PROJECT REPORT ON

SEXUAL HARASSMENT OF WOMEN IN PUBLIC PLACES:

DIMENSIONS AND REMEDIES

2022-23

PREPARED BY
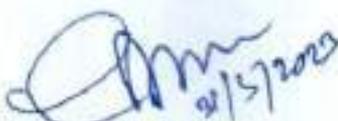
DEPARTMENT OF POLITICAL SCIENCE

PATTAAMUNDAI COLLEGE
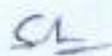
PATTAMUNDAI, KENDRAPARA

ODISHA– 754215

REPORT

A project report on **"Sexual Harassement of Women in public places: Dimensions and Remedies"** prepared by the students of Department of Political Science session 2022-23. The total 05 number of students were participated in the project work. The project focuses on secondary data collected from various books, newspapers, national and international journals, publications from various websites. Women face challenges in their life every day from private place to public place, from home to workplace, from bedroom to boardroom. Women's movement outside home is increasing in modern era, at the same time women are being harassed in schools, colleges, marketplaces, workplaces, transports, banks, hospitals – where not, due to patriarchal domination, creating fear and insecurity among women in India society. This project analyzed how Sexual harassment hinders wellbeing, growth and empowerment of women. Even though the legislations have been established for preventing, prohibiting and redressing the sexual harassment of women, yet women are being harassed everywhere. The objective of the study was to find out the situational conditions of female sexual victimization in public spaces. It also suggested that constitutional legal framework and ways to tackle sexual harassment in Public places.

PRINCIPAL

Principal
Pattemundai College

IQAC Coordinator

HOEAD
Dept. of Pol. Science
Pattamundai College

CONTENTS

CHAPTER I: INTRODUCTION

1.1 Global overview

Ensuring that the world of work is free from discrimination and violence is core for realizing decent work. The principles of non-discrimination and equality are recognized internationally as central to any system of human rights protection and embedded in most countries' constitutions and in human rights treaties. In the world of work, non-discrimination and equal opportunity and treatment are considered to be basic human and labour rights, fundamental for social justice and sustainable development.

The ILO Declaration of Philadelphia of 1944 affirms that all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity, and that discrimination constitutes a violation of rights enunciated by the Universal Declaration of Human rights. About 15 years after the adoption of the ILO Declaration of Philadelphia, ILO member States adopted the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) in 1958. This Convention aims to protect all persons against discrimination at work, and requires ratifying States to ensure protection against discrimination in employment and occupation on seven grounds, namely race, colour, sex, religion, political opinion, national extraction and social origin, as well as other grounds prohibited in national legislation by governments after consultation with the representative employers' and workers' organizations. Convention No. 111 belongs to the fundamental ILO Conventions, and it is the most comprehensive international instrument dedicated to guide national legislation on the promotion of non-discrimination and equality in the world of work[1]. The principles of non- discrimination and equality in workplaces are widely accepted and the Convention has been ratified by 172 member States including India, thereby expressing their commitments to uphold the human rights of workers and progressively incorporate equality and non-discrimination principles in the world of work and other laws and regulations.

Despite the international consensus and commitment at national level to eliminate discrimination and to promote equality of opportunity and treatment, various forms of discrimination continue to prevail in the world of work preventing women and men to enjoy decent work. One form of discrimination on the ground of sex that should be addressed within the requirement of the Convention is sexual harassment.

Sexual harassment can be perpetuated against both women and men. However, the majority of cases of sexual harassment in the workplace are perpetuated by men against women as women often do not have equal status as men, lack power, and are in more vulnerable and insecure positions. While it is difficult to quantify the prevalence of sexual harassment in the workplace due to the varying definitions and perceptions of sexual harassment and reluctance of the harassed to report their experiences, studies have revealed that sexual harassment at workplace is a reality for a large number of women.

In Australia, the results of a national telephone survey in 2012 by the Australian Human Rights Commission showed that sexual harassment in workplaces in the country was widespread. It

1

showed that there were approximately one in five people aged 15 years and older who were sexually harassed in the workplace in the past five years; one in four women (25%) and one in six men (16%) have been sexually harassed in the workplace in the past five years. Targets of sexual harassment were found to be mostly women under 40 years of age, and harassers were mostly male co-workers. The survey also indicated that women are at least five times more likely than men to have been harassed by a boss or employer. Men harassing women accounted for more than half of all sexual harassment, while male harassment of men accounted for nearly a quarter[2]. In European Union countries, between 40 and 50 per cent of women experience unwanted sexual advances, physical contact or other forms of sexual harassment at work[3]. In the United States, 83 per cent of girls aged 12 to 16 experienced some form of sexual harassment in public schools[4]. Across Asia, studies in Japan, Malaysia, the Philippines and South Korea showed that 30 to 40 per cent of women suffer workplace sexual harassment[5].

In India, Oxfam India and the Social and Rural Research Institute jointly carried out a study titled *Sexual Harassment at Workplaces in India 2011-2012* covering 400 working women in Delhi, Mumbai, Bangalore, Chennai, Kolkata, Ahmedabad, Lucknow, and Durgapur. Of the 400 respondents, 66 faced a cumulative 121 incidents of sexual harassment. Out of 121 incidents, 102 were reported to be non-physical, whereas the remaining 19 incidents were physical. Ninety-three of the respondents reported awareness of sexual harassment of women at workplace. However, a majority of the victims did not resort to any formal action against the perpetrators.

1.2   Importance of addressing sexual harassment in the workplace

Sexual harassment is a serious form of sex discrimination and it should not be tolerated as it undermines equality at work by calling into question the integrity, dignity and well-being of workers. All workers, both women and men, have the right to a workplace that is protected, secure, free from discrimination and violence, and conducive to fulfilling one's roles and responsibilities as it is an arena where they spend a major percentage of their day.

When sexual harassment occurs, there is a long lasting negative and traumatic impact on individuals including psychological suffering, physical suffering and professional losses. Workers suffering from sexual harassment are most unlikely to be highly productive[8]. The negative impacts do not stop at an injury to the one individual. It has a ripple and multiplier effect on the rest of the workers in the organization, impacting the workplace and bringing negative consequences such as compromised team work, economic loss, impaired productivity, and hindered development. For the society at large, sexual harassment impedes the achievement of equality between men and women as it condones sex discrimination and sexual violence, and has detrimental effects on the development of the country as a whole and the well-being of people. Therefore, preventing and addressing sexual harassment is in the interest of society.

2

Many enterprises and organizations consider that there is no need to set up mechanisms to deal with cases of sexual harassment, as no employees have reported such cases. However lack of reported cases of sexual harassment in no way implies that there have been no such incidents. India has become known internationally as unsafe for women since the fatal and gruesome attack and murder on a young innocent female medical student in New Delhi in December 2012. Many cases of violence against women are reported in the media on a daily basis. Workplaces in India are no exception. If we say that organizations are the microcosms of society and reflect what actually happens in a society, it is reasonable to consider that the incidences of sexual harassment and violence against women in society, may also be taking place in their organization.

In the absence of a mechanism to redress cases of sexual harassment, individuals suffering from sexual harassment are at a loss as to with whom they should speak. Not having a mechanism in place points to the fact that the organization does not recognize, or give priority to these issues, which leads to implicitly condone such discrimination and violence. It is now coming to the fore, that in the absence of formal structures, women often hold back from sharing incidents about sexual harassment due to various reasons including:

- Embarrassment and humiliation about the incident
- Fear that the matter will be trivialized and disregarded
- A sense of insecurity that they will not be believed, as very often there is no proof of the incident
- Hesitation that the institution will not take any action and the perpetrator will be allowed to go free. There is also a fear of being asked to leave or to take a transfer, even if the harasser is found guilty
- Dread of becoming a subject of gossip and further humiliation
- A fear of negative repercussions and retaliation from the harasser, or even the principal employer
- A fear of being blamed for either 'inviting' or even for raising the issue for addressal
- A sense of complying with social norms where women are taught to keep silent and to overlook 'bad behavior' by men[11].

In short, women fear being made victims twice over if they raise their voices about sexual harassment, first by complaining and secondly when they are victimized for having complained. Employers should recognize that sexual harassment in the workplace takes away from the worker their right to live and work with dignity, and should ensure that a mechanism is in place to give clear directions about whom to approach when sexual harassment occurs, the procedures that will be adopted, and the length of time for investigation.

CHAPTER II: INTERNATIONAL AND NATIONAL LEGISLATIVE FRAMEWORKSRELATED TO SEXUAL HARASSMENT

2.1 International legislative frameworks

India's participation in the various international forums and the ratification of the international treaties on the human rights of women is a testimony of the commitment to ensure dignity and equality of women in all spheres of life as clearly envisaged in the Indian Constitution.

The following standards and frameworks include key contents on promoting equality and addressing sexual harassment:

☐ **Universal Declaration of Human Rights, 1948**: Articles 1, 2 and 7 speak about equality in dignity, rights and freedoms and equal protection against any discrimination

☐ **ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111)** aims to protect against discrimination in employment and occupation on the grounds of sex, race, colour, religion, political opinion, national or social origin. In its general observation of 2003, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has emphasized that sexual harassment is a form of sex discrimination and should be addressed within the requirements of Convention No. 111. In the view of the gravity and serious repercussions of sexual harassment, the CEACR has urged governments to take appropriate measures to prohibit sexual harassment in employment and occupation and has provided elements of a definition of sexual harassment[12]

☐ **International Covenant on Economic, Social and Cultural Rights, 1966** enjoins all states to guarantee rights enunciated in it without discrimination of any kind. States must ensure equality between women and men for the enjoyment of all economic, social and cultural rights established in the Covenant. The right to fair conditions of work is enshrined in Article 7

☐ **United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979**: Article 11 prescribes States to eliminate discrimination against women in the field of employment and to ensure equality of men and women. While sexual harassment is not yet covered by a specific international instrument, the CEDAW Committee in its General Recommendation No. 19 in 1992 has qualified it as a form of discrimination on the basis of sex and as a form of violence against women. Recognizing that equality in employment can be seriously affected when women are subjected to gender specific

violence, such as sexual harassment in the workplace, it called on States to take measures to protect women from sexual harassment

☐ **ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169)**: Governments shall, within the framework of national laws and regulations, and in co-operation with peoples concerned, adopt special measures to ensure that workers enjoy equal opportunities and equal treatment in employment for men and women, and protection from sexual harassment (Article 20.1-3 (d))

☐ **ILO Decent Work for Domestic Workers Convention, 2011 (No. 189)**: Each Member shall take measures to ensure that domestic workers enjoy effective protection against all forms of abuse, harassment and violence (Article 5)

☐ **ILO Resolution on Equal Opportunities and Equal Treatment for Men and Women in Employment, ILC, 71st Session, 1985** recommended that measures be taken to extend social protection to women and men concerning reproductive hazards and sexual harassment

☐ **UN Declaration on the Elimination of Violence against Women, 1993**: Article 1 of this Declaration defined "Violence against women" as any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. It also included sexual harassment and intimidation at work, in educational institutions and elsewhere as part of violence against women. The Declaration stated that such violence encompasses, but is not limited to, the following: "...physical, sexual and psychological violence in the community including rape, sexual harassment and intimidation at work, in education institutions and elsewhere"

☐ **The Beijing Platform of Action** drawn at the United Nations' Women's Conference in Beijing in 1995 called to advance women's rights and to eliminate violence against women including sexual harassment at work

☐ **ILO HIV and AIDS Recommendation, 2010 (No. 200)**: Measures should be taken in or through the workplace to reduce the transmission of HIV and alleviate its impact by: ensuring actions to prevent and prohibit violence and harassment in the workplace (Article 14 (e)).

2.2   National legislative frameworks

In India, the *Vishaka* Guidelines was the first ever legal action that provided a broad framework for preventing and addressing cases of sexual harassment of women within the workplace. It recognized that sexual harassment of women in the workplace resulted in the violation of their fundamental rights of gender equality, right to life and liberty, and the right to carry out any occupation, trade or profession.

Judgments issued in respect of the *Vishaka* Guidelines regarding sexual harassment at the workplace and status of implementation of *Vishaka* Directives are included in Annex 3 for reference.

In 2012, India saw increased and strong calls for addressing violence against women, with the increasing number of reported cases of sexual harassment and violence against women. In this context, the *Sexual Harassment of Women (Prevention, Prohibition and Redressal) Act 2013* was enacted to provide protection against sexual harassment of women at workplace and for preventing and addressing complaints of sexual harassment. The Act recognizes that sexual harassment results in the violation of a woman's fundamental right to equality under Articles 14, 15 and 21 of the Constitution which provide for equality before law, prohibition of discrimination on grounds of religion, race, caste, sex or place of birth and protection of life and personal liberty. The Act includes key definitions and measures to be taken by different stakeholders for preventing and addressing sexual harassment at the workplace, which is further explained in Chapters III, IV, V, and VI of this guide. Section 28 of the Act mentions that its provisions shall be in addition to and not in derogation of the provisions of any other law for the time being in force. Therefore, this guidebook should be read along with the *Vishaka* Guidelines, as well as rules when they are notified by the Government.

The Act specifies that:

☐ No court shall take cognizance of any offense punishable under this Act, or any of its rules, save on a complaint made by the aggrieved woman, or any other person authorized by the Internal Complaint Committee (ICC) and the Local Complaint Committee (LCC)

☐ No court inferior to that of a Metropolitan Magistrate of Judicial Magistrate of the first class, shall try any offense punishable under this Act

2.2.1 Constitution of India

The core objective of the Constitution of India is to secure to all its citizens Justice, Liberty, Equality, Fraternity and Dignity as is clearly laid down in the Preamble to the Constitution of India.

Fundamental rights vested by the Constitution

☐ Article 14: Provides for equality before the law and the equal protection of the law. It includes gender equality, which is a universally recognized basic human right

☐ Article 15: Prohibits discrimination on grounds of religion, race, caste, sex or place of birth

☐ Article 19 (1) (g): All citizens shall have the right to practice any profession, or to carry onany occupation, trade or business

☐ Article 21: Enshrines the right to life and personal liberty.

Relevant Constitutional provisions

☐ Article 51: The state shall endeavor to foster respect for international law and treaty obligations

- Article 253: The Parliament has the power to give effect to international agreements or decisions made at International Conferences.

2.2.2 Indian Penal Code (IPC)

- *Sections 292*: "anyone found selling, putting on hire, distributing, publicly exhibiting in pamphlets, papers, writings, drawings, paintings, representations, figures, or any other object, which is obscene shall be punished on first conviction with imprisonment for a term which may extend to two years, and with fine which may extend to two thousand rupees, and, in the event of a second or subsequent conviction, with imprisonment for a term which may extend to five years, and also with fine which may extend to five thousand rupees"

- *Section 293*: "whoever sells, hires, distributes, exhibits or circulates to any person under the age of twenty years any such obscene object as is referred to in section 292, shall be punished on first conviction with imprisonment for a term which may extend to three years, and with fine which may extend to two thousand rupees, and, in the event of a second or subsequent conviction, with imprisonment for a term which may extend to seven years, and also with fine which may extend to five thousand rupees"

- *Section 294*: "whoever, to the annoyance of others, (a) does any obscene act in any public place, or (b) sings, recites or utters any obscene song, ballad or words, in or near any public place, shall be punished with imprisonment for a term which may extend to three months, with fine, or with both"

- *Section 354*: "whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term, which may extend to two years, or with fine or both"

- *Section 354 A*: This section was added to the Indian Penal Code upon the presidential approval of the *Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act 2013*. The Amended Criminal Law Act, 2013 recognizes and provides a clear definition of sexual harassment and the punishment for it through this newly added section

- *Section 354 C (voyeurism)*: "Any man who watches or captures the image of a woman engaging in a *private act*[13] in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other person at the behest of the perpetrator, or disseminates such image. Punishments are imprisonment from three to seven years and fine on the first conviction, and one to three years and fine on the second subsequent conviction"

- *Section 354 D (stalking)*: "Any man is said to commit the offence of stalking when he i) follows a woman and contacts or attempts to contact such woman to foster personal interaction repeatedly despite a clear indication of disinterest by such woman, or ii) monitors the use by a woman of the internet, email or any other form of electronic communication, or iii) watches or spies on a woman in any manner that results in a fear of violence or serious alarm or distress in the mind of such woman or interferes with the mental peace of the woman. Punishment is imprisonment of either description from one year to five years and fine"

- *Section 375 (rape)*: A man is found to have committed rape as defined if it is:
  - without her consent

7

- against her will
- when her consent is taken by fear of death or hurt
- when her consent is taken by pretending to be her husband when he is not
- when her consent is taken when she is under the influence of drugs or drinks
- when she is mad or weak of mind and is not able to understand what the man is going to do
- with or without consent when her age is below 18 years
- when she is unable to communicate consent.

☐ *Section 509*: For the offence under this section intention to outrage the modesty of the women or knowledge that the act of the accused would result in outraging her modesty is the gravamen of the offence. Punishment is imprisonment of either description from one year to five years and fine. The ultimate test for ascertaining whether the modesty of a woman has been outraged, assaulted or insulted is that there is:
- intention to outrage the modesty of the women
- knowledge that the act of the offender would result in outraging her modesty
- action of the offender is such that it may be perceived as one which is capable of shocking the sense of decency of a woman.

---

[13] "Private act" includes an act of watching carried out in a place which, in the circumstances, would reasonably be expected to provide privacy and where the victim's genitals, posterior or breasts are exposed or covered only in underwear; or the victim is using a lavatory; or the victim is doing a sexual act that is not of a kind ordinarily done in public. Where the victim consents to the capture of the images or any act, but not to their dissemination to third persons and where such image or act is disseminated, such dissemination shall be considered an offence under this section.

2.2.3 Indecent Representation of Women (Prohibition) Act, 1986

Under this Act, if an individual harasses another with books, photographs, paintings, films, pamphlets, packages, etc. containing "indecent representation of women", they are liable for a minimum sentence of two years. Section 7 (Offenses by Companies) holds that companies where there has been "indecent representation of women" (such as the display of pornography) on the premises, are guilty of offenses under this act, with a minimum sentence of two years.

2.2.4 Protection of Children from Sexual Offences Act, 2012

This Act defines a child[14] as any person below the age of 18 years. It provides protection to all children under the age of 18 years from the offences of sexual assault, sexual harassment and pornography, all of which have been clearly defined in this law.

Section 11 of the Act deals with Sexual Harassment. In this section, a person is said to have

8

committed sexual harassment at the workplace upon a child, when such a person with sexual intent i) utters any word; makes any sound, makes any gestures or exhibits any object or part of body with the intention that such word, sound, gesture or part of body will be seen or heard by the child, ii) makes a child exhibit his body or any part of his body, iii) shows an object or any type of print, visual or other material to the child for pornographic purposes, iv) repeatedly or constantly follows, watches, stalks or contacts a child either directly or through electronic, digital or any other means, v) threatens to use a real or fabricated depiction of any part of the child's body or involvement of the child in a sexual act, through any form of electronic, film, or digital media or any other mode, vi) entices a child for pornographic purposes or gives gratification for the same. Whoever commits sexual harassment upon a child shall be punished with imprisonment for a term which may extend to three years and shall also be liable to be fined.

The Act casts a duty on the Central and State Governments to spread awareness through media including the television, radio and the print media at regular intervals to make the general public, children as well as their parents and guardians aware of the provisions of this Act.

2.2.5 Information Technology Act, 2000

The following Sections of the Act can be applied depending upon the facts and circumstances of the case along with other relevant provisions:

☐ *Section 67: Publishing of information which is obscene in electronic form.* This section states that whoever publishes, transmits or causes to be published in the electronic form, any material which is lascivious or appeals to the prurient interest; if its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, shall be punished on first conviction with imprisonment of either description for a term which may extend to five years and with fine which may extend to one lakh rupees and in the event of a second or subsequent conviction with imprisonment of either description for a term which may extend to ten years and also with fine which may extend to two lakh rupees

☐ *Section 72: Penalty for breach of confidentiality and privacy.* This section states that save as otherwise provided in this Act or any other law for the time being in force, any person who, in pursuance of any of the powers conferred under this Act, rules or regulations made thereunder, has secured access to any electronic record, book, register, correspondence, information, document or other material without the consent of the person concerned discloses such electronic record, book, register, correspondence, information, document or other material to any other person shall be punished with imprisonment for a term which may extend to two years, or with fine which may extend to one lakh rupees, or with both.

CHAPTER III: KEY DEFINITIONS

3.1   What is sexual harassment?

Sexual harassment refers to unwelcome sexual advances or verbal or physical conduct of a sexual nature which has the effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, abusive or offensive working environment. Sexual harassment can range from misbehaviour of an irritating nature to the most serious forms such as sexual abuse and assault including rape.

