worst sufferers, according to the State Commission for Women. The main reasons behind it include the desire for male child, resistance to female foeticide and denial of physical intimacy. A large number of males also beat up their wives during pregnancy. Less than 1% domestic violence cases are reported to police.

According to National Crime Record Bureau (NCRB) figures for last year, 56% women in the state between the age of 15 and 49 years are subjected to physical and sexual violence. Bihar ranked second in the country, behind Uttar Pradesh, in kidnapping cases, dowry deaths and dowry-related crimes against women in the year 2011.

NCRB records show that women in Bihar tend to marry at an early age. 38% of women get married between 15-19 years. Majority of women in Bihar still marry before reaching the legal eligible age of 18 years

According to police records, around 150 cases of violence against women get registered with different police stations every month in Patna district. After the creation of Patna Mahila thana on June 3 this year, only five cases have been registered. The Mahila thana officials said, "Initially, many women came to the police station, but later they got hesitant and despite all odds, decided to stay with their husbands due to financial insecurity."

A national survey conducted by AC Nielsen and NGO Plan India in 2012 found that 23% girls drop out of school after reaching puberty. In Bihar, 872 cases of rape were reported till November 2012. "Roughly 40% to 45% of the incidents took place with the women when they went out of their homes to defecate in the open," states Arwind Pandey, Bihar police's IG for weaker sections.

More than 870 rape cases were reported in 2012 out of which 45 cases took place in the state capital-Patna. Shockingly, charge sheet was filed in only 10 of the 45 cases pertaining to Patna. The National Crime Records Bureau shows a 40% rise in cases like rape in five years from 2006. As many as 2.3 lakh cases of such crimes were reported from all over the country in 2011. In 2006, the figure was 1.6 lakh.

While the registered crime against women in 2008 was 6186, there has been a steep rise to 10231 in 2011. Latest crime figures collected from the state police headquarters reveal that a total of 10,898 cases of crime against women were registered in the state last year till November. The figure was 9,795 in 2012 and 8,141 in 2011. There has been a spike in cases of rape, kidnapping, sexual harassment and atrocities for dowry in the state during 2013 vis-à-vis 2012.

According to preliminary data released by the 2011 census, Vaishali has the worst child sex ratio in the state, with 894 girls for every 1,000 boys aged 06. Patna is second from bottom with 899. **SILVER LINING: At 933, the state's child sex ratio is still better than the national average of 914.** In Bihar, there are more than 1,000 ultrasound clinics, many of them still unregistered.

Bihar has been consistent in the crime on women graph. Five years earlier, in 2006, the state recorded 6740 crimes on women 4.1% of such crimes countrywide. However, in overall incidence of violent crimes, Bihar stands second in the country next only to Uttar Pradesh. There are scores of cases involving youth between 16-18 years of age in heinous crime.

CHALLENGES

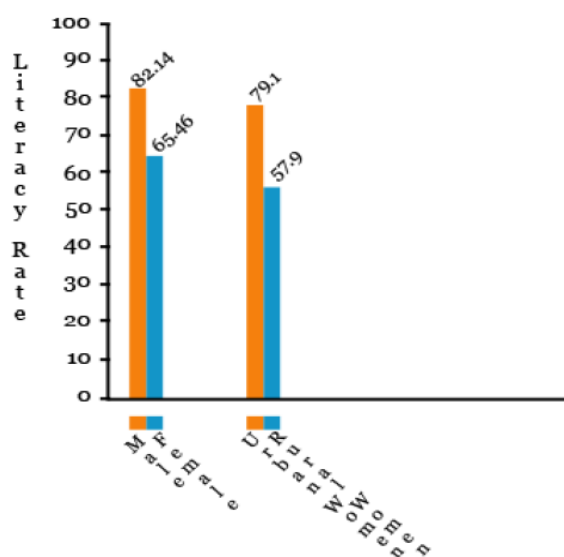
- There are several challenges that are currently plaguing the issues of women's rights in India. A few of these challenges are presented below. While a lot of these are redundant and quite basic issues faced across the country, these are contributory causes to the overarching status of women in India. Targeting these issues will directly benefit the empowerment of women in India.

- In a study conducted by the Centre for the Study of Society and Secularism, in spite of the UN Charter of Human Rights and the provisions of the Indian Constitution, women continue to be victims of exploitation. The view that the future generation of a family is carried on and preserved by boys only has degraded the position of women in society. Similarly, it is noticed that majority of the women are lacking in the spirit of rebellion. If careful attention is not paid and major steps are not taken, the situation will become extremely critical. Eradicating this gap and educating women about their real place in the world is a step that will largely set this entire movement rolling down the hill to crash and break the wall of intolerance, negligence and exploitation.

- Health and Safety: The health and safety concerns of women are paramount for the wellbeing of a country, and are an important factor in gauging the empowerment of women in a country. However there are alarming concerns where maternal healthcare is concerned. In its 2009 report, UNICEF came up with shocking figures on the status of new mothers in India. The maternal mortality report of India stands at 301 per 1000, with as many as 78,000 women in India dying of childbirth complications in that year. Today, due to the burgeoning population of the country, that number is sure to have multiplied considerably.

While there are several programmes that have been set into motion by the Government and several NGOs in the country, there is still a wide gap that exists between those under protection and those not. Poverty and illiteracy add to these complications with local quacks giving ineffective and downright harmful remedies to problems that women have. The empowerment of women begins with a guarantee of their health and safety.

Literacy Facts of Women in India



*Literacy rates relate to the population aged 7 years & above

Data Source: Census of India 2011

HOW CAN WE END VIOLENCE AGAINST WOMEN?

- Education of the girl child is the first step towards a better society with fewer incidents of violence.
- Campaigns aimed at men and boys to increase awareness and change attitudes about gender inequality are also effective tools.
- As individuals and responsible citizens, we need to spread awareness and report any act of violence against women around us.

State women's commission member Chandramukhi Devi said: "Women, most of who are dependent on their husbands, should be made aware of their legal rights so that they can protect themselves and lead a dignified life." In fact, less than one per cent incidents of domestic violence are reported to the police, she said. The NCRB figures could have been higher also as according to the state women's commission's estimates, 50 per cent women fall victims to domestic violence in Bihar.



ACTIONS TAKEN TO EMPOWER WOMEN



INTERNATIONAL INITIATIVES

Millennium Development Goal

The United Nations Development Programme constituted eight Millennium Development Goals (MDG) for ensuring equity and peace across the world. The third MDG is directly related to the empowerment of women in India. The MDGs are agreed upon goals to reduce certain indicators of disparity across the world by the year 2015. The third MDG is centred towards promoting gender equality and empowering women: “Eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education by no later than 2015”

NATIONAL INITIATIVES

- Outlay of Rs.50 crores for pilot testing a scheme on “Safety for Women on Public Road Transport”
- Sum of Rs.150 crores on a scheme to increase the safety of women in large cities “Crisis Management Centres” in all the districts of NCT of Delhi this year government and private hospitals

1. Pradhan Mantri Beti Bachao, Beti Padhao Yojana

This programme was launched by PM Narendra Modi on 22 January 2015 in Panipat, Haryana. It is a very significant programme and campaign because of country’s poor record on women related indicators such as child sex ratio, female infanticide, female foeticide and female education etc; especially alarming is the data for child sex ratio i.e. the sex ratio of children 0 to 6 years. The census data of the year 2011 shows child sex ratio at 918 which is lesser than the previous census (2001) data of 927. Thus, child sex ratio (0-6 years) is showing a declining trend which is not a very healthy sign for social development of India. Therefore, ‘Beti Bacha Beti Padhao’ campaign is one of the most important programmes being initiated by the new Government. The main features of the programme are as follows:

This initiative is a joint venture of three ministries of the central government, viz. Ministry of Women and Child Development, Ministry of Health and Family Welfare and Ministry of Human Resource Development. *According to the Government, the campaign has three main objectives:*

- Prevention of gender based sex selective elimination.
- Ensuring survival and protection of girl child
- Ensuring education and participation of the girl child

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- The long term objective of the programme is to build an environment of gender equality in the country through creation of employment opportunities, safety and security, mobility and speedy justice for women.
- This scheme or programme will be first implemented in 100 chosen districts of the country which are gender critical i.e. where child sex ratio is at alarming point.