The *Sexual Harassment of Women (Prevention, Prohibition and Redressal) Act 2013* defines sexual harassment to include any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

i.   physical contact and advances
ii.   a demand or request for sexual favours
iii. making sexually coloured remarks
iv.   showing pornography
v.   any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Sexual harassment can occur in different forms such as verbal, non-verbal, visual, and physical. Examples are shown in Table 2 below:

Table 2: Different forms of sexual harassment

Verbal form	Physical form
• Gender based insults or sexist remarks • Sexual or gender-based jokes or teasing • Innuendos and taunts • Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like • Requesting sexual favours • Telling lies or spreading rumors about a	• Unwelcome hugging, sexual touching or kissing • Forcible physical touch or molestation • Standing too close to or brushing up against another person, leaning over, invading a person's space • Patting, stroking, grabbing or pinching • Blocking someone's path with the purpose of making a sexual advance
person's personal or sex life • Pressure for dates • Comments about clothing, personal behavior, or a person's body • Graphic descriptions of pornography.	• Rape or attempted rape • Actual or attempted sexual assault, or forced fondling.
Visual form	**Non-verbal form**
• Presence of sexual visual material such as posters, cartoons, drawings calendars, pinups, pictures, computer programmes of a sexual nature • Written material that is sexual in nature, such as notes, SMS, E-mail containing sexual comments • Knick-knacks and other objects of a sexual nature.	• Staring • Sizing up a person's body (looking up and down) • Derogatory gestures of a sexual nature • Sexually suggestive looks • Facial expressions of a sexual nature; winking, licking lips • Stalking.

Sexual harassment in the workplace is classified under two main types:
- Quid pro Quo
- Hostile Work Environment.

Quid Pro Quo or This for That

This type of sexual harassment implies seeking sexual favours or making sexual advances in exchange for benefits at work. It includes instances when:
- There are implicit or explicit requests or demands for unwelcome sexual activity as a term or condition of employment
- Consent to or rejection of unwelcome sexually explicit behaviour or speech is made a condition for employment, or refusal to comply with a 'request' is met with retaliatory action such as dismissal, demotion, difficult work conditions.

Hostile Work Environment

Hostile working environment involves uninvited and unwelcome conducts or behavior whether they are physical, verbal, non-verbal or visual forms which create work environment that makes it uncomfortable for a worker to be there. Hostile working environment is usually dependent on circumstances, frequency (repetitive misconduct rather than a single episode of misbehaviour), and severity.

The *Sexual Harassment of Women (Prevention, Prohibition and Redressal) Act 2013* recognizes these types and forms of sexual harassment and states that if the following circumstances occur or are present in relation to, or connected with any act or behaviour of sexual harassment may amount to sexual harassment at the workplace:
- Implied or explicit promise of preferential treatment in her employment
- Implied or explicit threat of detrimental treatment in her employment
- Implied or explicit threat about her present or future employment status
- Interference with her work or creating an intimidating or offensive or hostile work environment for her
- Humiliating treatment likely to affect her health or safety.

3.2   What is the workplace?

There has been much debate about the definition of the workplace in the context of sexual harassment. In the past, there have been arguments put forth about the workplace just being the boundary of the premises where employees sit and work, while others have included public places that are frequented by employees in the context of their work.

It is now well accepted that a workplace is any place where working relationships between employer and employee(s) exist, going beyond the physical boundaries of the primary workplace or office building.

The *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013* has specified its definition to include a much wider area, which refers to all the places that an employee visits during the course of employment, including use of transportation. It includes:

i. Any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit in the public sector; either established/owned, controlled or wholly or partly financed by funds received directly or indirectly by the government or local authority or a government company or corporation or a co-operative society

ii. Any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertainmental, industrial, health services or financial activities including production, supply, sale, distribution or services

iii. Hospitals or nursing homes

iv. Any sports institute, stadium, sports complex or competition or games venue, even the residence if used for training, sports or other related activities

v. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey

vi. A dwelling place or house

vii. Workplace of unorganized sector.

3.3   Definitions of stakeholders covered in the Sexual Harassment Act

3.3.1 Employer

Employer means:
i. in relation to any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organization, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf

ii. any person responsible for the management, supervision and control of the workplace not covered under (i) above. "Management" includes the person or board or committee responsible for formulation and administration of policies for organization

iii. the person discharging contractual obligations with respect to his or her employees in relation to workplace covered under (i) and (ii) above

iv. in relation to a dwelling place or house, a person or a household who employs or benefits from the employment of domestic worker, irrespective of the number, time period or type of such worker employed, or the nature of the employment or activities performed by the domestic worker.

It is employer's responsibility to provide a safe working environment at workplace. For further information on key measures and responsibilities, see Chapters IV, V and VI.

3.3.2 Employee

The Act defines an employee as a person employed at a workplace for any work:
- on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the principal employer

- for remuneration or not, or working on a voluntary basis
- whether terms of employment are expressed or implied.

"Employee" includes a co-worker, a contract worker, probationer, trainee, apprentice or others who may be called by any other such name.

3.3.3 Domestic worker

Although any person, whether a man or a woman, engaged in domestic work is a domestic worker according to the definition in the ILO Domestic Workers Convention, 2011 (No. 189), according to the Act, a domestic worker means a woman who is employed:
- ☐ to do the household work in any household for remuneration wether in cash or kind
- ☐ either directly or through any agency
- ☐ on a temporary, permanent, part time or full time basis
- ☐ for remuneration whether in cash or kind.

This definition does not include any member of the family of the employer.

3.3.4 Aggrieved woman

As per the definition, an aggrieved woman means:
- A woman of any age irrespective of her employment status who alleges to have been subjected to any act of sexual harassment by respondent in relation to a workplace
- A woman of any age employed in such a dwelling place or house.

3.3.5 Respondent

As per the definition provided in the Act, the respondent means a person against whom the aggrieved woman has made a complaint to the Internal Committee or the Local Committee.

CHAPTER IV: PREVENTING SEXUAL HARASSMENT

In India, the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013* deems it the duty of the employer, as well as other responsible persons in work places or institutions to "provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and matters connected therewith or incidental thereto". This implies that these individuals are responsible to:

- prevent or deter the commission of acts of sexual harassment within the workplace
- provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment by taking all required steps.

The duties of an employer and/or the appropriate Government towards the prevention of sexual harassment in the workplace have been explicitly laid down in the Act as follows:

- Provide a safe working environment at the workplace which shall include safety from third party (outsiders) coming into the contact at the workplace
- Display penal consequences of sexual harassment
- Display information about the grievance handling mechanisms including about the Internal Committee
- Organize workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act
- Organize orientation programmes for the members of the Internal Committee
- Treat sexual harassment as misconduct under the service rules and initiate action for such misconduct.

In addition to the above, the Act mentions that Government offices will also be responsible for the following:

- Advance the understanding of the public of the provisions of the Act
- The Central and State Governments are mandated to develop relevant IEC and training materials and organise awareness programmes to advance the understanding of the public on the provisions of the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.*
- Formulate orientation and training programmes for the member of the Local Complaints Committee.

In order to implement the Act, it is vital that employers and organizations take necessary steps to prevent and address sexual harassment at workplace with strong commitment from leaders and managers. Some of the measures are introduced below.

4.1 Develop a policy

Developing and adopting a comprehensive policy on the prevention of sexual harassment is one of the key actions in preventing sexual harassment and promoting a safe working environment. The aim of such a policy should be to change behaviour and attitude of women and men at the workplace, and to provide a workplace environment conducive for both.

The contents of a workplace policy on sexual harassment may include[22]:
- A clear organization's statement on sexual harassment, e.g
  - Sexual harassment is strictly prohibited
  - Zero-tolerance policy: Organization will pursue all sexual harassment cases and notmake any exception for perpetrator in question irrespective of the person's status
  - Anyone found guilty of sexual harassment after investigation will be subject to immediate and appropriate disciplinary action
- Key definitions and examples related to sexual harassment
- Reference to relevant legislations
- Consequences in case of breach of policy
- Responsibilities of management and staff
- Adequate provisions for regular and repeated training of employees at all levels
- Details of the members of the Internal Complaints Committee (For more details on the Committee, see Chapter V)
- Procedures and options available for getting help and advice, making complaints, and handling cases which can include both formal and informal procedures
- Procedures and rules for harassment of or by third parties such as clients and customers
- Timeframe for redressal procedures
- A clear indication that all cases of sexual harassment will be kept confidential
- Effective safeguards to ensure that the recommendations of the Committee areimplemented by the management of the institution
- Frequency of discussion and review of the policy.

Displaying penal consequences of sexual harassment and information about the grievance handling mechanisms including about the Internal Committee are mentioned as duties of employer in Section 19 of the Act.

In case the workplace has many workers such as migrant workers who may not be fluent in the language commonly used in the organization, the policy may be made available in other languages as appropriate to raise awareness on the policy.

4.2 Raise awareness

Once a policy on sexual harassment is developed, employers must raise awareness among employees about the policy and its contents including what constitutes sexual harassment, what an employee can do when he or she experiences sexual harassment, and consequences in case of breach of policy.

This may be done through induction programme of new employees, regular staff meetings or training, email, display on the website, and other appropriate forums. In addition, employers may

use visual materials such as notices, posters or brochures to disseminate information on the anti-sexual harassment policy. Sensitizing employees with the provisions of the Act is stated as one of the duties of an employer and/ or the appropriate government (Section 19 of the Act).

Along with awareness raising on sexual harassment policy and its contents, it is important to promote gender equality. Experience has shown that patriarchal attitudes and values are the biggest challenge in the implementation of any law concerning gender equality and women's rights such as the Act on Sexual Harassment. Combating these attitudes is crucial in the prevention of sexual harassment at the workplace.

4.3   Provide training

Effective training programmes are essential for sensitizing all their staff members, both men and women to recognize sexual harassment to prevent it, and to deal with it when it occurs. The training programme is the best way to ensure proper understanding and implementation of the organization's policy on sexual harassment. It is the best forum to communicate to employees what behaviour is acceptable and what is not, in a non-threatening atmosphere of mutual learning. Training for the members of the Complaints Committee and others who are going to be instrumental in implementing the policy is very essential. The Act specifies that it is the duty of an employer to organize orientation programmes for the members of the Internal Committee (Section 19 of the Act).

Training should include a component on gender sensitization, along with the procedures for taking complaints and enquiry. Sexual harassment training for all employees should address perceptions and understanding of sexual harassment, impact of sexual harassment on individuals and workplace, understanding the policy and complaint mechanism. The training for Complaints Committee should address, in addition to these, the procedures of investigation, skills necessary for enquiries, documenting the procedures.

A separate training for supervisors and managers may be organized to encourage appropriate conduct by themselves. As a manager, they play a key role in promoting the organization's sexual harassment policy to ensure that the workplace is free from sexual harassment. They also need to monitor the working environment by closely scrutinizing performance and morale of all employees and assessing changes in employees' behavior patterns such as high turnover. The training for supervisors becomes especially important when sexual harassment cases are handled through informal mechanisms.

4.4   Other practical measures

In addition to the above mentioned measures, employers can take practical actions that can contribute to preventing sexual harassment at workplace as follows:
- Create appropriate and safe working environment for all workers to focus on work free from sexual harassment
  - Remove offensive, sexually explicit or pornographic calendars, literature, posters and other materials from the workplace
  - Improve safety of working environment by ensuring sufficient lighting, open space offices, good balance of men and women at workplace at different levels, and organizing

work during working hours
- Establish a panel consisting of both women and men rather than just one individual who is responsible for making decisions concerning job vacancies or promotions
- Translate policy into relevant languages of workers and for those who cannot read use images to explain
- Display posters about zero-tolerance for -sexual harassment
- Distribute brochures on frequently asked questions and answers on sexual harassment
- Conduct surveys to identify factors and situations leading to incidence of sexual harassment. The survey can be done anonymously and ask employees whether they have experienced any form of sexual harassment in the past year.

CHAPTER V: RESPONDING TO AND ADDRESSING SEXUAL HARASSMENT

For effectively responding to and addressing sexual harassment at workplace, it is important to have a grievance handling mechanism that is accessible for all workers. The Act requires every employer to set up a Committee known as the Internal Complaints Committee to formally handle sexual harassment grievance procedures. The Act also requires every district officer of district to set up a Committee known as the Local Complaints Committee to receive complaints of sexual harassment from establishments where the Internal Complaints Committee has not been constituted due to having less than 10 workers or if the complaint is against the employer him/herself.

This chapter provides explanations on the establishment of a Committee, procedures for filing a complaint of sexual harassment, and procedures for handling cases of sexual harassment.

5.1   Constitution of complaints committee

5.1.1   Internal Complaints Committee (ICC)

Under this Act, all employers (private/government) are mandated to constitute an Internal Complaints Committee (ICC) at each of the administrative units and offices located at each of its divisional and sub-divisional levels. All employers must provide necessary facilities for the ICC todeal with the complaint and to conduct an inquiry.

Each ICC is required to prepare an annual report to the employer.

Composition
The composition of the committee as prescribed by the Act states that a committee must have at least 4 members, out of which at least 2 must be women. The composition is explained in Table 4 below:

Table 4: Composition of the Internal Complaints Committee

No	Member	Requirement
1	Presiding Officer(Senior female)	Must be a woman employed at a senior level at workplace from amongstthe employees. *"If there is no senior level woman employed at a senior level; the presiding officer shall be nominated from other offices or administrative units of the workplace. If other offices do not have a senior level employee, the presiding officer shall be nominated from any other workplace of the same employer or other department or organization"*
2	Member (Female)	Employees with commitment to the cause of women, experience in social
3	Member (Male)	work, or legal knowledge
4	Member (Female)	Must be from a third party (e.g. NGO or association) and must have expertise and familiarity with gender issues and sexual harassment. *The member appointed from the NGO shall be paid such fees or allowances for holding proceedings of the ICC.*

In order to make the ICC accessible for all workers, the ICC may represent the cross section of hierarchies present in the workplace. This will make it easier for all employees across the organization to approach the committee with ease in case of a complaint or advice.

Tenure

Presiding officer and every other member of the ICC shall hold office for up to 3 years from the date of their nomination. The Presiding officer or any of the other members can be removed by the Committee before the 3 year time period is up, if:

- ☐ Publishing, communicating or making known to the public, press and media the information related to sexual harassment cases against the legal provisions
- ☐ Convicted for an offense under any law or undergoing an inquiry into an offence under any law
- ☐ Found guilty in any disciplinary proceedings against him/her
- ☐ Abuse his/her position as a member of the committee.

5.1.2 Local Complaints Committee (LCC)

Central and State Governments are mandated to notify either of the following individuals to bea District Officer for each District to implement the requirements under the Act:

- ☐ District Magistrate
- ☐ Additional District Magistrate
- ☐ Collector
- ☐ Deputy Collector.

Every District Officer must constitute a Local Complaints Committee (LCC) to receive complaints of sexual harassment from establishments where the Internal Complaints Committee (ICC) has not been constituted due to having less than 10 employees.

Each LCC is required to prepare an annual report and submit it to the District Officer.

The District Officer must designate one nodal officer in every block, taluka and tehsil in rural or tribal area and ward or municipality in the urban area, to receive complaints and forward it to the concerned LCC within 7 days.

Composition

The composition of the LCC as prescribed by the Act states that it must have at least 5 members, out of which at least 3 must be women. The composition is explained in Table 5 below:

Table 5: Composition of the Local Complaints Committee

No	Member	Requirement
1	Chairperson (Eminent female)	To be nominated from amongst the eminent women in the field of social work and committed to the cause of women
2	Member (Female)	To be nominated from amongst the women working in block, taluka or tehsil or ward or municipality in the district
3	Member (Female)	To be nominated from amongst such non-governmental organizations or associations committed to the cause of women or familiar with the issues relating to sexual harassment: • *At least one must be a woman.*
4	Member (Male)	• *At least one of the members must have a background of law or legal knowledge* • *One of the nominees shall be a woman belonging to the scheduled caste, scheduled tribes or the other backward classes or minority community notified by the Central Government"*
5	Ex Officio member	The concerned officer dealing with the social welfare or women and child development in the district

Tenure

All members of the committee including the chairperson are expected to hold office for a period not exceeding 3 years from the date of appointment by the District Officer.

Committee members are subject to a dismissal if:
☐ Publishing, communicating or making known to the public, press and media the information related to sexual harassment cases against the legal provisions
☐ Convicted for an offense under any law or undergoing an inquiry into an offence under any law
☐ Found guilty in any disciplinary proceedings against him/her
☐ Abuse his/her position as a member of the committee.

The vacancy that is created through this dismissal is filled by fresh nominations.

Fees and financial grants of the LCC
☐ The Chairperson and the 2 members of the LCC selected from among NGOs or associations are eligible to receive fees or allowances for holding the proceedings of the LCC

- The Act makes provisions for the Central Government to transfer funds in the form of grants to the State Government to be used for making payments of fees or allowances for the LCC Chairperson and the 2 members from NGOs and associations
- The State Government may set up an agency to receive grants from the Central Government
- The agency must pay to the District Officer the required sum of money to be paid as allowances and fees for the Chairperson and the two members from NGOs or associations
- The agency is required to maintain its audit and accounts in consultation with the Accountant General of the State. The agency is also liable to furnish an audited copy of its accounts along with the auditor's report to the State Government.

5.2   Filing a complaint

Those who suffer from sexual harassment tend to keep silence about their incidence of sexual harassment due to several reasons such as fear of losing their job, retaliation, and victimization. Therefore, it is important that workers know of various options for filing a complaint and addressing sexual harassment without fear.

According to the Act, a complaint can be made to the Internal Complaints Committee, Local Complaints Committee or directly with the court of law.

5.2.1   Filing a complaint with the Complaints Committee

Place: Aggrieved woman can submit a complaint of sexual harassment to the Internal Complaints Committee or the Local Complaints Committee. In addition, the Act also states that the aggrieved woman can submit complaints to the designated nodal officer in every block, taluka and tehsil in the rural or tribal area and ward or municipality in the urban area who will forward it to the concerned LCC within a period of 7 days.

The jurisdiction of the LCC shall extend to the areas of the district where it is constituted.

Timeframe: Any aggrieved woman must be allowed to make a complaint within a period of 3 months from the date of the incident. This may be extended to another 3 months if the woman can prove that grave circumstances prevented her from doing the same and the reasons must be recorded. If it's a series of incidents then the complaint must be filed within 3 months from the date of the last incident.

If aggrieved woman is unable to make a complaint due to physical or mental incapacity or death, her legal heir may make the complaint.

Form of complaint: Written. Assistance must be provided to the woman if she needs help in writing the complaint.

5.2.2   Filing a complaint at the local police station under the Indian Penal Code
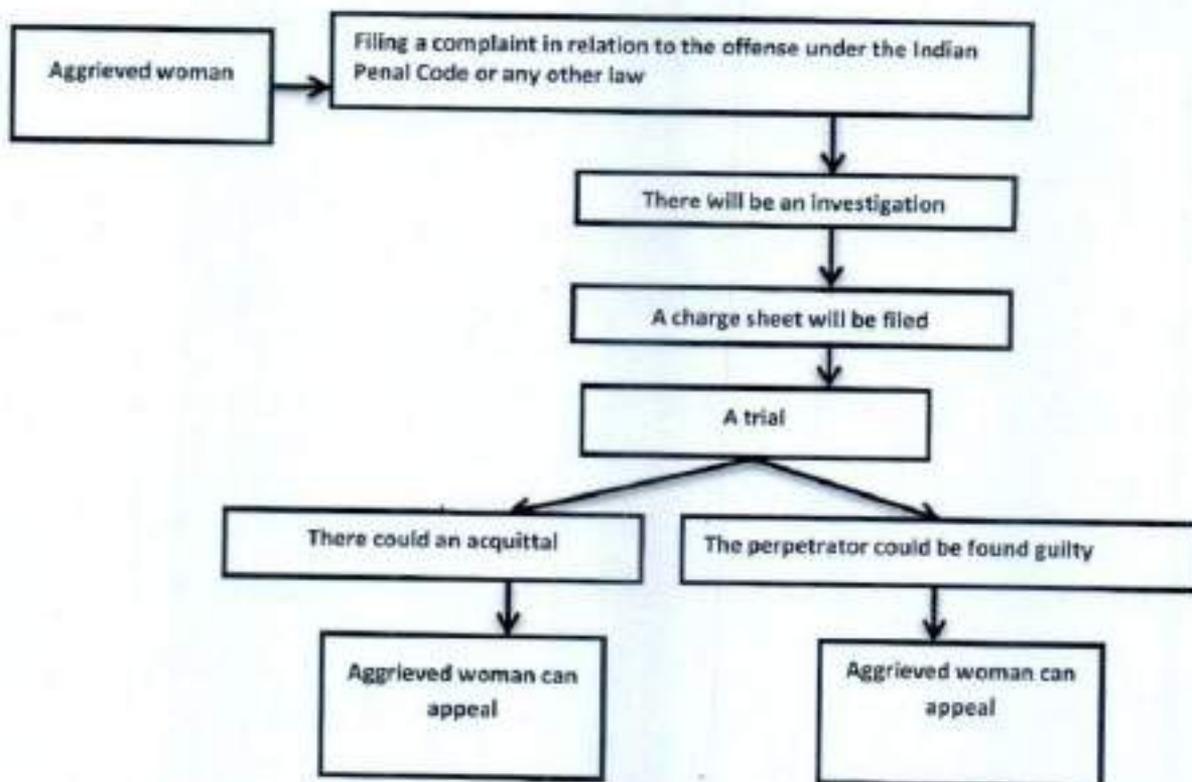
Assistance must be provided to the aggrieved should she choose to file a complaint in relation to the offense under the Indian Penal Code or any other law. Or, when an instance of sexual

harassment amounts to a specific offence under the Indian Penal Code, or under any other law, the employer shall initiate appropriate action in accordance with the law by lodging a complaint with the appropriate authority.