There are eight monitorable targets for the programme which are as follows:

- To improve sex ratio at birth by 10 points in a year in the chosen 100 districts
- In case of Under Five Child Mortality, reduction in gender differentials from 8 points in 2011 to 4 points in 2017.
- To improve the nutrition level of girls by reducing the numbers of underweight and anaemic girls below 5 years of age
- By utilizing ICDS NRHM Mother Child Protection Cards, ensuring universalization of ICDS; attendance and equal care of girls.
- To increase the enrolment of girls in secondary education from 76% in 2013-14 to 79% in 2017
- To ensure and promote a protective environment for girls through stricter implementation of Protection of Children from Sexual Offences (POCSO) Act 2012
- To ensure toilet for girls in every school by the year 2017
- To train Elected Representatives/ Grassroots Functionaries as community champions to mobilize communities to improve child sex ration and promote girls' education.



The Ministry equality of Women and Child Development is administering following schemes for gender /socio-economic development/empowerment of women:

3. Swadhar and Short Stay Homes to provide relief and rehabilitation to destitute women and women in distress

4. Working Women Hostels for ensuring safe accommodation for working women away from their place of residence

5. Support to Training and Employment Program for Women (STEP) to ensure sustainable employment and income generation for marginalised and asset-less rural and urban poor women across the country.

6. Rashtriya Mahila Kosh (RMK) to provide micro-finance services to bring about the socio-economic upliftment of poor women.

7. National Mission for Empowerment of Women (NMEW) to strengthen the overall processes that promotes all-round Development of Women

8. Rajiv Gandhi National Creche Scheme for Children of Working Mothers (including single mother) to provide day care facilities for running a crèche of 25 children in the age group 0-6 years from families having monthly income of less than Rs 12,000.

9. One Stop Centre to provide integrated support and assistance to women affected by violence.

10. Scheme for Universalisation of Women Helpline intended to provide 24 hours immediate and emergency response to women affected by violence.

11. Sabla Scheme for holistic development of adolescent girls in the age group of 11-18 years

12. In order to strengthen the process of gender budgeting the Ministry of Women and Child Development has been undertaking various capacity building measures for the officials of the State Governments by organising training programs/workshops regularly.



13. In order to improve employability a separate Ministry of Skill Development and Entrepreneurship has been created.

14. Equal Remuneration Act, 1973 provides for payment of equal remuneration to men and women workers for the same work of similar nature without any discrimination. In order to ensure social security to the workers including women in the unorganised sector, the Government has enacted the Unorganised Workers' Social Security Act 2008.

15. Maternity Benefit Act, 1961 regulates employment of women in certain establishments for a certain period (12 weeks) before and after childbirth and provides for maternity and other benefits.

16. Indira Gandhi Matritva Sahyog Yojana (IGMSY) Scheme is being implemented as Conditional Maternity Benefit for pregnant and lactating women to improve health and nutrition status to better enabling environment by providing cash incentives to pregnant and nursing mothers to partly compensate wage loss both prior to and after delivery.

17. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 has been enacted, which covers all women, irrespective of their age or employment status and protect them against sexual harassment at all workplaces both in public and private sector, whether organised or unorganised.