The following provisions of the Criminal Procedure Code (Cr. PC), 1973 also need to be observed:

- **Section 2 (wa) Cr.PC** defines "victim" as a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged and the expression "victim" includes his or her guardian or legal heir
- **Section 24** provides that the Court may permit the "victim" to engage an advocate of her choice to assist the prosecution.

The flow of how the case is handled is illustrated below:

```
┌──────────────────┐     ┌─────────────────────────────────────────────────┐
│ Aggrieved woman  │ ──▶ │ Filing a complaint in relation to the offense    │
│                  │     │ under the Indian Penal Code or any other law     │
└──────────────────┘     └─────────────────────────────────────────────────┘
                                              │
                                              ▼
                              ┌─────────────────────────────────┐
                              │ There will be an investigation   │
                              └─────────────────────────────────┘
                                              │
                                              ▼
                              ┌─────────────────────────────────┐
                              │ A charge sheet will be filed     │
                              └─────────────────────────────────┘
                                              │
                                              ▼
                              ┌─────────────────────────────────┐
                              │ A trial                          │
                              └─────────────────────────────────┘
                                    │                    │
                                    ▼                    ▼
            ┌───────────────────────────┐    ┌──────────────────────────────────┐
            │ There could an acquittal  │    │ The perpetrator could be found    │
            │                           │    │ guilty                            │
            └───────────────────────────┘    └──────────────────────────────────┘
                        │                                   │
                        ▼                                   ▼
            ┌───────────────────────────┐    ┌──────────────────────────────────┐
            │ Aggrieved woman can       │    │ Aggrieved woman can               │
            │ appeal                    │    │ appeal                            │
            └───────────────────────────┘    └──────────────────────────────────┘
```

5.2.3 Informal mechanisms

Reporting of cases of sexual harassment takes effort and courage on the part of many women, despite the presence of a committee to deal with the same. In such cases, informal mechanisms work best in creating a conducive environment, which is non-threatening and builds the confidence of an employee in speaking out about an incident of sexual harassment.

In the event that a senior staff, supervisor or manager is approached for advice regarding a case of

sexual harassment, she/he may give a patient hearing to the individual concerned. After assuring the necessary support in taking this matter forward, the employee must be encouraged to take the issue to the committee, in order that it can be established whether or not it is a case of sexual harassment (in case there is a lack of clarity) and further that appropriate action may be initiated by the committee.

The role of supervisors and managers is critical in the redressal and prevention of sexual harassment in the workplace:

☐ It gives the employee an opportunity to assess whether the organization is supportive of such matters and builds the confidence to approach the committee
☐ It ensures that the committee accepts all complaints of employees and takes action
☐ The committee may also request the support of the supervisor, manager concerned in counselling and conciliation of the alleged harasser
☐ The supervisor may ensure that there is no backlash on the employee that has complained and in monitoring further unacceptable behavior
☐ Such staff in senior positions understand and identify the nuances of sexual harassment
☐ Senior staff and committee members discuss informal mechanisms for the prevention of sexual harassment in the workplace.

It is to be noted that for the informal mechanisms to function effectively, supervisors, managers and other staff need to be properly trained, in areas such as grievance handling which maintains confidentiality, counselling, and gender sensitivity, that are critical elements in playing out this role.

5.3   Handing sexual harassment complaints

The Act presents two ways to respond to a sexual harassment complaint: Conciliation and Inquiry.

5.3.1   Conciliation

The Act has a provision for the Complaints Committee to take steps to settle matters through conciliation before initiating an inquiry. The conciliation can only happen at the request of the aggrieved woman and money cannot be the basis of this settlement.

Once the settlement has been agreed upon, a record of the settlement needs to be sent to the employer or the District Officer to take action as specified in the recommendation. The copy of the settlement should be sent to the aggrieved woman and the respondent.

No further enquiries are conducted after the settlement. However, if any of the conditions of the settlement are not complied with by the respondent, the aggrieved can go back to the Committee who will proceed to make an inquiry.

5.3.2   Inquiry into complaint

According to the Act, the complaint mechanism should ensure a time bound treatment of

complaints. The ICC/LCC is bound to complete the inquiry within a time period of 90 days upon receiving the complaint. Although the Act does not provide specific steps for handling cases of sexual harassment, each employer or organization should develop and provide detailed guidance on steps for conducting inquiry to the Complaints Committee ensuring safety of all concerned, especially the complainant to avoid victimization, and ensuring consistency and fairness for all cases received. The information on steps should be widely shared with workers, especially the aggrieved woman and the respondent to have a clear understanding on the process.

While conducting the inquiry procedures of the case, the Committee has the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 with respect to the following:

- Summoning and enforcing the attendance of any person
- Examining the individual on oath
- Requiring the discovery and production of documents essential to the case.

The Act also includes provisions for counsellors or any other support services in case either party should ask for one.

The information below presents general steps involved in the investigation and explanations per step:

- **Investigation of the allegations**

For ensuring safety of the complainant and fairness for alleged harasser, investigation may be carried out according to the steps as follows:
- The complainant is interviewed to document the details of the incidence
- The allegations are conveyed to the alleged harasser in full
- The alleged harasser is given the opportunity to respond and defend themselves against the allegations
- If there is a disagreement over facts, statements from any witnesses and other relevant evidence are gathered
- Relevant allegations made during the investigation are made known to both the complainant and alleged harasser, with an opportunity to respond.

According to the Act, if both parties are employees, both parties will be:
- given a fair chance of being heard
- given a report of the findings that will enable them to make their representations before the committee.

The employer should authorize the presiding officer/chair of the ICC/LCC to procure all documentation and other evidence from appropriate departments during the investigation.

The employer may also initiate action against the perpetrator under the Indian Penal Code or any other law if the aggrieved woman so desires. This is also applicable if the perpetrator is not an employee (third party).

- **Examination of witnesses**

Although cross-examination of witnesses needs to be conducted in the presence of the accused in ordinary cases, such cross-examination should not be done in the presence of the respondent in the case of an inquiry into allegations of sexual harassment. Sometimes the very presence of the respondent may result in putting pressure upon the witnesses, particularly, if they are children, and may discourage them from coming out with the truth. Moreover, cross- examination in the presence of the respondent would invariably result in disclosing the identity of the aggrieved and/or witnesses, even where it is not necessary to disclose their identity. The necessity of withholding the identity of the aggrieved and/or witnesses of sexual harassment was acknowledged by Supreme Court in Bidyug Chakraborty, when it directed cross- examination of the witnesses, by way of interrogatories through a Local Commissioner. The Act also states that the Committee must ensure complete confidentiality of the complainant during the investigation is in the process.

All information collected such as statements from interviews and documents and all steps taken in the investigation must be thoroughly and properly recorded.

☐ **Examining findings applying the principles of fairness**

Cases of sexual harassment are controversial and highly contentious matters. Acts of sexual harassment in the workplace are usually between two individuals and often behind closed doors, a "private matter", mostly without any eye witnesses. In cases where sexual harassment is over a prolonged period of time, aggrieved might not have kept a log of the acts of harassment, dates, times it occurred and a list of witnesses to that specific conduct. It is also possible that when sexual harassment takes place in the open, it might appear as consensual and mutually acceptable behaviour to the others in the workplace. In this context it is necessary to understand the different standards that are adopted in dealing with cases of sexual harassment in the workplace.

The most predominant standards include:
  i.   Reasonable Woman Standard
  ii.   Intent vs. Impact
  iii. Human Rights
  iv.   Prior Awareness
  v.   Proof beyond Reasonable Doubt

Reasonable Woman Standard

The most common practice to assess sexual harassment in the workplace is to use a Reasonable Woman Standard. It implies that an act(s) of behaviour is considered to be sexually harassing if a 'reasonable woman', when put in that situation, would deem it to be so. This standard was adopted in order to avoid decisions being taken that will in all likelihood have a male perspective to it if there are no woman-based standards available. This allowed the decision makers to view the case from the perspective of the aggrieved.

This approach has emerged from the reasonable man standard used earlier where the perspective of a 'reasonable man' was used to determine whether sexual harassment had indeed occurred. This stance was found to be flawed and supported existing male dominant positions of power, which discriminate against women. In today's courts of law across the world, as well as in India, the reasonable woman approach is gaining more acceptance due to its logic and gender sensitive reasoning which supports the view of a woman in ascertaining the occurrence of sexual harassment.

Intent vs. Impact

'Intent vs. impact' is one of the most crucial standards in assessing sexual harassment. In this framework, the "impact" on the aggrieved is given weightage as opposed to the "intent" of the perpetrator. This view has had significant bearing upon cases of sexual harassment and the consequent decisions that have favoured women. There is emphasis on the purpose or effect of the offensive conduct on another's dignity. Impact not intention is what counts. In a nutshell it is not sufficient reason to excuse an act of sexual harassment merely because someone said "*Well, I did not mean it, sorry!*" This approach, combined with the Reasonable Woman Standard approach, are important elements in deciding cases from a third party perspective, along with the cultural context and other prevailing social norms to ensure that justice is meted out.

Box 17: A case illustrating the use of standards

"A male boss hugging a female staff and kissing her on the cheek, and calling her 'honey' and 'darling' in the office to show his appreciation for her good work" could be a contentious case of sexual harassment.

She has not told her boss that his behaviour is unwelcome, but has shared with him that other staff are sniggering and passing comments about the "boss' praise" and that she is uncomfortable regarding the same.

The boss argues that he has spent several years abroad where kissing and hugging of female staff is a common practice and that she should ignore other colleagues. Besides, he has been 'open' in his behaviour as it has been in the general working hall and in full view of the other staff members. In his view sexual harassment are acts which are furtive and behind closed doors, therefore, the fact that such behavior is viewed as sexual harassment is not being fair to him. And in his view, it is his way of thanking her for her good work and a small quick hug and kiss on the cheek is a harmless act that does not warrant being labeled as sexual harassment.

But, the female staff is of the view that in a workplace, appreciation for good work could be in the form of verbal praise, a letter of commendation or even an occasional bouquet of flowers. And, a kiss on the cheek twice or thrice a day, or even in a week is unwelcome behaviour. Further she questions why such appreciation is only reserved for her and not showered on male colleagues for their "good work".

There are two angles to this case:

Intent vs Impact
Irrespective of the intention of the boss to show his appreciation, it is how his behaviour has impacted his female colleague that will be considered. If he persists with such behaviour in spite of being aware of her discomfort, then his behaviour is 'Unwelcome'. The impact on the female is negative.

Reasonable Women Standard
In the Indian context, kissing on the cheek is a gesture of intimacy, with sexual connotations. In the workplace, it is definitely not considered appropriate behaviour, irrespective of the individuals concerned. Cultural sensitivities have been ignored in this context. A public display of kissing and hugging of women in the family is also not the normal standard of acceptable behavior. Therefore, kissing of another woman in public has definitely crossed boundaries of tolerance of a 'reasonable woman'. The fact that this act was not extended to all staff, including male staff, is a matter to be considered and points to her being singled out for unwanted attention. Refusal to change the behaviour, even after being told of its negative impact, falls within the realm of sexual harassment.

ii. Human Rights Approach

In the Guidelines laid down by the Supreme Court in its *Vishaka* judgment, Point 12 clearly mentions that "These guidelines will not prejudice any rights available under the Protection of Human Rights Act, 1993".

This approach uses the definition of 'human rights[23]' in Section 2 (d) of the Protection of Human Rights Act, 1993. However, going beyond the law and using a human rights approach shifts the emphasis in assessing a case of sexual harassment. Decisions are no longer taken on the basis on direct evidence or proof that is submitted but on examination of the social context in which such violations occur. The reality that sexual harassment is a 'power game' and often occurs in a relationship of unequal power becomes central to assessing a complaint. The human rights issue also goes beyond an individual perpetrator and takes into account lapses in the work environment that can have detrimental results and negative consequences for the individual, as well as the organization.

iii. Prior Awareness Approach

Another approach to understanding whether a particular case is an act of sexual harassment or not is known as 'prior awareness'. This standard assumes that there are two attitudes at play as a reaction to an act of sexual harassment. If the complaint's attitude is of a vulnerable, docile and powerless woman, there is all likelihood of the natural instincts of the decision maker to perceive the woman in question as a victim, which may result in a favourable decision towards her. But, if the complaint's attitude is that of a hostile and aggressive woman, the decision makers are most likely to express an unfavourable decision for the aggrieved, as they view her as a threat to male dominance. This theory underscores once again the importance of developing explicit and shared standards and criteria for the assessment of behaviours as sexual harassment at workplace.

There are two attitudes at play which have contrasting impacts in the prior awareness approach. These are "hostile sexism" and "benevolent sexism".

In "hostile sexism", the preferred and acceptable image of a woman is that of a submissive female who has remained within her socially defined limits. So called aggressive women are viewed negatively as those who must be controlled and prevented from occupying male dominated spaces. The hostile images of a woman that are created by this attitude are likely to trigger an unsympathetic response from the third party, which could end in an unfavourable decision for the aggrieved as she is viewed as a threat to male dominance. This attitude structure of 'hostile sexism' suggests that where a

---

[23] Human rights refer to the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution.

29

woman aggrieved is seen to be aggressive, the response to her complaint may be unsympathetic and assessment may be unfavourable to her.

"Benevolent sexism" has the image of a vulnerable and powerless woman who has to be protected by the all-powerful male. This rouses feelings of sympathy and compassion towards a weaker individual being dependent and seeking the support of the powerful. Such an attitude is more likely to perceive the woman in question as a victim, whose space has been invaded by the respondent and therefore may result in a favourable decision for her. The attitude structure of 'benevolent sexism' sees the woman as helpless and vulnerable, therefore assessment may favour her.

In essence the theory of prior awareness underscores the importance of developing explicit and shared standards and criteria for the assessment of behaviours as sexual harassment at workplace.

iv.   Proof beyond Reasonable Doubt

The Supreme Court recognized, as in the case of Apparel Export Promotion Council vs A.K. Chopra in 1999, that if evidence and witnesses may not always be forthcoming, reliance has to be placed on the circumstantial evidence and whether it, in overall terms, inspires the confidence of the judges. The terms used for evidence is that of "high probability" or "within reasonable doubt". Which means that it is not required that the Committee obtains 'proof beyond reasonable doubt' to take a decision on whether sexual harassment has occurred. As most incidents of sexual harassment are in private without any solid evidence or eye witnesses, the case should be built upon the strong probability that the accused did sexually harass the complainant is sufficient to take a decision in her favour[24].

The Supreme Court in its judgment in State of Haryana vs. Rattan Singh reported in 1982 (1) LLJ 46 held that "It is well settled that in a domestic enquiry, the strict and sophisticated rules of evidence under the Indian Evidence Act may not apply. All materials which are logically probative for a prudent mind are permissible. There is no allergy to hearsay evidence provided it has reasonable nexus and credibility".

It has been consistently held by the Supreme Court in a domestic enquiry that the misconduct need not be proved beyond all reasonable doubt, but if there are preponderance of probabilities, that is enough for holding a person guilty of misconduct.

☐ Arriving at the conclusion as to whether the harassment occurred or not

A formal complaint should not be dismissed on the ground that nobody saw or heard the incident/s occur. Given the nature of the conduct, there are often no direct witnesses to acts of

---

[24] Alkazi, F., Farrell, M. and Jain, P., *Gender on the agenda: A training manual,* Society for Participatory Research in Asia (RPIA), New Delhi, India, 2004.

sexual harassment. Those responsible for investigating complaints should consider all available evidence, including any surrounding evidence, and make their finding on the balance of probabilities, that is, that it is more probable than not that the harassment did or did not occur. It is important to note that even if there is not enough evidence for a complaint to be substantiated, it does not mean that the discrimination did not occur or that the complainant is a liar. Findings may be that harassment did or did not occur, or that it was not possible to make a conclusive finding.

☐ **Submitting a report with a recommended course of action to the appropriate decision-maker (employer, management, etc)**

The onus of preparing the report rests with the Presiding Officer/Chairperson of the Complaints Committee. She may seek the support from other Committee members or other persons in doing so, depending upon the proceedings and the complexities of the case. For example the Presiding officer/Chairperson may deploy the services of a professional to transcribe recorded statements of all witnesses or seek the advice of a lawyer in understanding complex aspects of a case. However, it must be noted that caution must be exercised in maintaining the confidentiality of the case and the identity of the aggrieved at all times.

The report must present all the evidence that has been acquired in the proceedings of the complaint. It shall build up an argument of the conclusion reached in the case and a rationale for the suggested penalty to be imposed if the case of sexual harassment had been proven. The report of the Complaints Committee shall be deemed to be the final inquiry report. In accordance with the Terms of Reference of the Committee, the report shall be submitted by theChairperson, to the employer/ head of the institution or disciplinary authority for consideration.

The Act mandates that on completion of the inquiry, the ICC and the LCC must **send a report of its findings to the employer within a period of 10 days of completion of the inquiry** (See Annex2 for a sample template of Investigation report).

The inquiry report may contain 3 types of verdicts:

1) If the allegation against the respondent has **not been proved**, the ICC/LCC recommends to the employer or the District Officer that no action is required to be taken.

2) If the allegation against the respondent has **been proved**:
- LCC can recommend to the District Officer or the ICC can recommend to the Employer to take action on sexual harassment as a misconduct in accordance with the provision of service rules; if there are no such service rules then with the rules that have been prescribed
- The committee can also recommend deduction of an appropriate sum of money from the salary of the respondent or ask respondent to pay the sum as compensation to the aggrieved. The amount may be determined by the ICC/LCC members on the basis of:

- the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman
- the loss of career opportunities due to the incident of sexual harassment
- medical expenses incurred by the aggrieved for physical and psychological treatment
- income and financial status of the aggrieved
- feasibility of such payment.

> **Box 18: If the respondent fails to make the payment...**
> In case the respondent has already left the employment and deductions to the salary are not possible, and in case the respondent fails to pay such a sum when directed to, the District Officer may be asked to recover such sum as an arrear of land revenue.

3) If the allegation against the respondent has been proved to be a **false and malicious complaint**, or if the aggrieved or anyone else has produced a false document, the Act provides for a penalty according to the Service Rules.

However, this clause has a safeguard in the form of an inquiry prior to establishing the malicious intent. This means that the onus of proving that the complaint was of a false and malicious intent lies with the committee. Mere inability to prove the case or a lack of evidence will not attract penalty under this provision.

The decision of the Complaints Committee should be presented in its report and submitted to the head of the institution who will forward the same to the disciplinary authority. This report may also contain suggested penalties for the accused.

> **Box 19: What if the parties involved in the case are not satisfied with the investigations?**
> It is to be noted that in the event that either of the parties involved in the case (complainant or accused) are not satisfied with the investigations, the decision or the recommendations of the complaints committee, they may approach a court of law to secure justice. The court of law will call upon the complaints committee to submit its report and all other documents for review and verification. Most often the court takes a serious view of proceedings of the complaints committee and ascertains whether principles of natural justice have been followed and that the committee has done its level best to examine all angles of the complaint in reaching its final conclusion.

☐ Ensuring that the recommended action be taken

The Complaints Committee only recommends disciplinary action, and the ultimate decision on this lies with the employer or the disciplinary authority of the organisation that can either choose to accept the suggested actions or change them. Penalties may be imposed based on the recommendations of the Committee and in keeping with the disciplinary norms of the institution.

When an act of sexual harassment amounts to misconduct as defined by the relevant service rules, appropriate disciplinary action (e.g. demotion, transfer, suspension, probation or dismissal) should be initiated by the employer in accordance with those rules. But, when the act of sexual harassment amounts to an offence under the Indian Penal Code, the employer shall initiate action by making a complaint with the appropriate authority. In case the aggrieved is not willing to initiate action under the Indian Penal Code, as a good practice and a measure of caution, the employer can record this in writing from the concerned person.

The employer in the case of the ICC or the District Officer in the case of a LCC is mandated to **acton the recommendation within 60 days of receiving the report** by the Committee.

5.3.3 Action by employer during pendency of inquiry

The Act includes provisions related to action which may be taken by employers during the pendency of an inquiry. Upon a written request made by the aggrieved woman, the Committee may recommend to:

☐ Transfer the aggrieved or the respondent to any other workplace
☐ Grant leave to the aggrieved woman up to a period of 3 months, which is in addition to the leave that she is entitled to
☐ Grant other relief as appropriate.

One of the reasons for this provision is that when an act of sexual harassment is the result of power dynamics at play, the daily proximity of the aggrieved with her "harasser" has a deep and lasting negative impact on the emotional, physical and social functioning of the aggrieved, who is often of a more subordinate position than the accused.

CHAPTER VI: ROLES OF STAKEHOLDERS

6.1 Government

Government has the key responsibility to ensure that appropriate protection is guaranteed in national laws and policies. In addition, government offices should carry out the following actions to prevent and address sexual harassment at workplace:

- Advance the understanding of the public of the provisions of the Act
- The Central Government to make rules for carrying out the provisions of the Act by notification of the same in the Official Gazette
- The Central Government to lay the rules made by them under this Act before each House of Parliament while it is in session
- The Central and State Governments are mandated to develop relevant Information Education and Communication (IEC) and training materials and organise awareness programmes to advance the understanding of the public on the provisions of the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013*
- Develop and implement a workplace policy for the prevention and redressal of sexual harassment at workplace in their offices
- Formulate orientation and training programmes for the member of the Local Complaints Committee
- Monitor the implementation of the Act and initiate necessary actions to ensure that all workers are protected from sexual harassment
- Maintain data on the number of cases of sexual harassment filed and disposed of.

6.1.1 District Officers

The duties and powers of the District Officers as specified in the Act are to:

- Monitor the timely submission of reports furnished by the Local Committee
- Take necessary measures to engage non-governmental organizations to create awarenesson sexual harassment and the rights of the women
- Prepare and forward a brief report based on the Annual Reports to the State Government
- Monitor the number of cases being filed and dealt with by the LCC
- Authorize any officer to make inspection of the records and workplace in relation to sexual harassment, who shall in return submit a report of the inspection within the specified time period. Every employer or the District Officer must produce on demand before the officer making the inspection all information, records and other documents in his custody which might have a bearing on the inspection.

The District Office may be called upon by the appropriate government to furnish in writing material related to sexual harassment at the workplace. In efforts to prevent and address sexual

harassment, it is important to work in close collaboration with workers' and employers' organizations.

6.1.2 Labour Commissioners

The Ministry of Labour and Employment is responsible for laying down policies in respect to labour matters including industrial relations, co-operation between labour and management, settlement of labour disputes, regulation of wages and other conditions of work and safety, women's labour, child labour, labour welfare and social security etc. Broadly, Labour Commissioners are entrusted with the responsibility of enforcing labour legislation concerning the welfare of the workforce and at the same time to maintain industrial peace and harmony and congenial working atmosphere.

The three key roles of the labour commissioners are:

☐ Enforcement

> The various Acts under which a Labour Officer can take preventive action, as well as ensure the redressal of sexual harassment at the workplace in accordance with the Act are as follows:
> - Industrial Disputes Act, 1947
> - The Factories Act, 1948
> - The Mines Act 1952
> - Shops and Commercial Establishments Act, 1958.

> Through the Industrial Employment (Standing Orders) Act, 1946 the Government Departments, Educational Institutions, Commercial Establishments, Private Companies, and Public Sector Undertakings were requested to comply with the implementation of the *Vishaka* Guidelines, and to this effort a Circular vide no.08/W&CDD 2011-2012 dated: 22/XI/2011 was issued to all the above.

☐ **Conciliation**

> As a nodal agency, the Labour Commissioner also plays the role of a conciliation officer and in cases of sexual harassment, can be effective in explaining to both parties the legal mandate of the Supreme Court in the particular instance. Even after the report of the internal Complaints Committee, if either of the parties is not satisfied with the decision of the committee, the matter should be referred for compulsory resolution to the labour court or industrial tribunal after preparing the failure report of conciliation proceedings.

☐ Research and Analysis

> The Labour Commissioner may also obtain and use information from Socio Economic Surveys of Different Segments of Labour (SESDSL) which are conducted for different

segments of industries to ascertain the working and living conditions of workers employed therein. Of the four components, the two most relevant in the context of creating a more conducive work place are (i) Socio-economic Conditions of Women Workers in Industries,

(ii) Working and Living Conditions of Workers engaged in Unorganized Sector industries/employments. This information can be used as a basis for developing plans that ensure the safety and security of women in all kinds of workplaces.

The following are some key roles of the labour commissioner interpreted from the lens of the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013*:

☐ To promote harmonious relations between labour and management and to regulate wages and other conditions of work in the central sphere: Sexual harassment creates a hostile work environment and the prevention of the same is integral part to function in promoting harmonious relations in the workplace

☐ To ensure speedy implementation of labour law awards, agreements, Code of Discipline etc: This role can also cover the establishment of Internal Complaints Committee for prevention and redressal of sexual harassment, as it relates to the implementation of a law relating to the workplace and workers and code of discipline

☐ To conduct studies to review and evaluate the implementation of labour laws, industrial relations, personnel policies and practices etc. in Public Sector Undertakings and other sectors under the jurisdiction of the labour commissioners: The function can be extended to assess the status of sexual harassment in the workplace and recommendations to its prevention and redressal mechanisms

☐ To regulate working conditions and safety in mines and factories: To ensure that the workplace is a zero tolerance zone towards sexual harassment

☐ To collect and publish statistics to conduct enquiries, surveys and research studies on various labour subjects: This may be understood to include publishing such information regarding the prevention and redressal of sexual harassment in the workplace

☐ To undertake training, education, research and consultancy service in the field of industrial relations and labour in general: Trainings programmes could be organized on gender sensitization and awareness on the issue of sexual harassment at the workplace.

6.2   Employers' organizations

Employers' organizations have an important role in preventing and addressing sexual harassment and promoting a safe work environment by providing guidance and good practices to member companies. Specific actions they can take include:

- Demonstrating a strong commitment to prevent and address sexual harassment by developing and adopting a policy on sexual harassment
- Raising awareness on the subject among member companies by organizing workshops and seminars
- Providing legal advice to member companies on law compliance
- Developing and sharing an employer's guide or a sample company policy with member companies to prevent and address sexual harassment at workplace
- Promoting a safe work environment by introducing practical measures and good practices from member companies at knowledge sharing forums or through newsletters.

6.3   Workers' organizations

Workers' organizations can play a vital role in preventing and addressing sexual harassment at workplace by promoting awareness on the issue among workers and by providing assistance to member workers in responding to sexual harassment cases. Their role becomes especially important for workers in the unorganized sector where grievance mechanisms may not be readily available or easily accessible. A number of measures that workers organizations can take include:

- Educating the members about the issue through workshops or regular meetings
- Providing training on handling sexual harassment grievances to members who are likely to get involved in complaint resolution
- Offering necessary support in filing complaints and following up with filed cases
- Advocating for the establishment of systems or mechanisms where all workers including those in the unorganized sector can take actions to address sexual harassment once it occurs
- Working with employers/management on developing and implementing a sexual harassment zero tolerance policy at enterprise level.

6.4   Employers or managers of enterprises or institutions

Employers are responsible for providing a safe working environment for workers by implementing a number of measures to prevent sexual harassment as explained in Chapters IV and V. It is important that employers and managers demonstrate strong leadership and commitment for zero tolerance for sexual harassment so that employees clearly understand that there is no place for sexual harassment in their workplace.

An employer is liable to a fine of Rps 50,000, in case an employer fails to comply with the Act, specifically in the areas of:

- Constitution of an Internal Committee (Sub-section (I) of Section 4)
- Inquiry report (Section 13)
- Punishment for false or malicious complaint and false evidence (Section 14)
- Required contents for annual report (Section 22).

In case of subsequent violations, the employer will be made to pay a fine which may exceed Rps 50,000 with chances of being doubled together with a penalty in the form of cancelation of the license, withdrawal or non-withdrawal of the registration required for carrying out their activity.

6.5   Employees and workers

As an employee or a worker, it is important for each individual to be aware of what sexual harassment is and to take action to stop sexual harassment at workplace. In case sexual harassment occurs, workers should:

- ☐ Do not keep silent but say "no" in a firm manner
- ☐ Continue to say no and collect evidence if sexual harassment persists
- ☐ Talk with family, friends or colleagues whom they can trust
- ☐ Seek help from trusted colleagues or trade union members and file a complaint.

Bibliography

Acker, Joan R. 1990. "Hierarchies, Jobs, and Bodies: A Theory of Gendered Organizations." Gender & Society 4:139–58.

Allison, Rachel and Pallavi Banerjee. 2014. "Intersectionality and Social Location in Organization Studies, 1990–2009." Race, Gender & Class 21:67–87.

Berger, Ellie D. 2009. "Managing Age Discrimination: An Examination of the Techniques Used When Seeking Employment." Gerontologist 49(3):317–32.

Berger, Joseph, M. Hamit Fisek, Robert Norman, and Morris Zelditch, Jr. 1977. Status Characteristics and Social Interaction: An Expectation-States Approach. New York: Greenwood.

Berrey, Ellen, Robert L. Nelson, and Laura Beth Nielsen. 2017. Rights on Trial: How Workplace Discrimination Law Perpetuates Inequality. Chicago: University of Chicago Press.

Bertrand, Marianne and Sendhil Mullainathan. 2004. "Are Emily and Greg More Employable Than Lakisha and Jamal? A Field Experiment on Labor Market Discrimination." American Economic Review 94:991–1013.

Bielby, William T., and Denise D. Bielby. 1989. "Family Ties: Balancing Commitments to Work and Family in Dual Earner Households." American Sociological Review 54(5):776–89.

Collins, Patricia Hill. 2000. Black Feminist Thought: Knowledge, Consciousness and the Politics of Empowerment. New York: Routledge.

Correll, Shelley. 2004. "Constraints into Preferences: Gender, Status and Emerging Career Aspirations." American Sociological Review 69(1):93–113.

Dobbin, Frank, Daniel Schrage, and Alexandra Kalev. 2015. "Rage against the Iron Cage: The Varied Effects of Bureaucratic Personnel Reforms on Diversity." American Sociological Review 80(5):1014–44.

Doering, Laura, and Sarah Thébaud. 2017. "The Effects of Gendered Occupational Roles on Men's and Women's Workplace Authority: Evidence from Microfinance." American Sociological Review 82(3):542–67.

Einarsen, Stale, Helge Hoel, Dieter Zapf, and Cary L. Cooper, eds. 2003. Bullying and Emotional Abuse in the Workplace. London: Taylor & Francis.

Ely, Robin J. 2004. "A Field Study of Group Diversity, Participation in Diversity Education Programs, and Performance." Journal of Organizational Behavior 25(6):755–780.

England, Paula, George Farkas, Barbara Stanek Kilbourne, and Thomas Dou. 1988. "Explaining Occupational Sex Segregation and Wages: Findings from a Model with Fixed Effects." American Sociological Review 53(4):544–58.

Felstiner, William L., Richard Abel, and Austin Sarat. 1981. "The Emergence and Transformation of Disputes: Naming, Blaming, Claiming . . . ." Law and Society Review 15:631–54.

Grömping, Ulrike. 2007. "Estimators of Relative Importance in Linear Regression Based on Variance Decomposition." American Statistician 61(2):139–47.

Hannan, Michael T., and John Freeman. 1977. "The Population Ecology of Organizations." American Journal of Sociology 82(5):929–64.

Harnois, Catherine E. 2015. "Race, Ethnicity, Sexuality, and Women's Political Consciousness of Gender." Social Psychology Quarterly 78(4):365–86.

Kalev, Alexandra. 2009. "Cracking the Glass Cages? Restructuring and Ascriptive Inequality at Work." American Journal of Sociology 114(6):1591–1643.

Kelley, Christopher P., Shane D. Soboroff, and Michael J. Lovaglia. 2017. "The Status Value of Age." Social Science Research 66(1):22–31.

Lovaglia, Michael, Jeff Lucas, John Houser, Shane Thye, and Barry Markovsky. 1998. "Status

Processes and Mental Ability Test Scores." American Journal of Sociology 104(1):195–228.

MacKinnon, Catherine. 1979. Sexual Harassment of Working Women. New Haven, CT: Yale University Press.

Mandel, Hadas, and Moshe Semyonov. 2014. "Gender Pay Gap and Employment Sector: Sources of Earnings Disparities in the United States, 1970–2010." Demography 51(5):1597–1618.

Martin, Patricia Yancey. 2004. "Gender as a Social Institution." Social Forces 82(4):1249–73.

Maume, David J., Beth A. Rubin, and Charles J. Brody. 2013. "Race, Management Citizenship Behavior, and Employees' Commitment and Well-Being." American Behavioral Scientist 58(2):309–30.

McBrier, Debra, and George Wilson. 2004. "Going Down: Race and Downward Occupational Mobility in a Changing Economy." Work and Occupations 31:238–322.

Roscigno, Vincent J., Sherry Mong, Reginald Byron, and Griff Tester. 2007. "Age Discrimination, Social Closure and Employment." Social Forces 86(1):313–34.

Rosen, Benson, and Thomas H. Jerdee. 1976. "The Influence of Age Stereotypes on Managerial Decisions." Journal of Applied Psychology 61(4):428–32.

Rothenberg, Jessica, and Daniel S. Gardner. 2011. "Protecting Older Workers: The Failure of the Age Discrimination in Employment Act of 1967." Journal of Sociology & Social Welfare 38(1):9–30.

Rubin, Beth A., and Charles J. Brody. 2011. "Operationalizing Management Citizenship Behavior and Testing Its Impact on Employee Commitment, Satisfaction, and Mental Health." Work and Occupations 38(4):465–99.

Stevenson, William B. 1986. "Change in the Structure of a Bureaucracy: A Longitudinal Analysis." Sociological Perspectives 29(3):307–36.

Swift, Jonathan. 2006. "Justifying Age Discrimination." Industrial Law Journal 35:228–44.

Thoits, Peggy A. 2010. "Stress and Health: Major Findings and Policy Implications." Journal of Health and Social Behavior 51(Suppl.):S41–S53.

Tickamyer, Ann R. 2000. "Space Matters! Spatial Inequality in Future Sociology." Contemporary Sociology 29(6):805–13.

Tilly, Charles. 1999. Durable Inequality. Berkeley: University of California Press.

Tomaskovic-Devey, Donald. 1993. Gender & Racial Inequality at Work: The Sources and Consequences of Job Segregation. Ithaca, NY: Cornell University Press.

Weber, Max. 1986. Economy and Society. New York: Vantage.

Webster, Murray, Jr., and James E. Driskell, Jr. 1978. "Status Generalization: A Review and Some New Data." American Sociological Review 43(2):220–36.

Zwerling, Craig, and Hillary Silver. 1992. "Race and Job Dismissals in a Federal Bureaucracy." American Sociological Review 57(5):651–60

PROJECT ON SEXUAL HARASSMENT OF WOMEN IN PUBLIC PLACES: DIMENSIONS AND REMEDIES

DEPARTMENT OF POLITICAL SCIENCE

PATTAMUNDAI COLLEGE, PATTAMUNDAI, KENDRAPARA, ODISHA

SL. No	Name of Student	Roll No	Signature
01	Bibek Senapati	BA 20-010	Bibek Senpati
02	Santoshini Dash	BA-20-022	Santoshini Dash
03	Mrutyunjaya Barik	BA-20-252	Mrutyunjaya Barik
04	Sunita Mallick	BA-20-036	Suneta Mallick
05	Monalisha Mallick	BA-20-112	Monalisha Mallick

Nibedita Pradhan
Signature of Supervisor

PROJECT REPORT ON

POLITICAL PARTICIPATION OF WOMEN IN PATTAMUNDAI MUNICIPALITY AREA

2022-23

PREPARED BY

DEPARTMENT POLITICAL SCIENCE

PATTAAMUNDAI COLLEGE
PATTAMUNDAI, KENDRAPARA
ODISHA– 754215

REPORT

A project report on **"Political participation of Women in Pattamundai Municipality Area"** prepared by the students of Department of Political Science session 2022-23. The total 05 number of students were participated in the project work. The project focuses on secondary data collected from various books, newspapers, national and international journals, publications from various websites. Political participation of women has improved significantly in many western democracy settings; in Asian countries however, women are still left behind in terms of political participation. This project explores political participation of women in a gender-segregated society where women have disproportionate social status in a strongly patriarchal culture and political system. Femininity, political socialization, political interest, political efficacy, and patriarchal political culture were taken as predictors to assess the political participation of women. The current study's goal is to look into the flaws of laws pertaining to women's political engagement in the current scenario. It then seeks to advance the notion of women's empowerment by achieving the following goals: (a) To examine how women can participate in decision-making equally so that she can be empowered politically and economically. (b) Assisting in the rectification of legal deficiencies in order to fortify the legal system and achieve the aim of ending all forms of discrimination of women. (c) To make recommendations for actions that would help women create a platform of support by forming alliances that will enable them to commit to and exert more energy.

PRINCIPAL
Principal
Pattamundai College

IQAC Coordinator
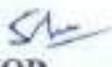
HOD
HEAD
Dept. of Pol. Science
Pattamundai

CONTENTS

project - 55
presentation - 09
viva - 25
89

POLITICAL PARTICIPATION OF WOMEN IN PATTAMUNDAI MUNICIPALITY AREA

I. INTRODUCTION

Women have been playing significant roles in our society from time immemorial. However, the roles played by women are not well recognized due to the patriarchal nature of our society. Men are considered to be a stronger generation of society. In spite of different rules and regulations, awareness programs by the government, women are not given proper opportunities to enjoy life at par with men. They are discriminated against and marginalized in the socio-economic, cultural, educational, and political phenomena of their life. It is generally seen that women possess a lower status in comparison to men concerning power in every sphere of life. Though they contribute to the household economy at different points of time, they are allowed to decide neither about neither the expenditure nor the investment. There are circumstances in which they have no money at their disposal. When there is a requirement, they have to beg before the male members of the family for money. There is a close association between the economic empowerment and the political empowerment of women. To make it meaningful and effective, it is necessary to have equal treatment towards women not only in political life but also in every sphere of life which should start from the local level. The democratic institutions of the local level play a pivotal role in encouraging and providing training to women as to how to take part in the decision-making process. The 73rd Constitutional Amendment Act is a historic step taken by the government of India which brought novel and revolutionary steps to accomplish the purpose of ensuring political participation of women by way of providing reservation of seats in panchayats. This has resulted in many positive political repercussions on the political process of rural India including Odisha. Women's political participation at the local level has gained momentum in due course of time throughout India to strengthen local self-governance. To incorporate the interest of women into governance, it is essential to ensure the political participation of women in the decision-making process. Till now, the existing structure of governance has failed to provide ample opportunities for adequate participation of women. Hence it is essential to take steps towards creating gender equality and gender-sensitive policies. Keeping in mind the different needs and perspectives of women, steps should be taken to involve women in policy and decision-making processes. According to the report of (Hunger Project, 2003), the 73rd Amendment is a threat to the monopoly of power

enjoyed by the social and political elite's in Panchayats by bringing the most powerless members into the Panchayats. The changing nature of leadership by women is highly appreciable which can be visible in the forms of honesty, openness, patience, collective support, inclusion, and accountability. They have become the key change agents for a new future for India. In the politics of every state of India Panchayati Raj Institutions (PRIs) have been assigned with the responsibility of ensuring good governance in rural areas. The presence of women representatives in Gram Panchayats is an impact of the 73rd Constitutional Amendment Act. The Act advocates for the reservation of one-third of seats for women. The Political inclusion of women is a welcoming step that paves the way for other women to enter into diverse professions. The women are entering into new professions which were considered previously unsuitable for them. The stereotypes of women's roles in society and public space are gradually being broken. The women have gradually been becoming successful in making a positive difference in the lives of others and hence people are gaining confidence in women as good public administrators and local government representatives. Many young girls are entering into civil services and securing good positions. The sincerity and commitment of women to their duties have started being acknowledged by the broader society. The presence of a significant proportion of women in local-level politics can be seen as a result of reserving seats for women. However, there are still women at the grassroots level who are unable to participate properly in the political sphere of their life due to many socio-cultural restrictions. The real question is to what extent these political representatives have been successful in enjoying their true power. In many parts of Odisha, it is seen that the real power is enjoyed by the male member of the family and the woman representative just put her signature to maintain the official decorum. They are not provided full freedom and encouragement to take part in the political process.