18. Nirbhaya Fund- *the Government of India has issued the Guidelines for utilization of 'Nirbhaya Fund' with the approval of the Union Finance Minister. The Guidelines are as follows:*

- Ministry of Women and Child Development (WCD) is the nodal authority which can be approached by various Ministries/Departments with the proposals/schemes, to be funded from 'Nirbhaya Fund' targeted to strengthen the safety and security of women in the country.
- Ministry of WCD would appraise these schemes to decide their suitability to qualify for getting funds from the 'Nirbhaya Fund'.
- Ministry of WCD shall forward the suitable proposals to Department of Economic Affairs (DEA) for necessary budgetary allocations in the respective Demands. DEA shall appraise the proposal on financial and other aspects to avoid any duplicity of schemes/Government efforts to strengthen safety and security of women in the country.
- Budget Division (DEA), with the approval of Finance Minister would approve the funding of schemes from the fund and would also be the nodal Ministry for any accretion into and withdrawal from the fund.
- The respective line Ministries/Departments shall take necessary action for approval of SFC/EFC/PIB and Cabinet for implementation of the scheme on the ground.
- Ministry of WCD shall be the nodal Ministry to review and monitor the progress of these schemes in conjunction with the line Ministries/Departments.

In the General Budget 2014-15, the following schemes were announced by the Finance Minister for funding through Nirbhaya Fund:



- (i) 'Schemes on backend integration of distress signal from victims with mobile vans and control rooms' administered by Ministry of Home Affairs – Rs. 150.00 crore;
- (ii) 'Scheme on Women Safety on Public Road Transport' administered by Ministry of Road Transport and Highways – Rs. 50.00 crore.

An amount of Rs.1000.00 crore has also been announced in the General Budget 2015-16. As on date, the total amount for the scheme is Rs. 3000.00 crore.

19. The Protection of Women from Domestic Violence Act, 2005: It provides for more effective protection of the rights of women guaranteed under the constitution who are victims of violence of any kind occurring within the family and for matters connected herewith or incidental thereto. It provides for immediate and emergent relief to women in situations of violence of any kind in the home.

20. Ministry of Women and Child Development (MWCD) was created in January 2006 and is the nodal Ministry of the government of India for the advancement of women and children.



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STATE LEVEL INITIATIVES

1. Mukhyamantri Nari Shakti Yojana (MNSY) -The government has initiated several women centered schemes such as women empowerment policy Mukhyamantri Nari Shakti Yojana, Akshar Anchal Yojana, Mukhyamantri Balika Cycle yojana, Jeevika, Mukhyamantri Kanya Suraksha Yojana. Bihar government has gained several achievements. Some of them are 50% reservations for women in local governance issues (PRIs) which makes it the first state to achieve this benchmark. The state has also provided 35% reservation in the police force for women from the rank of constables to deputy superintendent of police. The MNSY which is an empowerment scheme for women aims at improvement in the quality of living of poor and marginalized women and adolescent girls in the state of Bihar. The long term objective of the program is the overall economic and social empowerment of women through their direct access and control over resources and providing institutional support to women in this respect.

2. Akshar Anchal Yojana (AAY) -The Bihar government also made a step forward by launching an ambitious project AAY to make around 40 lakh women within a period of six month. The project was launched on 8th September with Rs.53 crore to be spent on the scheme.

3. Mukhyamantri Balika Cycle Yojana- To achieve literacy among the females, the Mukhyamantri Balika Cycle Yojana is one of the schemes launched by the Government. Among several welfare initiatives taken by our government over the past four years, Mukhyamantri Balika Cycle Yojana is very close to his heart. Under this scheme, a schoolgirl gets a cheque of Rs.2000 studying in class 8th to buy bicycle so that they can go to school every day. So far the Bihar government has spent 174.36 crores in the past 3 years to make 8.71lakh schoolgirls proud owners of bicycle which they are all using to educate themselves now. In Bihar, bicycles have now become a veritable instrument for social change which can be felt in any part of the state.