Political Participation simply refers to the way through which the citizens of a country take part in the electoral as well as in the policy-making process. In other words, political participation is a way or a process through which the aspirations and needs of the people can be represented. Generally, the term "political participation" refers to those voluntary activities by which members of a society share in the selection of rules and directly or indirectly In the formation of public policy. These activities include casting votes, seeking information, holding a discussion, attending the meeting, staging strikes and demonstrations, communicating with the legislators, and the like. Women constitute more or less than half of the population of any country. But their involvement in politics is

insignificant compared to men. Many psychological, social, and physical factors hold women back from active political involvement. This is true as far as the State and National level politics are concerned. A democratic country cannot progress if the energies of its half population are concerned in the kitchen only. Indian constitution ensuresgender equality through various and regulations. It was presumed that these rights would automatically get translated into the political development of the women in the country. Women constitute a little less than 50% of the state's total population. Their socioeconomic status is, however, relatively low and they are discriminated against in all walks of life. For centuries, women have been confined to the home suppressed, and deprived of their right to get fair treatment from the male-dominated society. The issue of women's participation in politics cannot be viewed in isolation from the general position of women in society but despite their vast strength women occupy a marginalized position in the political system. According to Herbert Mc.Closky, "Participation is the principal means by which consent is granted or withdrawn in a democracy and the rulers are made accountable to the ruled". Political philosophers like J.S Mill, Rousseau, and Bentham have strongly advocated the need for the participation of people in different spheres of political life. As NoorjahanBava puts it "direct and indirect participation of the citizen in public affairs is the Lifeline of a participatory democracy" In this Gram panchayat members are leading in economic planning, agriculture and resource development, education, and health monitoring, householding industry monitoring, animal husbandry, etc.

1.1 REVIEW OF LITERATURE

In today's changed global context, women constitute an important section of public life, and gender equality has been conceded as a basic principle by many societies. The European Union Community Framework Strategy on Gender equality (2001-2005) has recognized gender equality as an integral part of economic, social, and democratic development But there is little agreement on a common definition of political participation by women and in the course oftime it has taken different forms. A different perspective of women's participation developed in the writing ofKate Millet in her work on 'Sexuality in Politics' in 1972, where she redefined politics by removing her focus from activities taking place within established governmental structures to relationships based on power, whereby one group controls over another. The political field in every country has its own peculiar characteristics, but one feature remains common to all, i.e. it is uneven and is not conducive to the participation of women There is no one country that claims to be satisfied with the

political representation and participation of women. In the 21st century, the social and economic position of women has gradually improved in many countries with the introduction of the adult literacy program and female enrolments in higher education, labour force participation, growth in per capita income; industrialization, etc. Nevertheless, the goal of gender equivalence throughout the world is disheartening and particularly so in the political arena. Women have always and almost everywhere been at the edging of 28 political and social power. Chibber remarks that the 'norms that restrict women to the home are still powerful in defining the activities that are deemed appropriate for women, and they exclude political life, which by its nature takes place in a public forum'. The view that a women's place is the 'home' prevails very much even today. From time immemorial there is primary segregation of duties between men and women. In the 20th century only, after a century of struggle and fight, women's equal status and exercise of political rights have got their recognition in the various national and international plan of action. The feminist's comment that it was women alone who had pushed for, expressed, formulated, lobbied, and sometimes simply protested for their rights. A century after receiving their right to vote, women still find themselves struggling for a political voice. The representation of woman has remained no more than a blip on the political landscape dominated by men." The Beijing Conference declared that the equal participation of women in decision-making is not only a demand for single justice or democracy but is a necessary condition for the consideration of women's interests. Even in most advanced countries, the representation of women in national assemblies has increased only marginally from 9% in 1995 to 16% in 2004 - a rate of just 0 .5% per year- considerably lower than the critical mass of 30% envisaged in Beijing. Unless the women represent the various level of decision-making, the goals of equality, development .and peace cannot be achieved. "Even a country like Sweden with a high per capita income and standard of living, and hailed as a model for other nations of the world with its gender equality policies and its over 40% female representation, confirms the existence of certain entrenched and often subtle macho attitudes towards women.

Snehalata Panda (1996) in her study of the village panchayat in Orissa found that women entered into politics due to the mandatory provision of reservation. Most of the women are from nonpolitical backgrounds and entered into politics due to persuasion by their family members or pressure from the village community. The important aspect of her study is that

the women who reluctantly enter into politics showed great maturity in outlook, enthusiasm, increasing political consciousness, and increasing perception of their role and responsibility.

BidutMohanty (2000) in her article" Women and political empowerment" ISS New Delhi mentions that empowerment has been defined as the change of self-perception through knowledge. She clarifies the multiple purposes of the reservation. It has not only aimed to improve only the member of elected leaders from weaker sections earlier poorly represented but also improved their economic independence, access to resources, access to education. This executes what is started as empowering women.

R.C. Agrawal (2005) in his paper "Women and Panchayatiraj institution" revealed that there are various factors that discouraged the participation of women in the rural local governance system. These are criminalization of politics, lack of safety and security, lack of initiative, ignorance, and lack of training, awareness about powers and duties and lack of adequate leadership Quality.

P. Patnaik (2005) finds out the participation of elected representatives belonging to weaker sections in the functioning of four-gram panchayats in Odisha's Dhenkanal district, inorder to observe the extent to which numerical representation has been successful in the actual exercise of power by these sections. The extent to which numerical representation has been successful in the actual exercise of power by these sections.

Swain, jharana (1994) in her study titled "Emerging women Leadership in Panchayatiraj A study in Balipatana block of khurda district in Odisha" reveals that how women are emerging as leaders of rural local government institutions due to their participation In the local governance system in large number. She has pointed that the enabling statutory provision encouraged women to participate in the rural local governance in large numbers.

1.2 STRUCTURE AND PROVISION OF THE URBAN LOCAL GOVERNMENT INSTITUTION

Urban Local government implies the governance of an urban area by the people through their elected representatives. 74th Constitutional Amendment Act, 1992 provided constitutional status to local urban bodies.

74th Constitutional Amendment

This act added a new part IX-A to the Constitution entitled as 'The Municipalities' and a new Twelfth Schedule containing 18 functional items for municipalities. The main provisions of this Act can be grouped under two categories–compulsory and voluntary. Some of the compulsory provisions which are binding on all States are:

1. **Constitution of Nagar panchayats, municipal councils and municipal corporations** in transitional areas (areas in transition from a rural area to urban area), smaller urban areas and larger urban areas respectively;

2. **Reservation of seats in urban local bodies for Scheduled Castes / Scheduled Tribes** roughly in proportion to their population;

3. **Reservation of seats for women up to one-third seats**;

4. The **State Election Commission**, constituted in order to conduct elections in the panchayati raj bodies (see 73rd Amendment) will also conduct elections to the urban local self-governing bodies.

1.3 OBJECTIVES OF THE STUDY

Keeping in mind the importance and gravity of women's involvement and contribution in political affairs of the country, the study makes a humble attempt to assess the political participation of women at the local level in the study area. It has the following specific objectives.

1. To assess the involvement and participation of women in the Panchayati Raj Institution in the Pattamundai Municipality area.

2. To know about the level of awareness and political ambition of women in the Pattamundai Municipality area.

3. To analyse the problems and challenges encountered by the women of the Pattamundai Municipality area in the process of political participation

4. To know how far and to what extent rural women participate in different spheres of activities ranging from decision-making to exercising the right to vote in the gram panchayat.

5. To explore the awareness, interest, and involvement of women in Gram Panchayat elections.

6. To know the leadership qualities of women.

7. To assess the perception of women about the panchayat system in general and their role in particular.

11

II. METHODOLOGY

Relevant data and information for the present study have been collected from both primary and secondary sources. The secondary data are collected from relevant books, magazines, periodicals, journals, and official documents of the Panchayati Raj Institution with proper procedures. Primary data have been collected through the methods of interview schedule, focus group discussion, personal interview, and informal discussion from the sample respondents of the study area. A purposive sampling technique has been used for the present study to get the sample.

III. SOCIAL-ECONOMIC PROFILE OF THE RESPONDENTS

While studying the socio-economic background of the respondent age, education occupations are taken as important factors.

Table 1: Age wise distribution of respondents: N= 80

Age group	Number	Percentage(%)
Young age (21-35)	25	31.25%
Middle Age(36-50)	40	50%
Aged (above 50)	15	18.75%
Total	80	100%

Source: personal communication/survey

The above table shows that majority of the women were the middle aged category (50%) followed the young age category (31.25%) those who participated in panchayat elections and panchayat affairs. Only 18.755 were from aged category. It is Quite clear from the above data that the aged women have some sort of apathy toward politics where as young and middle aged women are more interested in politics.

Table 2: Caste wise distribution of the respondents: (No-80)

Caste	Number	Percentage(%)
General	15	18.75%
SC	55	68.75%
ST	00	00.00%
OBC	10	12.5%
Total	80	100%

Source: Personal communication/ survey

From the above table it is found that majority of the women participated in the electoral process from the SC category (68.75%) following by General Category (18.75%) and no women participated from ST category so, the women of OBC and General category are less interested in politics so far as their social, cultural, educational and economical condition is concerned.

Table 3: Educational qualification of the respondents (No-80)

Educational Qualification	Number	Percentage %
Illiterate	10	12.5%
Primary	30	37.5%
Middle	25	31.25%
High school and above	15	18.75%
Total	80	100%

Source: personal communication/ survey

The data of above table shows that majority of women were primary level (37.5%) followed by middle level (31.25%) illiterate (12.5%) and only (18.75%) to High school level and 5% had a graduate and or post-graduate education. This proves that education is very much essential for the women of this area in order to participate themselves in politics.

Table 4: Mode of Electoral Participation(N-80)

Sl. No.	Patten of Participation	No. saying 'yes'	Percentage (%)
1	As a Voter	80	100
2	As a Member of Political party	25	31.25
3	As a supporter of political party	30	37.5
4	As a campaigner	20	25
5	As a Candidate	10	12.5
6	Any other	-	-

Source: Personal Communication/Survey

The above table shows that though the women constitute half of the total population of the country, some of them are very ignorant about the electoral system. They are mere instruments in the hands of the male leaders and they know only about voting. Though few of them hold political posts, they are suppressed and guided by the male leaders. The above micro study found that 100% of the total women respondents were voters but veryfew of them are members of political parties, supporters of political parties, campaigners of a political party or party candidates. Political awareness is the stepping-stone of political participation. Awareness creates interest and interest creates involvement so the study investigated the extent to which the women were aware of the electoral process.

Table 5: Awareness of Women (N=125)

Sl. No	Questions	Respondents saying 'yes'	Percentage (%)
1	Do you know that the voting has been reduced from 21 years to 18 years?	30	24%
2	Do you know that elections are conducted in every fiveyears?	80	64%
3	Do you know that a citizen who is 18 years of age can vote in the election?	60	48%
4	Do you know that when you are 25 years of age you can contest in the election?	40	32%
5	Do you know about the provisions of political rights?	20	16%
6	Do you know that there is a Municipality in your locality?	125	100%
7	What is the name of your Municipality Chairman?	90	72%
8	Do you know that there is a Block Development Officer who looks after the Development of your Municipality?	35	28%
9	Do you know that seats are reserved for women in municipality election, panchayat samits, and Assemblies and parliament?	40	32%

Source: Personal Communication/Survey

The above table, reveals that women have very poor awareness regarding the electoral process of the Pattamundai Municipality

IV. FACTORS AFFECTING WOMEN'S POLITICAL PARTICIPATION

While explaining why few women rise into leadership roles, Vicky Randall gave examples of supply and demand factors. The supply factor is related to cultural socialization which views women being socialized into feminine and nonproductive roles that do not accord with political activity and resource allocation is related to women's education, income health, and the availability of childcare. The demand factors focus on the environment within which they operate. These are voter bias against female candidates, the reluctance of party selection committees to nominate women for winnable seats, the nature of the electoral system, and competition from males in single-member plurality districts. Farzana Bari calls the above factors as individual and institutional factors. The barriers, while varying among countries typically, are interrelated and mutually reinforcing. The individual factors are affected by ones' access to education, income, low resource allocation to women's human development by state, society and the family, occupation, religion, residence, and various other socioeconomic and cultural factors in the society. The gender status quo is maintained through "low resource allocation to women's human development by state, society, and family." This in turn is reflected in the social indicators, which show varying degrees of gender discrimination in education, health employment, ownership of productive resources, and politics in all countries.

IV.1. Ideological factor and patriarchy

Douglas Ashford discusses ideology in relation to political participation. He quotes J. Gould in saying, "Ideology is a pattern of beliefs and concepts which purport to explain complex social phenomena with a view to directing and simplifying sociopolitical choices facing individuals and groups." Ideologies of certain factors may be studied in order to determine what factors may or may not spur the participation Patriarchy is one such ideology that shapes women's relationship in politics. Patriarchy has been defined as 'a familial, social ideological, political system in which men by force, direct pressure or through ritual, tradition, law and language, customs, etiquette, education, and the division of labor determines what participation women shall or shall not play in which the female is

subsumed everywhere under the male'. Eisentein says, Patriarchy transforms males and females into men and women and constructs the hierarchy of gender relations where men are better privileged. This gender ideology becomes a mechanism of patriarchy to place women within the private arena of the home as mothers and wives and men in the public sphere. It provides the sexual hierarchical ordering of society for political control and shapes the level of women's participation globally.

Women have to negotiate their entry into and claim on public space according to the discursive and material opportunities available in a given culture and society. Nassali in her book remarked that men are traditionally known as decision-makers in the homes and they exert power to dictate their wife's actions. Those who go for politics face the big challenge of maintaining the 'womanhood' behaviour and cope with political-institutional norms and demands. The Indian social system, which for centuries has been based on hierarchies of several kinds, has always kept women in a position of subordination to men. VinaMazumdar points out "The inequalities which resulted from their position had been institutionalized through a plethora of customs, norms, and practices to protect a highly resilient hierarchic social order. The order rested on three major foundations a) rank order linked to occupational status and other qualities of groups, rather than individuals; (b) careful preservation of distances and differences between diverse groups;(c) subtle and sophisticated institutions to control and appropriate women's freedom, sexuality, and labour, designed and maintained successfully by the three most significant social organizations- the community (caste, tribe, kinship, religious/ sects/ linguistic group,etc). These institutionalized methods of control and subordination of women currently referred to by women's studies scholars as structures of patriarchy were and still are, essential to the maintenance and continuity of hierarchy. The forms of control/ appropriation have kept changing over generations, but the dependence of the other two systems of social organizations on this patriarchal structure has remained basic to the social system as a whole. This general sex role socialization is thought to be advantageous to males in the world of politics and females are often discouraged to take up an active role in it. Samarsinghe in her essay, 'Participation of women in politics in South Asia', speaks that women's expected subservience is an essential marker of patriarchal control. The historical genesis of patriarchy is well known and its socialization processes are deeply embedded in all contemporary societies and are continuing till today. A plethora of cultural norms, traditions, and myths keep women out of politics. She again questions, "Molded into shape

16

as icons of culture by the dominant males, often used as symbols of docile dependency without a voice of their own, how would women enter the political arena of the public space?" As long as the main ideological barriers are present women cannot expect full justice in politics.

IV.2. Socio-economic factors

The socio-economic model considers the social and economic background as the primary factor to explain the differences in citizen's level of participation. It claims that higher income and better education create more active citizens. The education, income, class, and residential location - alone or in some combination -carry most of the explanatory power to study the political participation of individuals. Young and Harris suggested that the dominant mode of women's subordination might vary with the level of economic development. Joe Sess and Suzanne Mettler (2004) gave the most prominent explanations of political participation suggesting the 'Sociological Variables', which explain how an individual's influence in the political arena is determined by an individual's social background and affiliation. Women's lack of access to and ownership of productive resources also restricts their involvement in politics which requires money for campaigning, funding, and like others. Huntington and Dominguez point that as economic development expands people become literate and better off functionally. Susan Mezey argues that women are often presumed to have different assets and liabilities and participation varies accordingly.41 It appears that universal franchise is inadequate to overcome structural constraints that obstruct female presence in political offices. Thus the socioeconomic background of women has a major role to play in either escalating or inhibiting participation.

IV.3. Education

Various writers have accepted the importance of education in increasing awareness and providing political information for effective participation. If one is educated, then he is likely to know about politics, feel prepared to participate, and receives more political information. A highly educated one is more likely to get a high-paying job which can be used for campaign donations and providing opportunities to exercise high-level and politically relevant skills like speech making. Political knowledge also smoothes the progress of participation. Knowing about politics generally or specifically (Hutchings 2003) increases both the reward of participation and reduces the cost associated with political

action, such as information gathering. In the case of women, education serves as the conduit by which women long rooted in the private sphere move into the public sphere and assert themselves equally with men. It provides the critical foundation for empowerment because of which the educated classes possess the keys to political participation and involvement. Me Glen is of the view that gender differences in participation depend on the level of education and the political differentials between the sexes are reduced, as the educational level of women is raised. It is also a springboard for employment and economic independence providing the critical foundation from which further empowerment flows. Education is thus a precondition to raising women's awareness and levels of confidence and bringing them out from the traditional control. It serves as the means by which women long rooted in the private sphere, move into the public sphere and assert themselves on an equal footing with men.

IV.4. Marriage and family

Women's participation is lower either because they have been socialized differently especially as far as (marriage, motherhood, employment, and property ownership are concerned), or because they have fewer resources. Women find limited time to participate in politics because of their dual role in the reproductive and child-caring stage. Me Glen says that the political activity of mothers is restricted during the childbearing stage. This limitation results in women joining late in politics, which enables them to acquire the seniority and experience necessary to achieve influential positions in the political process. Due to the family and child upbringing responsibilities women suffer 35 from role conflicts and get less time and inclinations to involve themselves in politics. For this gender-based division of labour, women have to bear full household responsibilities whereas men can take part freely in routine political activities as there is no restriction on his mobility and his full-time presence to bear household work is not required. Neera Desai and Usha Thakkar comment, "Routine political campaign work, the necessity of maintaining contacts with the constituency, regular debates, discussions and meetings which are usually held at night, clash with her household and other responsibilities". Thus, the life style factors including the family roles such as marriage, childbirth, domestic work and family needs limit women's association in politics. In some countries of South Asia, women face cultural constraints on their mobility. Even among the Nordic countries where women's political involvement is known to be high, until the development of Nordic welfare state, women's confinement in the family and household duties was a big limitation to their participation.

But family does not always play a negative role in hampering women's political participation. Sometimes the family provides the stimulation either directly or indirectly for developing one's interest and gaining access to political power. Chibber argues that those women who can negotiate independent space for themselves within the household are more likely to participate in political life. In a cross-cultural empirical study, Milbrath and Goel emphasized the importance of family in political participation as "the family experience has a profound impact on a person's exposure to political stimuli. Children growing up in a home with a high incidence of political discussion and a high intake level for political stimuli are more likely to maintain a high level of exposure to stimuli about politics when they grow up to adults. Marvin. E. Olsen has pointed out that children growing up in a politicized family learn political skills through frequent discussion inside the family in political affairs and parental involvement in political groups and parties. Verba also has referred to the family as the most important agent of political socialization process implicitly and explicitly. A supportive and cooperative family plays a critical role in furthering the career of women in politics. Their research observations reveal that the marital status of women is essential for their involvement in politics.

IV.5. Political culture

Another equally significant restriction is the current political culture whereby women are less attracted to the subject like politics. Vicky Randall has defined politics as "an articulation, or working out of relationship within an already given power structure." It is in contrast with the traditional view, which defines politics as an activity, conscious, deliberate participation in the process by which resources are allotted among citizens. This concept restricts political activity only to the public arena and the private sphere of family life is rendered as apolitical. The crucial problem is that women find themselves being judged and judging themselves by two standards. One standard is that of a feminist in the private world whereby she is portrayed as possessing emotional, passive, caring, and motherly qualities and the other standard is her modern role in the public sphere whereby she is expected to be competitive, assertive, aggressive, ambitious, and result-oriented. This compartmentalization creates difficulty for women to choose the appropriate course of behaviour. In order to be successful in politics and to become a real politician, society expects to follow the aggressive and masculine norms of politics and not expected to be soft, emotional, and personal. That is why women in politics are experiencing alienated behaviour. The stigma of politics as dirty persists again in those countries where political

19

scandal and conspiracy dictate the headlines. In the same way, Peterson and Runyan argued that there are vast ways of looking at power. The conceptual notions of power themselves are based on masculine qualities and ideals as it accepts and ocentric notions of strength, competition, aggression, coercion, and public activities dominated by men. Again women's gender often becomes invisible because women (passive, dependent, domestic: engaged in meeting private familial needs) are by definition inappropriate political agents (active, autonomous, public-oriented: engaged in making collective, not personal needs).

IV.6. Social capital and political capacities

Majumdar in her book commented that a vibrant civic life In a robust civil society is considered as a precondition for effective participation in communal life and correspondingly for the proper functioning of public institutions. She has given social capital theory, which believes that networks within and between-group of people make 37 for trust and cooperation, stimulating the participation of citizens, which from their participation, expand trust and cooperation through society as well as increase civic engagement and good governance. Again the understanding of political processes requires constant interaction, developing skills, and gaining self-confidence which is not easily accessible to women. The reason can be given in terms of developing the theory of women's backward consciousness' due to the lack of information, education, resources, and less exposure to the political world. Routine political work, a regular visit to their constituency, active participation in meetings, regular touch with the electorates are inconsistent with a woman's life having a family. Elizabeth Holtzman and Shirley Williams said that the political participation of women is affected by the stereotype belief about women's inability to travel, take criticism, or raise campaign funds. Women face major obstacles where many dubious practices including power bargaining are essential. Because of all the above factors, the participation of women in politics becomes limited to voting, organizing processions, and doing routine work in the party offices.

And this has resulted in a conceptual debate among activists regarding the concept and indicators for political participation. The western theorists explainedthe underlying public and private dichotomy theory, particularly the social and political forces that create the situation in which women were confined to private, domestic caretaking roles while men are able to move freely between the domestic and public spheres. For some analysts, the situation is different in third-world countries. Along with that public-private dichotomy,

other factors play their role due to cultural, religious, patriarchal, economic, caste, ethnic, and other factors. Richard. E. Matland says that the barriers are not the same all over the world. In some countries, Gender Quota has been created as a global fast tract strategy to restore the barring of women in politics. But the central problem is how they will act once they are elected in the midst of all these barriers56. Anne Phillips commented that quota in politics is imperative due to the need of symbolic recognition of disadvantaged groups and at the same time subvert, and reform and to introduce new issues and also different ways of doing politics. There are now 77 countries with constitutional, electoral or political party quotas for women but they face difficulty from the entry point itself and are unable to express 38 their rights in the political system. The political process has become so complicated that many decisions are taken behind the scene. Power games are controlled by maneuvering or through monetary deals. Threats of character assassination, criminalization of politics, and political violence are "enough to throttle the political ambitions of women." Women are facing problems to enter institutions of governance such as political parties, and when they are successful, the party is hesitant to nominate them as candidates and the electorate encourages the gender stereotypes in society by choosing men. If women are successful in becoming a member in the institution, they face new obstacles that constrain their ability to act. For most women, the power hierarchy is so rigid that the natural process of democracy and constitutional provisions has not been able to crack the citadel of power. Throughout the world, it is evident that the absence of a suitable socio-economic and political environment, lack of political background, skill and training, and organizational framework have put women far behind men in the political aspect. In general, women have often understood the power in terms of who has "power over them, rather than as the power that is exercised on their behalf or for a larger common good." It is necessary that if women want to share power, they have to make a place for themselves beyond voting. Evelin Hust says, in industrialized countries, the low participation is mainly seen due to neglect of women (who still care for the offspring) and traditional recruiting practices of political parties, whereas women in developing countries are further handicapped because of lower educational achievement, and the prevalence of social norms that severely restrict their freedom in the public sphere. On the whole, political participation should, clearly consist in taking part in some political action. Good Governance has emerged very recently to mean being participatory, accountable, predictable, and transparent which reasonably calls for a gender balance in political decision-making.

V. FINDINGS

V.1. The Process of Decision Making

Having the capacity to think and take decisions independently about self is one of the determining factors of the process of empowerment. The socio-cultural background of the individuals and the values of the particular society also play a seminal role in enabling and providing appropriate opportunities to the women to take part in the important phenomena of the society. Creating greater awareness among both women and men is also essential at the same time to bring attitudinal change among the male members of the society towards the women. It is lamented that a law cannot be passed to bring change in the attitude of the people that is women-supportive and women-friendly. But deviation is observed in the study area with regards to the decision making of the women is concerned in the Panchayati Raj Institutions.

The women are not provided proper opportunities and there found to be male dominance in the PRIs. It is seen during the study that the decision taken by the women are influenced by the male members of society. In most of instances the husbands of the women political representatives play dominant roles in the decision-making process. There are also instances where the decisions are taken in the absence of the women representative. (Sara and Susanne's 2003) empirical study focuses on the obstacles to women entering the political sphere and decision-making in Gram Panchayats in Kerala State. They point out that political participation as a democratic right for women does not mean that they have the same possibilities of entering the political field, as do men. Referring to the Kerala model of development, they say 'high human development provided high social status to women but this has not been transformed into political empowerment.

The male-dominated society creates obstacles for women as men set rules and norms in the public arena. The women of the study area hardly participate in the Gram Sabha and PalliSabha where the majority of the decisions are taken regarding different developmental activities. It is seen that these meetings are mostly attended by the male members of the villages. The socio-cultural milieu of the study area along with the hesitation of women is the combined factor for less participation of women in those meetings. Gochhayat (2013) attempted to know the extent of the political participation of women and the problems faced by them. The study shows that the political participation of women in the functioning as well as in the electoral process of the Panchayats is not satisfactory. It is surprising to note

22

that some respondents are unknown about the names of political parties and cast their votes identifying the symbols of political parties. The women of the study area are apathetic towards politics. Some of the responsible factors for such backwardness include parochial culture, patriarchal society, and low level of education. Similar situations are observed in the present study. The socio-cultural setting of the study area stands as a great barrier for the participation of women in different meetings organized at Panchayat level. An in-depth observation of the socio-cultural setting of the study area shows that the women are not interested to participate in the meeting at the middle of the village and among the male members. One of the respondents says': I have many issues and points to discuss the development of my Panchayat but I do not attend the meeting because it is held in the middle of the village and no women participate. How can I sit among the male members of my family and neighbour in the middle of the village" Presence will be considered an odd one and people will judge my behaviour" The above statement made by the respondent indicates that some women are genuinely interested to participate in the PalliSabha and Gram Sabha but the socio-cultural dimension of the locality prohibits the women to participate in those meetings. If any woman would dare to participate and put her opinion in front of the male members in the village meetings than it would be viewed as deviant behaviour and people would look down upon her. Thus the women's participation in the decision-making process is less and it is observed that the higher castes are more prone to this orthodox. Joseph (2001) discusses the use of modern technology in empowering grassroots women. She says that Women found themselves handicapped by their domestic responsibilities, low esteem, poor social status, inexperience with leadership and in many cases, non-cooperation or even outright hostility from family members and fellow elected representatives. The study shows that some male members of the study area are seen to be encouraging women to fight elections but once the women get elected, the male members take advantage of keeping them out of important meetings. The male members mostly their husbands attend the meetings in place of elected women representatives.

In the process, the ideas and decisions of the male members get implemented and the women remain marginalized inspite of being elected in the elections. The opinions and views of the respondents are ignored on the ground that they belong to a different gender i.e. 'women'. The majority of the official works are handled by the husbands and the women representatives are pressurised to approve their decisions. Mahanta and Sinha (2007) in their study have found that political workers use their strategies by influencing

women members. In the case of the women belonging to scheduled caste and scheduled tribe, the candidatures for elections at the Panchayat level are not filed out of their own interest. Several factors play an important role behind the screen that includes the pressure of their husbands, sons, or any other male members of the family and village. Many of the respondents of the study area share their experience during the fieldwork that they are pressurized by the male members of the family, relatives, neighbourhood, and villagers to be a candidate for the elections. The male members belong to some political parties and the pressure of political parties is not an exception to it. The elected women representative faces the burden of dual responsibility of handling the household chores and simultaneously maintaining the duties of political nature. The mobility of the women gets restricted due to household responsibility. The present study indicates that women's role in the public domain does not lead to lessening and sharing of domestic burden. They have to bear both their domestic responsibilities and public duties. During the study, it is seen that some of the women representatives are active, articulate, and bold to share their views while few others are the passive listener. It takes time for the women representatives to adapt to the new environment of politics and adjust themselves with the new kinds of experiences and day-to-day challenges. They depend quite often on the officials and administrative staff for shouldering up their responsibilities. The women representatives of the study area mention that they do not get enough time to invest in village affairs. Srivastava (2011) in his paper on "Minority Representation of a Political Majority Group: Women in Indian Democratic Process", opines that the low representation given to women by various political parties on their lists of candidates for the elections to the Parliament and State Legislative Assemblies is not merely an indicator of their inferior political status but reveals their subordinate position in society and refusal to recognize their right and ability to participate in the nation's activities. Political awareness, education, training and increasing level of confidence are very much required for women's participation. The societal and cultural constraints, economic dependence on male, lack of local financial resources, interference of political parties needs to be addressed for better participation of women in the political scenario of Odisha.

Level of Awareness about PRIs among the Women: The political participation of women is directly proportional to the level of awareness among the women. The level of awareness regarding Panchayati Raj Institutions must be tested to know about the level of participation in political affairs. It is essential that the women of any state must be aware about the

24

political provisions and their political rights. The women can only be able to take part in the political process in the true sense when there will be increased awareness among them regarding the different political provisions. The women should have knowledge about the power and functioning of the PRIs, the sources of income of the panchayat, seats reserved for women in different levels and a good understanding of the political hierarchy. In this context, the following table gives a glimpse about the level of awareness among the sample respondents of the study area.

The level of awareness plays a significant role in the political participation of women in particular and of the people in general in any state. It is indirectly linked with the political empowerment of women at the grassroots level. Since the education level of the sample respondent is low, they are unable to give a positive answer when the question was asked regarding the 73rd Amendment. Many of the respondents reported during the focus group discussion to have never heard about the Amendment before. However, some young respondents who are comparatively more educated than the aged respondents positively respond to the question. It is pertinent to know about the sources of income of the Panchayat for the smooth running of the office. But it is disappointing that only 15 (20.83%) of the respondents know about the sources of income in Panchayat. A total of 25 (34.72%) know about PanchayatiRaj's power and how Panchayati Raj works. Constitutional provisions have been made for the reservation of seats for women in the PRIs to ensure more political participation of women and awareness about it plays a crucial role for the inclusion of women in the political domain. However, only 21 (29.16%) women are aware about the provision of reservation of seats for them. From the above analysis it can clearly be stated that the awareness level of women of the study area is abysmally low.

V.2. Electoral Participation of Women

Some key dimensions can be taken into consideration to measure the political participation which includes (1) women's participation as a voter (2) women's participation as candidate (3) women participation as campaigner (4) women participation in the actual decision-making process. The knowledge regarding these dimensions can be helpful for the policymakers to identify the weak areas and take appropriate steps to ensure more inclusion of women in the political affairs of the country. Various types of remedial actions can be taken by the stakeholders in this regard. It is a positive sign that at the local level, women's participation as an elected representative has been gradually increasing primarily because of

25

the reservation introduced for women as per the 73rd amendment in the Indian constitution. However, the matter of concern is to what extent the women elected representatives enjoy their rights and perform their duties properly.

Table 6: Electoral Participation of Women during last Municipality Election

Type of Participation	No. of respondents saying 'yes'	Percentage (%)
As a Voter	45	62.5 %
Active Supporter of any political Party	12	16.66%
As a campaigner	11	15.27%
As a Candidate	4	5.55%
Total	72	100%

Women's participation during the election time is very much essential in the context of the political participation of women. The women's participation in the election as a voter, supporting political parties, participation in the election campaign, and most importantly participation as a political representative have been assessed. The result shows that a majority of 45 (62.5%) women participated in the last election as a voter. It means that only 62.5% of the sample respondents have casted their vote during the last Panchayat election. Out of 72 respondents, 12 (16.66%) women responded to have strongly supported any political party. It is mentioned here that while this question was asked, the respondents were not open enough to answer and they were hesitant to freely express about their political support. Taking part in the campaigning of the election is a strong symbol of women's involvement in the electoral process. It is a common phenomenon in Odisha that the majority of the campaigners is seen to be males. The same trend is found in the study area which shows that only 11 (15.27%) respondents have participated as campaigners in the last election. A very low 4 (5.55%) respondents have filed their candidature for the Panchayat election. Political Ambition of Women: To be ambitious in life is a positive sign of a progressive mind for all individuals including women. When women are ambitious, they strive to achieve their set goals in any sphere of life. There are many examples of women breaking social barriers and being successful in their respective fields. The women of India have made historic examples of being successful civil servants, businessmen, doctors, engineers, etc. The women have excelled well in the political walks of life too but this number is comparatively less than men. It is undoubted that few women are gradually taking part in every sphere of life breaking the stereotype mindset of the patriarchal society.

The dreams of the majority of the women remain suppressed and repressed under the dominance of the male member of the society. The political ambition of women at the grassroots level has manifold implications that open the social, economic, educational, legal, and political dimensions of society. These dimensions are intertwined with one another and have repercussions that open one another in the participation and empowerment of women at the local level.

The present study tries to explore the political ambition of women of the study area and it shows that the women are highly ambitious to take part in grassroots politics. It shows that out of 72 respondents a majority of 55 (76.38%) women have the ambition to be elected as the political representatives of their area. They want to represent their people and solve the local problems. Out of these 55 women, 8 are interested to be elected in the level of ZillaParishad (district level), 10 are interested to be elected in the AnchalikParishad (Block level) and the rest 37 are interested to be elected in the Gram Panchayat level. The figure shows that many of the women feel confident to put their candidature at the Gram Panchayat level. Only 17 (23.61%) women are disinterested to be elected as the political representatives of their area. It should be noted here that even if women are elected, they should be given the opportunity to enjoy their political power. It is generally seen in almost all states of India that the real power is enjoyed by the male members of the family of the women representative. Reddy (2004) in his article entitled, "Functioning of Panchayats in Andhra Pradesh" discussed the issues of convergence and emerging concerns in the Panchayat Raj system of Andhra Pradesh. He mentions that Women who got elected in the Panchayats under reservations have become nominal candidates without exercising real functional power. Dalits do not have the freedom to cast their vote, leave along to contest in the elections, obstruction including threats has created a situation hostile to the underprivileged sections.

V.3. Challenges Faced by Women Representatives

The indifferent attitude of the people, ignorance, and lack of awareness are some of the key reasons of the poor involvement of Panchayat members in the implementation of development programs. The women representatives of the study area also mention about their inability take independent political decisions. They reported that they consult their spouses and other family members for taking decisions in Panchayat meetings. It means that even though women are elected as political representatives, they do not enjoy the political

power in the true sense. During personal interview a respondent says: "I am elected as a political representative during the last election and involved in the political activities but I always consult my husband before taking any decision. My husband also suggests me not to take decisions by myself. My husband says that I might be put into trouble by the people of the opposite political party and I should be very careful in taking the decision." The decisions are influenced by the male members of the locality. People have a general tendency to believe that women are more emotional as compared to men and hence they are not suitable for taking political decisions. This anti-feminist thought of locality affects the decision-making ability of women since they are not given the proper opportunity and liberty to take decisions independently. Sivanna and Gayathridevi (2012) in their paper examine the situation of Elected Women Representatives (EWRs) at various levels - political, social, economic, and personal. More particularly, it aims to understand how the EWRs use their agency to address and negotiate issues like feminization of invisibility, proxy governance, and politics of exclusion. Sarmah (2010) in his paper "Political Empowerment of Women: A case study of Bodo Women of Assam," depicts the position of women in Assamese society. The author concludes that Bodo women have acquired a new role and without distributing their traditional family life, they have come out of their private domain to actively participate in the public domain. However, very contrasting findings are found in the study area where the women are found to be in problems in taking care of the household chores and panchayat activities. Women of the study area found to be struggling in maintaining the balance between political and personal life. Though they are elected and should play important roles in the public domain, they are not free from shouldering up family responsibilities.

The work-life of any office plays a significant role in deciding to what extent the women feel safe and secure working with their male co-workers. There must be a women-friendly work environment so as to encourage women to lead a healthy work-life. It is very pertinent to note that the male workers of the study area are very cooperative and supportive towards the female workers as mentioned by the respondents. However, sometimes they are restricted to stay in the office beyond the office hours by the family members. Some respondents explained that the villagers have the tendency to come directly to their home in spite of meeting them in the office which create an uncomfortable situation in the family. The elected women of the study area are found to be active in the implementation of different schemes and programs run by both central and state government. The women are

also gradually receiving greater support from their families to work in the public domain. Some respondents reported to be observing changes in the attitude of their family members towards them after elected as representatives. The family members are helping and assisting them in taking care of their children and performing household chores. The respondents strongly think that the reservation of seats for women in Panchayati Raj Institutions has helped them for their empowerment and upliftment. Mehta (2002) in his book entitled, "Participation of Women in the Panchayati Raj System" made an empirical analysis on the participation of women in PRIs in eastern and western regions of Uttar Pradesh. The two major findings of his study are 1. Illiterates, married, but young women belonging to backward castes and Muslims dominated the village Panchayats in the study area.2. Nearly 1 percent of women representatives have no freedom to go alone to participate in outdoor activities. A similar situation has been observed in the study area. The women do not go alone to participate in the panchayat meetings. They take assistance from the male family members as they feel unsafe and insecure.

VI. CONCLUSION

It is worth mentioning that the provision of reservation has truly helped women in increasing political participation throughout the state and country. It has been able to bring many positive changes in the status of rural women. It imbibed among women the qualities like the enjoyment of power, self-confidence, political awareness and affirmation of identity. However, there is still a long way to go to make women empowered and politically participative. The mere enactment of legislation and affirmative actions are not the solution. The need of the hour is to get people involved from every corner including civil society organizations, non-governmental organisations, community based organisations, policy-makers, lawyers and most importantly family members to create a barrier free enabling environment for women.

REFERENCES

1. Agrawal, R.C.," Women and Panchayati Raj institution" in singh J.L. (ed.)" Women and panchayati Raj ". Sunrise publications,2005.

2. Anderson Sara &Bohman Susanne. (2003). Women's Political Participation in Kerala, South India – A Case Study Based on Obstacles Met When Entering the Political Sphere, Bachelor Thesis, Peace and Development Research Institute, Gothenburg:

   GoteborgUniversity,at:http://www.niaslinc.dk/gatewavtoasia/nordicwebpublications /x483469067.pdf (Accessed 13/06/2010).

3. GochhayatArtatrana. (2013). Political Participation of Women in Gram Panchayat Elections in Odisha: A Case Study of Hindol Block in Dhenkanal District, International Journal of Humanities and Social Science Invention, Vol.2 No. 2,

4. Herbert M.C. Closky (1968)"Political Participation" in international Encyclopedia of social sciences, New York: Collier Macmillan.

5. Hunger Project (2003). Panchayati Raj: Local Democracy in Action, http://www.thp.org/ india.main.htm.11.7.2003 pp1-6

6. Joseph, Ammu (2001). Grassroots Training through Satellite Technology: In Ranjani K. Murthy, (ed.) Building Women's Capacities: Interventions in Gender Transformation, New Delhi: Sage Publication. PP 157-171

7. MahantaUpasana and Sinha Samrat (2007). The Political Empowerment of Minority Women through Panchayati Raj Institutions: A Critical Assessment of India's Experiment with Affirmative Action, Paper Prepared for The Immigration, Minorities and Multiculturalism in Democracies (IMMD) Public Conference, 25th-27th October 2007, Montreal (Canada)

8. Mehta, G.S. (2002). Participation of Women in the Panchayati Raj System, Kanishka Publications, New Delhi, ISBN: 8173915156

9. Mohanty, B(ed.)(2000)" Women and political Empowerment", institute of social sciences, New Delhi.

10. N. Bava (1984). Peoples participation in development administration in india, New Delhi: Uppal publisher. pandaS (1996). "Empowering pattern of leadership among rural women in Odisha", Indian journal of public administration, vol.42 No.3-4.