4. Mukhyamantri Kanya Suraksha Yojana -The objective of this programme ensures the rightful place of pride in the society for a girl child, her safety and security, improves the sex ratio and to encourage registration of birth. This programme was initiated by the State government which contributed in huge decrease of female foeticide cases in Bihar. Economic graphs move faster along with literacy. One of the factors of backwardness of the state was excessive dependence on agriculture. The proportion of the rural workforce employed in agriculture has declined from 78% in 2004-05 to 67% in 2010. These are generated opportunities for the female to go for skilled jobs. This incentive would go a long way not only in arresting the dropout rate of schoolgirls in the high schools but also be a significant step towards women's empowerment.

5. Another measure tool of women's empowerment was introduced with 50% reservation in the Panchayats. Of the 2.62 lakh representatives, 1.32lakh are women. The 50% reservation has had a positive influence. They have been able to break the shackles of dependency and come forward quiet confidently. To strengthen the linkage between the woman and her role in society, the state has also given 50% reservation to them for the post of teachers in

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6. The other major initiatives were providing land to the landless female. A Bhoodan Andolan for female was planned to give them land. More than 30,000 women are part of a silent revolution wherein they have become the proud owners of land in a state where they had nothing. The Bihar government distributed 14,000 acres of land among the poor and landless women in the last 3 years.

There are currently 35 women helplines and 21 short-stay homes in Bihar under the Mukhya Mantri Nari Shakti Yojana.



Women laws in India

- Section 304(B) IPC
- Domestic Violence Against Women Act 2005
- Penal Laws
- Family Laws
- Labour Laws
- Human Rights and Women Legal Aid
- The Immoral Traffic (Prevention) Act 1956
- Medical Termination of Pregnancy Act 1971
- Hindu Succession Act
- Special Marriage Act 1955
- Child Marriage Act 1929
- Hindu's Widow Remarriage Act 1865
- Custody of child
- Adoption of child
- Maintenance
- Guardianship



Other Legislative provisions in India

The government of India has enacted several women specific legislations to uphold the constitutional mandate and to protect women against social discrimination, violence and atrocities and also to prevent social evils like child marriages, dowry, rape, practice of sati etc. The 'crime against women' under various legislations of government of India could be broadly classified within two categories: First, the crimes identified under the Indian Penal Code (IPC) which includes Rape (Sec. 376 IPC) ; Kidnapping & Abduction for different purposes (Sec. 363/373) ; Homicide for dowry, dowry deaths or their attempts (Sec.302/304B IPC); Torture, both mental and physical (Sec. 498A IPC) ; Molestation (Sec. 354 IPC) ; Sexual harassment (Sec. 509 IPC) and importation of girls (up to 21 years of age).

Secondly, the crimes identified under the Special Laws (SLL) which are though not gender specific, but some do have special provisions to safeguard women and their interests. It includes The Employees State Insurance Act, 1948; The Plantation Labor Act, 1951; The Family Courts Act, 1954; The Special Marriage Act, 1954; The Hindu Marriage Act, 1955; The Hindu Succession Act, 1956; Immoral Traffic (Prevention) Act, 1956; The Maternity Benefit Act, 1961 (Amended in 1995); Dowry Prohibition Act, 1961; The Medical Termination of Pregnancy Act, 1971; The Contract Labor (Regulation and Abolition) Act, 1976; The Equal Remuneration Act, 1976; The Child Marriage Restraint (Amendment) Act, 1979; The Criminal Law (Amendment) Act, 1983; The Factories (Amendment) Act, 1986; Indecent Representation of Women (Prohibition) Act, 1986; Commission of Sati (Prevention) Act, 1987; and The Marriage (Amendment) Act, 2001 etc.

An overview of some important legal rights for women that everyone must be aware of

1 Free legal aid

Exercise your right to free legal aid. Often, women go to the police station unaccompanied by a lawyer to get their statement recorded, and they stand the risk of being misquoted or their statement being tampered with. The police may also treat the entire episode lightly and not lodge an FIR. So, it is necessary to have a lawyer with you while you lodge the FIR. According to a Delhi High Court ruling, whenever a rape is reported, the SHO has to bring this to the notice of the Delhi Legal Services Authority. The legal body then arranges for a lawyer for the victim.