11. Patnaik, p. (2005) "Affirmative Action and Representation of weaker sections; Participation and Accountability in Orissa's Panchayats" Economic and political weekly, October 29:4753-4761.

12. Reddy. Pravakar T. (2004). Functioning of Panchayat in Andhra Pradesh, Social Change, Vol. 34, Issue 1(https://doi.org/10.1177/004908570403400110)

13. SarmahAlka. (2010). Political Empowerment of Women: A case study of Bodo Women of Assam, The Indian journal of Political Science, Vol. 71, No.3 (July-Sep 2010) pp 881-890

14. Sivanna N and Gayathridevi K.G. (2012). Political Inclusion and Participation of Women in Local Governance: A Study in Karnataka, Journal of Rural Development, April, Vol. 31, No. (2).

15. Srivastava Rashmi (2011). Minority Representation of A Political Majority Group: Women in Indian Democratic Process, The Indian Journal of Political Science Vol. 72, No.2,pp.409-420.

16. Swain, Jharana (1994) "Emerging women leadership in panchayati Raj: A study in Balipatana Block of Khurdha District of Odisha" NIRD, Hydrabad.

PROJECT ON POLITICAL PARTICIPATION OF WOMEN IN MUNICIPALITY AREA -

DEPARTMENT OF POLITICAL SCIENCE

PATTAMUNDAI COLLEGE, PATTAMUNDAI, KENDRAPARA, ODISHA

SL. No	Name of Student	Roll No	Signature
01	Ranjit Kumar Das	BA-20-76	Ranjit kumar Das
02	Rudra Madhab Rath	BA-20-097	Rudra madhab Rath
03	Sulochana Sahoo	BA-20-161	Sulochana Sahoo
04	Sabitri Lenka	BA-20-220	Sabitri Lenka

Sd/-

Signature of Supervisor

PROJECT REPORT ON

POLITICAL LEADERSHIP OF WOMEN IN INDIA:

CONSTRAINTS AND CHALLENGES

2022-23
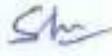
PREPARED BY

DEPARTMENT-POLITICAL SCIENCE

PATTAAMUNDAI COLLEGE
PATTAMUNDAI, KENDRAPARA
ODISHA– 754215

REPORT

A project on " **Political Leadership of Women in India: Constraints and Challenges"** prepared by the students of the Department of Political Science session-2022-23.   The total 05 number of students participated in the project work. The project focuses on extensive study of secondary data collected from various books, National and International journal, Census surveys, Newspapers, publication of various website which focused on Women's political participation in India especially the Political leadership of women in India. The objective of the study was to find out the political position and role of women in the ancient India. The project also focused on the role of women in Medieval period and modern period. It also analyzed Political position of women in Post Independence period and representation of women in Parliament in 2019. It also focuses on the major women freedom fighters and famous women in India It also highlighted that in present scenario how women leaders are facing the major problems in political sphere and what are the major problem they face and what are the remedies to overcome from these problems. Women's engagement in politics is critical for successful governance and this project suggests that the enabling environment to be created to increase women's political participation. It also suggests that the constitutional legal framework be improve to better accommodate the requirements of women in Politics.

Principal
Principal
Pattamundai College

IQAC Coordinator

HOD
HEAD
Dept. of Pol. Science
Pattamundai College

CONTENT

INTRODUCTION

Women's political participation is regarded as an essential element in all forms of development; however, the gender equality policies of India remain under scrutiny. After independence in 1947, there have been many initiatives to increase the political representation of women by the decentralization of power in various local self-government institutions of India. The act of Panchayati Raj Institutions has increased the engagement of marginalized segments of society, including women, into the decision-making role in political institutions. Therefore, this study attempts to explore the political leadership of women in Local Self Government institutions, through the use of qualitative methods, such as document analysis of the Panchayati Raj Institutions amendment act and expert interviews with elected women representatives in one district of the Kerala state. The paper seeks to identify the challenges of women in political leadership positions in India, the largest democratic nation. Findings from the study reveal that there is considerable progress in women's equality in the leadership role; however, there are certain crucial obstacles that still exist for women to be active in the political realm.

The World Bank identifies women's empowerment as the main element for overall social development. The Millennium Development Goal (2019), highlighted gender equality and women's empowerment as a means of bringing significant improvements in emerging countries. Therefore, every country requires different programs to balance its gender and empower the political lives of women. Empowerment should be seen as an element of perceiving oneself as an active decision-maker (King & Mason, 2001). Empowerment of females allows them to transfer their own life put together their agenda, arrange and demand the assistance of the state and community for the transition. Like in many cultures, it can be seen that a women's role is inseparable for growth, but it sometimes does not highlight the same position that counts for males. Consequently, it is believed that females require more assistance for their enormous position in decision-making and social development. The term empowerment captures the feeling of acquiring power and involvement in decision-making (Naz, 2006; Karl, 1995). The Beijing Declaration (1995) stressed that women's empowerment and full involvement on the grounds of equality in all areas of culture, including involvement in decision-making processes and authority, are essential to achieving inclusion, growth and harmony. Therefore, the UN proclaimed women's empowerment as the fifth of its Millennium Development Goals implemented during 2000-2015. According to Alexander et al. (2016), women's political empowerment is understood as the improvement of women's resources, capacities and accomplishments to obtain equality in influencing and practicing political power.

Political empowerment is a method that allows females to boost their mobility and crack their isolation, create self-confidence and self-image, create their government presence by taking part in

1

decision-making in an increasing context of consciousness and critical assessment to monitor and impact growth progress. Thus, in most instances, the national government arises as a significant player in promoting women's involvement in the political sphere by attempting to modify the mindset of society and establishing more platforms for women as part of political decision-making (World Bank, 2001; Oxaal 1997). Therefore, it is essential to encourage the decentralization of authority and power to provide support for the voiceless segment in the cultural fields. Consequently, it is essential to promote the marginalized section's involvement in decision making for empowerment. Inequality not only reduces women's capacity to enhance but also inhibits their personal growth and ability. There is a definite absence of discussing women's inequality as violating human rights and in Scandinavian parliaments, women's under-representation was very noticeable (Randall, 1987; UN, 2019).

There are various studies on female empowerment. Scholars such as Kabeer (2001), Devika & Thampi (2007), KB (2005), and Menon (2009) noted that there is always a structural inequality between women and men in the political arena, particularly in the aspects of reduced organizational and decision-making influence. The concepts of power and gender are central to understand the empowerment of women in political leadership. Power explains how female oppression and patriarchy perpetuate, and gender highlights the hierarchical social order that privileges men and considers women as a disadvantageous section of the society. Sharma (2010) views women's empowerment on a cultural basis and criticizes that women's empowerment cannot be interpreted as the same in every part of the world, especially since the Western country's ethnographic condition is much distinct from Asian subcontinents such as India. Nevertheless, there is a lack of sufficient research on the decision-making capacity (mainly the challenges they face for policy implementation) of elected women leaders in their institutional structure. Thus, this paper focus on analyzing the research question, 'are the women leaders successful in their political participation in a democratic way at the panchayat level'.

Objectives of the project

The project aims to analyze women's political participation in Indian democracy.

1. To address the importance of women's political participation in democracy.

2. To identify the challenges for women's political leadership.

Thereby, representational program's stabilization and sustainability through the participatory system could actively work for social growth. Participation develops and promotes the attributes it requires, especially, more individual's interaction between citizens and governing bodies. If all political institutions democratize and increase its social interaction in a culture, it could also be a key area for the economic sector advancement. When people are having full control of their own lives or environment, governance structures can increase the citizen's participation in decision-making. Even

2

though males and females come into consideration of the same preferences and equal legal rights, the excessive focus of such privileges for men undermines women's political and civic role, especially in leadership positions. This situation led the female community to be stigmatized as a group, which therefore is still not equivalent in democracy. Such a result has direct consequences between political philosophers about questioning the legitimacy of the government. They questioned whether the careful consideration and justice principle is implemented, or they compromise the hierarchical group member's opinions and segregate women empowerment.

A democratic theory describes participative governance as a philosophy that is explicitly oriented to the principle of consideration. Whenever the objective was of increasing the standard of society, it turned out to have been inconsistent with both the goal of enhancing minority representation by upper-class involvement. Hence, at the core of the participative democratic government, the concept of a common motive is essential. To eradicate such inequality among women and men, the government of India implemented its Panchayati Raj Institutions Policy act in 1992. This act provides 50% of seat reservation for women in its Local Self Government (LSG). Through this policy, more women can gain power and control over government institutions by their decision-making capacity. The equal social rights required by law to individuals enhance the sovereignty and security of its citizens through power structures. Therefore, the elimination of the perpetual differentiation around administrators and people will be possible. Modern participatory theories of democracy are center to the participation of the citizens, focusing on the political significance of the minority community rather than aiming at the elite class. Sartori et al. (2017) stated that 'which ordinary citizen's lack of activity is no one's responsibility and use the facts as provided for the hypothesis forming reason'. The legitimate involvement framework would still not extend even within a participatory society. Karpowitz et al, (2012) found a significant gender gap in the power structure. However, as postulated, it disappears under the common rule, and very few females had the opportunity to be the representative of the government. Participative development may eliminate inequality by adapting institutional procedures to a social environment.

As Chant & Gutmann (2002) explains, the legal practice of political authority requires justification for those people who are bound by it, and decision-making through deliberation by free will. Whether the decisions made in the legislature, in the administration of the courts, they have to bear the marks of our ways of caring and our ways of thinking. However, in order to fulfill this legitimizing function, institutional involvement has to meet strict standards. In the opinion of Bryld's (2001) in the early 1990s, most policy theorists and practitioners confronted the deprivation and disempowerment that followed the emphasis on modernist development and turned away from promoting macroeconomic growth as the only means of sustainable progress. This discussion turned to more women-centered advancement, emphasizing a person's role in their very own growth and implies more accountability.

3

Increased power involves changing the contemporary society system of governance, including through its role of civil society in development. Correspondingly, the way people governed and the participation in governance of the internal society, consequently the world has become the main focal focus of advancement. India is the second-largest most populated country, with an estimated one billion people. Across all fronts, this is a diverse population of various religions and many languages. Diversity highlights the incredible challenge of decentralizing democracy development. Despite India's global progress after independence, the situation remains one of the most deficient in the world, not just financially but culturally.

Palacios (2016) stated that perhaps the gender ratio of work and capacity throughout organizations is an aspect that gets in the way of participation. The question is not the quota itself, 114 *Titty Varghese. Women's political participation and leadership in India* but whether reserving women is appropriate in a patriarchal society like rural India if women are to have any power whatsoever. Participative governance, a most influential form in modern political discourse, is based on the notion that political decisions will be of the right consistency if those involved in the political discussion participate in true reason-giving. Ferguson (2011) stated that any failure to acknowledge a feminist movement itself is vulnerable to attack those it should also include unfairly. Relevantly, Urbinati & Warren (2008) stated that political representation could provide politics an idealizing dimension that can resolve the boundaries of segregation and formal participation in the political sphere. The theory of participation and democracy gives focus on the development of leaders and thereby increasing the successful governance. In this article, the leaders are elected women representatives in the panchayat. Hence, it is essential to identify the challenges of women leaders for their successful leadership using the theory of democracy and participation.

Women are an integral part of society. They play an essential role in determining the destiny of a Nation. Therefore, recognition of their contribution and involvement in society's socioeconomic and political affairs becomes essential. However, history reveals that women have not been given their due status in society. Socially, women are harassed and ignored a lot in India. They have been and still are the victims of various social taboos, particularly in developing countries like India. Though they enjoy equality, this equality is more in legal forms than in reality. It is ironic that in a century like India where the highest object of worship is in the feminine form, crime against women should have assumed alarming proportions. The early to modem history of human society has been characterised by divisions and sub-divisions based on Sex, Colour, Caste, Class, Creed and religion. The social implication of Colour, Caste, Class, Creed and religion, the social implication of which is that the role, Position, participation, power and authority in socioeconomic and political spheres of an individual have also been determined to more extent based on sex, caste, class and religion. The said determinants have also advisably affected the status of women. Though the status of women varies

4

Objective of the study

The Project aims to analyze women's Political Participation

(a) To address the importance of Women's Political Participation in India Democracy.

(B) To study the political Position of women in India from Ancient Period to post Independence Period.

(C) To find out the women's representation in India parliament in 2019.

(D) To Analyses the Challenges feed by women leaders in India.

(E) To Study the top women Political leader in India.

Methodology

Relevant data and information for the present study have been collected from both primary and secondary sources. The data has been collected purely through the secondary sources . The secondary data has been collected form government, reports, census report, reports of world conferences, book, journals, news paper, workshops, experts, parents, guardians , neighbors, observations, web sites, etc.

from Society to Society because of Socio-Cultural factors yet, by and large, they have always been considered inferior to men. The spheres of their social action, interaction and participation in decision-making in and outside the home have been relatively limited to that of the men. The word 'woman' implies a long history of dependence and subordination. For centuries, women, who constitute half of humanity, have been suppressed, oppressed and treated as subordinates, not as equal to men in various fields of activity, and Politics is one among them. The status of women has recently moved to the forefront of the socioeconomic and political discussion in India. However, her current status can only be adequately understood concerning the past.

Women's political position in the Ancient period:

Rig- Vedic Aryan women were not ornamental addenda but co-partners in life, its pleasures and hazards, its joys and sorrows. They enjoyed a position of equality and were respected in the family and society. They were imparted education like men and enjoyed considerable freedom in their matters. The community as a whole showed concern and respect for them, and they played a significant role in the familial, social and political life. There is evidence of women frequently participating in Political activities. They participated in the deliberations of Vidatha (the earliest folk assembly of Indo – Aryans) and Sabha along with men. Ordinarily, in Vedic Period, the daughter did not enjoy legal status. She had no right to hold, acquire or dispose of the property. She could not claim any share with her brothers because it was clearly stated in Rigveda that " a son born of the body does not transfer wealth to sister". Married daughters living with their husbands could inherit from their fathers only when she had no brothers. The primary disability from which the wife suffered in the Vedic age was a proprietary one. The wife also did not have any legal status. She could neither hold nor inherit property. The legal status of the widow, too, had too proprietary rights. However, there was a slight improvement concerning the legal status of daughters, wives and widows in the Post Vedic Period. In the later Vedic Period, women's Positions deteriorated to some extent because of the undesirability of a daughter. Marriage became a compulsory notion of ceremonial purity. Women were generally considered impure and kept out of the highly clean and spiritual functions. A son was more desired as he had to perform the funeral ceremonies of his parents, in the absence of which the dead souls were feared to go to hell. The son was considered the family's hope, and the daughter was the source of trouble. These nations, while raising the Position of males, lowered the Position of females. Nevertheless, such Brahminical accounts were not so widespread. In cultured circles, a talented and well-behaved daughter was regarded as the family's pride. Women's Positions continued to be downgraded gradually due to specific internal societal changes. Compulsory marriage, the introduction of the dasi- system, the specialisation of Vedic education and the denial of religious and intellectual education to women contributed much to their degradation. The institution of marriage and

family confined them to home and early marriage. Lack of education and some Brahminical notions added to their ignorance and made them dependent upon men folk in respect of public affair. Buddhism and Jainism upheld the women's Position to some extent by providing an alternative position of dignity to those who wished to dissociate themselves from the usual role of women in the family and society and join the Sangha. Through Buddhism admitted women as nuns to Participate in higher spiritual life, they were given an inferior position to men in the monastic administration. Initially, Badha was even averse to the admission of women into Sangha. However, when he was persuaded by his disciple Ananda, he agreed to the formation of the order of the nuns. However, he prescribed a unique code of rules for the nuns entitled 'Bikkhuni Patimokkha'. "It contains certain extra restrictions, which generally relate to movements and residence, and general supervision of the nuns by the monks. Like other great religions, Jainism maintained that a nun was inferior to a monk in monastic life. As Jainism generally believed in the supremacy of the celibate life, women were considered less competent for direct salvation. The lower status of women Continued in the Mauryan and Gupta Periods. However, in Mauryan Empire, there were women spies, and women constituted the force for the personal security and safety of the King, which means that during this period, there was faith in the competence and faithfulness of women. In the Gupta age, women were not disqualified from exercising public rights. We find examples of Queen Prabhavati Gupta, daughter of Emperor Chandragupta -II, who ruled in the 4th century A.D and Princess Vajayabhattarika, who acted as Provincial governor under Vikramaditya - I of the Chalukya dynasty of Vatapi in the 7th century A.D.

Women's political position in the Medieval period:

In the medieval period, the status of women further deteriorated. The Hindu daughter was married before the age of nine or ten, and in some cases, girls were married even before they had learnt to talk. Lower age in marriage meant that girls were deprived of having any education. These circumstances led to further deterioration in the Position of the daughter. The wife's legal status, especially from the point of view of inheritance, could have been better. They were generally excluded from succession to property, leading to their dependence on men. The legal status of widows was in the worst possible condition during the Muslim period because of lower age in marriage, the ban on remarriage, the Sati system and the Purdah system. However, despite their strict seclusion, Muslim women of the royal families actively participated in Social and Political life. Some Mughal ladies were writers of distinction and good administrators. Some famous personalities were Gulbadan Begum, JahanAra, Razia Sultana, NurJahan, Zibunnisa, Begum Hazrat Mahal, Chand Bidi, Shaibji etc. It is interesting to note that at a time when the general social Position and status of women had deteriorated in society, their high esteem and Position culminated in good administration. We find accounts of some great Rajputs when in the history of Medieval India, Didda, the queen of Kashmir, was endowed with

energy and statesmanship, and dominated the history of Kashmir during the period between 958 and 1003 A.D. Kurma Devi, a queen of Brave Rajput chief Samarsi (Samar Singh) of Chitor, headed the Rajputs and gave battle in person to Kutub-d-din near Amber after her husband had been killed in the second battle of Grain in 1192 A. D. Many brave Rajput women, under the leadership of Padmini plunged into the fire of Jauhar to escape ' Pollution and captivity.' on August 26, 1003. Tarabai, daughter of Rao Surtan, chief of Bednore, who belonged to the Solanki tribes, was a Rajput woman of remarkable military skill who flourished at the beginning of the 16th century. Rani Karnavati of Mewar took a keen interest in that state's political matters and contracted Maladministration's evils during the inefficient rule of her son Vikram Jeet, who was the son and heir to Maharana Sanga. Rani Durgavati of Gondwana was also an example of unflinching determination and selfless heroism. She repulsed the armed attack of Baz Bahadur on the Kingdom of Gondwana and fought against Mughal forces. In the true spirit of the Rajputs, she preferred death to disgrace and stabbed herself when deserted by her men after the defeat at the hand of Mughals.

Women's political position in the Modern period:

During British rule, the condition of women in society was far from satisfactory. The Hindu women were the victims of Sati, Purdah, female infanticide and child marriage, etc. This condition prevailed almost all over the country, and princely states were no exception. The remarkable bravery of Rani Laxmi Bai of Jhansi marked a diversion in the character and talent of Indian women in the 19th century (1835-58). She was the great heroine of the Indian Mutiny of 1857, who fought the British troops bravely and met a heroic death. Her opponents even admired her bravery and administration.

The emergence of a renaissance in the nineteenth century opened the eyes of Indian intelligentsia to the disgraceful social conditions of their People, especially that of women. They realised the shameful Position of the Indian woman, which was nothing but a tale of suffering and humiliation from the cradle to the grave. Religious and social organisations like the Brahmo Samaj, The Arya Samaj, the Prarthana Samaj and the Ram Krishan mission were sought for the cause of women. Raja Ram Mohan Roy, also called the father of the Indian Renaissance, opposed the inhuman custom of Sati and raised a strong public opinion against it. He urged the British government to abolish by law the cruel practice of burning the widow on her husband's funeral pyre. On December 4, 1829, Sati was declared " The crime of culpable homicide," punishable with fine, imprisonment or both. The efforts of Keshab-Chandra Sen against the early marriage Act, Known as the Civil Marriage act of 1872. To remove the apparent evils of child marriage and help the cause of female education, the child marriage Restraint Act was passed in 1929, fixing 14 years as the minimum age for the marriage of girls. Later, special marriage facilitated the enactment of the Native Marriage Act of 1954 fixed 18 years as the minimum marriage age for girls.