2 Right to privacy while recording statement

Under section 164 of the Criminal Procedure Code, a woman who has been raped can record her statement before the district magistrate when the case is under trial, and no one else needs to be present. Alternatively, she can record the statement with only one police officer and woman constable in a convenient place that is not crowded and does not provide any possibility of the statement being overheard by a fourth person. The cops have to, by law, upkeep the woman's right to privacy. It's important for the person to feel comfortable and not be under any kind of stress while narrating the incident.

3 Time doesn't matter

The police cannot refuse to register an FIR even if a considerable period of time has elapsed since the incident of rape or molestation took place. If the police tells you that they can't lodge your FIR since you didn't report it earlier, do not concede. Rape is a horrifying incident for any woman, so it's natural for her to go into shock and not want to report it immediately. She may also fear for her safety and the reputation and dignity of her family. For this reason, the Supreme Court has ruled that the police must register an FIR even if there has been a gap between the report and the occurrence of the incident.

4 Email to the rescue

According to the guidelines issued by the Delhi Police, a woman has the privilege of lodging a complaint via email or registered post. If, for some reason, a woman can't go to the police station, she can send a written complaint through an email or registered post addressed to a senior police officer of the level of Deputy Commissioner or Commissioner of Police. The officer then directs the SHO of the police station, of the area where the incident occurred, to conduct proper verification of the complainant and lodge an FIR. The police can then come over to the residence of the victim to take her statement.

5 Cops can't say no

A rape victim can register her police complaint from any police station under the Zero FIR ruling by Supreme Court. Sometimes, the police station under which the incident occurs refuses to register the victim's complaint in order to keep clear of responsibility, and tries sending the victim to another police station. In such cases, she has the right to lodge an FIR at any police station in the city under the Zero FIR ruling. The senior officer will then direct the SHO of the concerned police station to lodge the FIR. This is a Supreme Court ruling that not many women are aware of, so don't let the SHO of a police station send you away saying it "doesn't come under his area".

6 No arrests after sunset

According to a Supreme Court ruling, a woman cannot be arrested after sunset and before sunrise. There are many cases of women being harassed by the police at wee hours, but all this can be avoided if you exercise the right of being present in the police station only during daytime. Even if there is a woman constable accompanying the officers, the police can't arrest a woman at night. In case the woman has committed a serious crime, the police has to get it in writing from the magistrate explaining why the arrest is necessary during the night.

7 You can't be called to the police station

Women cannot be called to the police station for interrogation under Section 160 of the Criminal Procedure Code. This law provides Indian women the right of not being physically present at the police station for interrogation. The police can interrogate a woman at her residence in the presence of a woman constable and family members or friends. So, the next time you're called to the police station for queries or interrogation when you have faced any kind of harassment, quote this guideline of the Supreme Court to exercise your right and remind the cops about it.

8 Protect your identity

Under no circumstances can the identity of a rape victim be revealed. Neither the police nor media can make known the name of the victim in public. Section 228A of the Indian Penal Code makes the disclosure of a victim's identity a punishable offense. Printing or publishing the name or any matter which may make known the identity of a woman against whom an offense has been committed is punishable. This is done to prevent social victimisation or ostracism of the victim of a sexual offense. Even while a judgment is in progress at the high court or a lower court, the name of the victim is not indicated, she is only described as 'victim' in the judgment.

9 The doctor can't decide

A case of rape can't be dismissed even if the doctor says rape had not taken place. A victim of rape needs to be medically examined as per Section 164 A of the Criminal Procedure Code, and only the report can act as proof. A woman has the right to have a copy of the medical report from the doctor. Rape is crime and not a medical condition. It is a legal term and not a diagnosis to be made by the medical officer treating the victim.

The only statement that can be made by the medical officer is that there is evidence of recent sexual activity. Whether the rape has occurred or not is a legal conclusion and the doctor can't decide on this.

10 Employers must protect

It is the duty of every employer to create a Sexual Harassment Complaints Committee within the organisation for redressal of such complaints. According to a guideline issued by the Supreme Court, it is mandatory for all firms, public and private, to set up these committees to resolve matters of sexual harassment. It is also necessary that the committee be headed by a woman and comprises 50% women as members. Also, one of the members should be from a women's welfare group

Programmes to strengthen women development should be enforced and news adversely affecting their development should be censored or banned. Thus, the distant dream of women empowerment in India can be realized with the support of media, government and NGOs. As Swami Vivekananda rightly said that "The nation which doesn't respect women will never become great....."





The Crimes identified under the Indian Penal Code (IPC):

- (1) Section 376 (rape)
- (2) Kidnapping and abduction for different purposes (Sec.363 – 373 IPC)
- (3) Homicide for dowry, dowry deaths or their attempts (Sec.302, 304-B IPC)
- (4) Torture, both mental and physical (Sec.498-A IPC)
- (5) Importation of girls (up to 21 years of age.(Sec.366-B IPC)
- (6) Molestation (Sec.354 IPC and Sexual harassment (Sec.509 IPC)

Cruelty by Husband and Relatives (Section 498-A IPC);
 Assault on Women with Intent to Outrage Her Modesty (Section 354 IPC);
 Insult to the Modesty of Women (Section 509 IPC);
 Dowry Deaths (Section 304-B IPC)



The Crimes identified under the Special Laws :

- 1)Commission of Sati (Prevention) Act 1987
- 2) Dowry (Prohibition) Act 1961
- 3) Immoral Traffic (Prevention) Act 1956,
- 4) Indecent Representation of women (Prohibition) Act 1986
- 5) The Medical Termination of Pregnancy Act 1971 and so on.

Assault on women with intent to outrage her modesty (470,556), earlier classified as molestation under section 354 of IPC, is the second-most-reported crime against women over the last decade.

Cruelty by husbands and relatives under section 498-A of Indian Penal Code is the major crime committed against women across the country, with 909,713 cases reported over the last 10 years, or 10 every hour.



LANDMARK JUDGMENTS THAT CHANGED THE COURSE OF INDIA

Child sexual assault not to be taken lightly 2011

Punishment not enough for child abusers

The Supreme Court restored the conviction and sentence of six year rigorous imprisonment imposed on two British nationals who were acquitted by the Bombay High Court in a paedophilia case. The Bench directed the accused to serve the remaining period of sentence. In a landmark judgment the Supreme Court observed "Children are the greatest gift to humanity. The sexual abuse of children is one of the most heinous crimes".

Nirbhaya case shook the nation March 2014

Judiciary spurred into action and laws were strengthened for sex offenders.

Four out of the five accused in the horrific gang rape case of Nirbhaya were convicted and given the death sentence. The case also resulted in the introduction of the Criminal Law (Amendment) Act, 2013 which provides for the amendment of the definition of rape under Indian Penal Code, 1860; Code of Criminal Procedures, 1973; the Indian Evidence Act, 1872 and the Protection of Children from Sexual Offences Act, 2012.

Victims of sexual assault or not? (Om Prakash v Dil Bahar) 2006

Controversial ruling had many opponents. The Supreme Court in the above case declared that a rape accused could be convicted on the sole evidence of the victim in spite of medical evidence not proving that it was rape

Foundation for a female workforce (Vishaka v State of Rajasthan) 1997

Definition of sexual harassment and guidelines to deal with it, laid down

In this case Vishakha and other women groups filed a Public Interest Litigation (PIL) against State of Rajasthan and Union of India to enforce fundamental rights for working women under Articles 14, 19 and 21 of the Constitution. This resulted in the introduction of Vishaka Guidelines. The judgment of August 1997 also provided basic definitions of sexual harassment at the workplace and provided guidelines to deal with it. Hence the importance of the case as a landmark judgment



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