In the 18th century, at the dawn of British rule, the status of women in India presented a tragic spectacle. The Vedic liberties enjoyed by women were a thing of the past, now all forgotten and flown. The attitude of the British government was not in tune with the religious sentiments of the local people. They bade a good be to all social reforms for about a century, and it was only in the nineteenth century that social reformers made strenuous efforts to give women an honourable position in society. In the 20th century, some progress was observed in the field of women's education, which gave rise to the development of consciousness among the educated woman, and this manifested itself in the emergence of some comments organisations, i.e. The All India Women's Conference, The National Council for Women and Women's Indian Association of Madras, etc. Margaret Cousins founded the Women's Indian Association of Madras under the inspiration of Annie Besant. Under the auspices of this organisation, a deputation led by Sarojini Naidu, with the support of Mahatma Gandhi, met Lord Morley when he visited India in 1917. It demanded equal voting rights for women along with men. That was indeed the first attempt by women for Political rights.

In 1919 under the Montague- Chelmsford Reforms, 10 Lakh women obtained their voting right. However, women exercised their franchise for the first time in 1932. Only in 1926 women got into any legislature. Muthulakshmi Reddy of Madras, a dedicated social worker, was the first woman nominated for the Madras Legislative council and elected as the Deputy Chairperson.

It was Mahatma Gandhi's revolutionary call to women to join the freedom struggle that a new era dawned. He recognised the importance of women's role in the freedom struggle. Gandhi appraised the women's potential for Satyagraha and social reconstruction as higher than men's. He said, " In the nonviolent struggle, women have an advantage over men, for women are in any way superior to men in their religious devotion. Silent and dignified service is the badge of her sex. A woman's sacrifice is personified. When she does a thing in the right spirit, she moves mountains. In 1931, at the Karachi session of the Indian National Congress, Nehru piloted the ' Fundamental Rights Resolution' of the council. Devadasi Bill was introduced by Sarojini Naidu, which saved these women's lives from degradation. Kamla Devi Chattopadhyaya, a pioneer in the women's movement was the first to contest a seat from the South Kanara constituency in 1926. Radha Bai Subbaraya, Renuka Roy, and Annu Swaminathan were the earliest women who got into the central legislature. In the 1942 'Quit India Movement', when all the top leaders were arrested, and the movement became Practically leaderless, women Joined hands with others and carried it on by taking out processions, holding meetings, demonstrations and organising strikes. Aruna Asaf Ali, Kalpana Joshi, Preeti Waddadar, Kanaklata, Baura, Roopvati Jain, Durga Bai, Sushila Devi and Usha Mehta were the famous figures of the Quit India Movement. Kasturba Gandhi died in Jail during the quit India movement. In July 1943, in response to the clarion call of Subhash Chandra Bose, a women's regiment named 'The Rani of Jhansi Regiment' was formed in Singapore with Laxmi Sehgal as its captain. In 1942, during the Quit India

Movement, women cooperated with men. The Indian women had succeeded in Establishing themselves as equals to men. Mrs Sucheta Kriplani went underground along with Jai Prakash Narayan, Ram Manohar Lohia and Aruna Asap Ali and organised anti-British resistance. Finally, she was arrested in Patna in 1942 and kept in solitary confinement for more than a year. Kamala Chattopadhyaya, after being elected the president of the All Indian Congress working committee, was arrested in 1942 and was later taken to Vellore, where she was released after two years in 1944.

In 1942, the women's wing of the All India Congress came into being. Arun Asif Ali, Jugal Kishore Khanna, general secretary of the Delhi Provincial congress committee and K.C. Nair were declared 'absconders' under the special ordinances, and their properties were confiscated. Shimla Raj Kumari Amrit Kaur took a leading part in the protest meetings and processions, which were subjected to ruthless Lathi-charges about fourteen to fifteen times between the 9th and 10th August. Girls students who participated in protest meetings were also arrested and assaulted by police officers. Raj Kumari Amrit Kaur was arrested along with other workers. The girl students showed remarkable courage. Shakuntla Sharma, a first-year student of Allahabad University, succeeded in hoisting the tricolour flag on the top of the 'Kachehri' building. The collector and Superintendent of Police, A.d. Dixon, ordered a lathi charge in which Shakuntla Sharma was seriously injured. Many more women of Ahmedabad were at the forefront of the freedom struggle. In Indore, Gandhi Jayanti was celebrated in Schools. Rukhmaniben, who was to conduct the prayer, was arrested on her arrival and the silent and nonviolent crowd was lathi-charged. However, after the arrest of Gandhi, many active men during the Quit India Movement were arrested, and women Congress volunteers went underground.

Women needed to catch up in making the constitution for a complimentary India. The constituent Assembly was formed in December 1946, and as many as fourteen women members were included. They were Ammu Swaminathan, Dakshayani Velayudhan and Durgabai Deshmukh from Madras; Hansa Mehta from Bombay; Malti Chowdhary from Orissa; Suchita Kriplani, Vijaya Laxmi Pandit, Pumima Banerjee, Kamala Chaudhary and Begum Resul from Uttar Pradesh; Sarojini Naidu from Bihar; Begum Jahanara Shah Nawaz from Punjab and Lita Ray and Begum Ikramulla from Bengal.

The Indian women had been asking for franchises, and the constitution of India granted them willingly. It brought women on an equal footing with men. The adult franchise dealt in Article 326 proved to be an excellent assist for the constitution makers to remove sex discrimination.

Women's political position in Post Independence period:

The framers of the constitution made provisions for equal rights for both men and women. The fundamental rights enshrined in Articles 14,15 and 16 guarantee equality before the law, equality of sexes and equal opportunities in all walks of life. Article 15 prohibits discrimination on the grounds of religion, race, caste, sex, and place of birth. At the same time, clause three of the same article provides

that "nothing in this article shall prevent from making any special provision for women and children" in order to maintain a balance in the Position and status of males and females under the fundamental duties. Article 51A(e) provides that it shall be the duty of every citizen in India, 'among other things,' to renounce practices derogatory to the dignity of women. The four enactments viz. The Hindu Marriage act 1955, the Hindu Succession act 1956, the Hindu Adoption and Maintenance act 1956 and the Hindu Minority and Guardianship Act 1956 brought a definite change in the people's legal perception of women.

Article 325 makes no special electoral on religion, race, caste and sex. Article 326 deals with the elections to the legislative assemblies of the state based on adult suffrage. In consonance with the right of universal adult franchise and all other Political rights were conferred by the constitution. Women's role in Political activities has increased and improved besides, with the process of modernisation and increasing education, which free India opted for, their mental horizon has broadened, and they have come to know the outside world. Consequently, they have started taking part in politics actively. Scholars working on the statutes of Indian women opine that many changes have occurred in the traditional conception or role and status of women through new opportunities for education and role of women, new approximate for education and employment, the emergence of new socioeconomic patterns, and privileges of equal legal and political rights. Women are competing with men on an equal footing and have entered into occupations considered men's domain. However, the pressure of traditional customs and norms continues to determine society's attitude towards women. The institution of caste and the patriarchal family system, in conjunction with religions and dominant value systems, are still surcharged with the spirit of male domination. Several scholars have found an increasing gap between men and women in literacy, education and training and an accelerated decline in women's employment since 1951, starring disparities between men and women.

Today, we can see women taking an active part in Politics and holding high officers. Their number is low, but their administrative and political capacity is well recognised. The Position of our women now is enviable to their counter counterparts throughout the world. Vijay Laxmi Pandit was the first woman to rise to the high office of the president of a session of the United Nations Assembly. Indira Gandhi, the iron lady of India, led the country for nearly seventeen years. There have been women governors of the state, women ambassadors and delegates to international bodies, women chief Minister, women state legislative speakers, women legislative and members of the central and state council of ministers who have shaped the history of India.

Sarojini Naidu and Sucheta Kriplani served with distinction as the Governor and chief minister of Uttar Pradesh, and Vijay Laxmi Pandit distinguished herself as a successful ambassador of India to the USSR. Sushma Swaraj, Mamta Banerjee, Uma Bharti, Menka Gandhi as the central minister and

Sheila Dixit (Chief Minister of Delhi) J. Jai Lalita (Chief Minister of Tamil Naidu), Maya Vati (Chief Minister of Uttar Pradesh),,,, on a towering personality, have paved their competence in the Power Politics V.S. Rama Devi was appointed to the high office of chief election commissioner of India.

In the first general election held in 1952, there were 489 seats in the Lok Sabha, and 51 women contested. Of these 51 women contestants, 23 were elected to the Lok Sabha. The women's representation in the Lok sabha was 4.70 per cent. Then it increased to 5.46 per cent in the 1957 Lok Sabha election, 6.60 per cent in the Lok Sabha election 1962, 5.18 per cent in 1967, 3.87 per cent in 1971, 3.50 per cent in 1977, 5.51 per cent in 1980, 7.93 per cent in 1984, 5.18 per cent in 1989, 7.40 per cent in 1991, 7.37 per cent in 1996, 7.92 per cent in 1998 and 9.02 per cent in 13'''Lok Sabha elections held in 1999. These figures reveal that the maximum representation of women in the Lok Sabha is 9.3 per cent. However, it has increased from 4.70 per cent to 9.3 per cent from the first general election to the 13" general election of the Lok Sabha. However, their representation could be higher as compared to the representation of as compared to men. Moreover, keeping view that women constitute almost fifty per cent of the total population. The analysis suggests that the strength of women is much less in Lok Sabha. They are at a significant disadvantage in Power Politics.

Yet, there needs to be a deliberate and consistent policy to ensure an adequate role of women in central legislative and other Political institutions. Some cosmetic steps have been taken by centre and state governments, not so much to improve the conditions of women but to win their support for election purposes. Reservation of thirty-three per cent of seats for women is just one electoral plank. The government introduced a women's reservation bill, which seeks the 33 per cent reservation of seats for women in Parliament and State Legislature Assemblies to ensure effective participation and empowerment of women in democratic institutions. However, the Political Parties came far from the promised 33.00 per cent reservation of seats for women in Parliament and State Legislative Assemblies.

The United Nations' decade of women's development (1975-85) generated much interest in this country towards women's problems. Many women's groups came into being and started fighting for women's causes. They forced the government to look severely at women's problems. Politically, their approach was different from similar approaches made in the past. They thought that women should no longer stand as passive spectators. They should participate actively in political as well as developmental activities. They should be perceived as participating dignified human beings, not objects of pity.

Representation of Women in Parliament in 2019:

Parliaments and state legislatures "establish laws and hold the government accountable, but also make a representative claim' to represent various communities, identity groups, and interests." In parliamentary democracies such as India, participation in the government as a minister also requires

11

membership in the legislature. Despite a significant increase in the number of women who vote in elections, the figures on women's representation in the Lok Sabha and Rajya Sabha indicate that the proportion of women legislators has remained low compared to their male colleagues (see Tables 1 and 2). In the 2019 elections, the most significant proportion of women elected to the Lok Sabha to date was less than 15 per cent of the overall membership.

The number of female candidates and representatives varies considerably between states and parties. In the current Lok Sabha (17th), Uttar Pradesh and West Bengal states have the most significant proportion of female members. Fourteen per cent of all Lok Sabha members in Uttar Pradesh are women, compared to 26 per cent in Bengal. In 2019, the Congress fielded 54 women candidates (12.9 per cent of all candidates it fielded that year), while the Bharatiya Janata Party (BJP) fielded 53 women candidates (12.6 per cent). Uttar Pradesh, Maharashtra, Tamil Nadu, West Bengal, and Bihar fielded many women that year. In terms of percentage, Goa and Manipur had the most significant number of female candidates, with 17 per cent of the total candidates in each state. Parties such as the Biju Janata Dal (BJD) in Odisha and the Trinamool Congress (TMC) in West Bengal fielded more women candidates in the Lok Sabha elections in the same year: BJD nominated 33 per cent of women candidates in Odisha, and TMC, 41 per cent in Bengal.

According to data from 2020, women's representation in the Rajya Sabha has been slightly lower than in the Lok Sabha, at most 13 per cent of the overall membership of the chamber. In state legislative assemblies, also known as Vidhan Sabhas, the average representation is typically below 10 per cent.

Table 1: Women's Representation in the Lok Sabha

Year of Election	Number of Women Representatives	Percentage of Women Representatives (%)
1951	22	5
1957	22	5
1962	31	6
1967	29	6
1971	28	5
1977	19	4
1980	28	5
1984	43	8
1989	29	6
1991	39	7
1996	40	7
1998	43	8
1999	49	9
2004	45	8
2009	59	11
2014	66	12
2019	78	14

Table:02 Women's Representation in Rajya Sabha

Year of Election	Number of Women Representatives	Percentage of Women Representatives (%)
1952	15	6.9
1954	17	7.8
1956	20	8.6
1958	22	9.5
1960	24	10.2
1962	18	7.2
1964	21	8.9
1966	23	9.8
1968	22	9.6
1970	14	5.8
1972	18	7.4
1974	18	7.5
1976	24	10.1
1978	25	10.2
1980	29	12
1982	24	10.1
1984	24	10.3
1986	28	11.5
1988	25	10.6
1990	24	10.3
1992	17	7.2
1994	20	8.3
1996	19	7.8
1998	19	7.7
2000	22	9
2002	25	10.2
2004	28	11.4
2006	25	10.2
2008	24	9.8
2010	27	11
2012	26	10.6
2014	31	12.7
2016	27	11
2018	28	11.4
2020	25	10.2

Importance of women's political leadership Global commitments In the Beijing Platform for Action, stemming from the Fourth World Conference on Women, Beijing 1995, the prioritization of women's leadership was outlined in sections G.1 and G.2: "take measures to ensure women's equal access to and

full participation in power structures and decision-making" and "increase women's capacity to participate in decision-making and leadership", respectively. Two decades later, the 2030 Agenda for Sustainable Development underscored the need and urgency to achieve gender parity inleadership through SDG Target 5.5, necessitating "women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life." Convention on the Elimination of Discrimination Against Women explicitly mentions women's political equality (Articles 7- 9) and discusses women's equal participation at all levels (Article 7b): "States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women on equal terms with men, the right to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government" (Part II, Article 7b). These commitments collectively express that women's right to equality cannot be reached without equality in political decision-making positions. Positive social outcomes from women's leadership Women's political leadership has been shown to have several societal benefits, such as inequality reduction (WEF, 2017), increased cooperation across party and ethnic lines (Markham, 2013), and increased prioritization of social issues, like health, education, parental leave, and pensions (Markham, 2013). Additionally, women's political participation has been shown to be particularly influential to women in their communities. Factors such as female voter turnout, female political participation, and public service responsiveness towards women have a positive relationship with the presence of women in decision-making positions across the public and private sectors (Burns, Schlozman and Verba, 2001).

Role Model Effect Women's parliamentary presence could also have a role model effect. A study underscored the importance of women role models for individuals of all genders to normalize "the idea and practice of women holding power" (O'Neil, Plank and Domingo, 2015). A 2012 study conducted in India explained that the increased proportion of women village leaders had closed the "aspiration gap" between girls and boys by nearly 25 percentage points and had eventually erased or reversed the gender gap in educational outcomes. Girls also began spending less time on household activities in areas with increased women's leadership in the village (Beaman and others, 2012). These role models can substantively affect future women's representation. Following the 2018 general elections in Fiji, women account for 20 per cent of the representation in Parliament, a record high for the country.3 This is attributed to the role-model effect of its first Woman Speaker of the House.

25 Famous Female Leaders In Indian History: Top Historical Indian Women

Women form an integral part of the fabric of India as a nation. This is undeniable, because women—whether their role is in the households, workplaces or government functions and welfare works—are

constantly and actively contributing to building this country into a better version for the future. History, especially histories of women being unearthed nowadays, show that women have also had a huge role to play in the past, so much so that we owe our present rights and freedoms to them.

And yet, women are often relegated to the footnotes of history and their achievements remain unsung. This is primarily because history, for the longest time, was only written by men and that too from their own perspective. It's largely in the late 20th and early 21st centuries that women and other marginalised communities have taken to writing their own histories, bringing to the fore the stories of thousands, if not millions, of women who have played a large or small role in shaping our past, present and future. Hundreds among these thousands of women are leaders whose life stories are inspiring enough to catalyse the emergence of more together. Here's what you should know about them.

There are many women throughout Indian history who have played a very active role in politics, and been able to inspire people through their deeds. A lot many of these women were also part of the Indian freedom movement, but you'll be able to read about them in the next section. Apart from these women, there are many who have had an impact on the Indian political scene. Here are a few you should know about.

Indira Gandhi

As the first female prime minister of India, Indira Gandhi must come right at the beginning of this list. She served as the PM twice: 1966 to 1977, and 1980 to 1984. Opinion about Gandhi's politics is more controversial. Many hail her as the leader who helped achieve India's victory over Pakistan in 1971. Her authoritarianism and the imposition of the Emergency in 1975, however, show that she had problematic areas too. And yet, her legacy is more inspiring than anything else.

Sushma Swaraj

A Supreme Court lawyer, seven times member of parliament, three times member of the Legislative Assembly, and the second woman to hold the position of the Minister of External Affairs (the first was Gandhi)—Sushma Swaraj was one of the most inspiring women politicians of India. She was awarded the Padma Vibhushan posthumously.

Sonia Gandhi

Italian by birth, Gandhi moved to India after getting married to Rajiv Gandhi, and over decades, became an icon in Indian politics. She's known as the person who has guided the Congress party and the United Progressive Alliance (UPA) through many elections and national crises.

Sheila Dikshit

The chief minister of Delhi from 1998 to 2013—the longest-serving female CM of any state till date—Sheila Dikshit was a senior Congress member. She also became the governor of Kerala for a short period of time in 2014.

Jayalalitha

The first female chief minister of Tamil Nadu, Jayalalitha Jayaram was also the general secretary of the All India Anna Dravida Munnetra Kazhagam (AIADMK). She left behind a movie career to join politics in 1982 and became a Rajya Sabha MP in 1984.

Mamata Banerjee

The first female chief minister of West Bengal, Banerjee is popularly known as the didi of Indian politics. She launch the Trinamool Congress in 1997, and then dethroned the 34-year-old CPIM government in the state. She was also the first female railway minister of India.

Mayawati

The most powerful Dalit woman leader in the country, Mayawati has been the chief minister of Uttar Pradesh four times. Her powerful influence on Indian politics has inspired many Dalit women to join Indian politics.

Vasundhara Raje Scindia

The first female chief minister of Rajasthan, Vasundhara Raje Scindia was introduced to active politics by her mother Vijayraje Scindia, who was also a prominent Bharatiya Janata Party leader. Raje was elected to the Rajasthan Legislative Assembly in 1985, and went on to become a national political icon soon.

Ambika Soni

A member of parliament, Soni represents Punjab and has served as the nation's minister of information and broadcasting. Introduced to the Congress by Indira Gandhi in 1969, Soni is still one of the most articulate women in Indian politics.

Nirmala Sitharaman

This economist-turned-politician is currently the Finance Minister of India—the first woman to hold this position. She's not only an inspiring woman in Indian politics, but is known all over the world for her role in keeping the Indian economy afloat during the COVID-19 pandemic.

Mahua Moitra

Another economist-turned-politician, Moitra joined the TMC in 2010, and went on to be elected to the West Bengal Legislative Assembly in 2016. In 2019, she was elected a member of the Lok Sabha, and has inspired the nation with her fiery speeches since.

Most Famous Women Freedom Fighters

Thousands of women participated in the movements against the British government throughout the 19th and 20th Centuries. So, why is it that we know very little of the legacy left behind by the women who fought for our freedom? We certainly know about more male leaders from the same period, which is absolutely deserving, and yet, the women need to be highlighted too. It's time we right this wrong by sharing the stories of the women who did participate in, contribute to and make sacrifices for our freedom. Here's what you should know about some of these women who joined the freedom movement.

Rani Lakshmibai of Jhansi

Rani Lakshmibai's story is, in fact, the most well-known. The young, widowed queen of the state of Jhansi fell prey to the British Doctrine of Lapse after the death of her husband, because this law stipulated that a princely state under the British East India Company (EIC) would lose its status if a ruler died without a male heir. Instead of giving up the rights of her kingdom, she decided to battle against the British, joining the revolting forces of Barrackpore, Meerut, Kanpur, Lucknow, and later Delhi. She also trained the Durga Dal, the first women's military wing in Indian history. She died a

martyr with her women soldiers while engaging in battle with the British, but the image of this Indian queen, riding out with her adopted son behind her back, is imprinted deep in all our minds.

Begum Hazrat Mahal of Awadh

The Doctrine of Lapse also stipulated that an unworthy ruler could be deposed and their state taken over by the EIC, and this is what happened to Nawab Wajid Ali Shah of Awadh, who was exiled in 1856. When the Revolt started in 1857, the Nawab's ex-wife, Begum Hazrat Mahal, took this opportunity to overthrow the yoke of the British on Awadh. She crowned her 11-year-old son as the Nawab, making herself his regent, and quickly mounted a rebellion against the British army with the help of ministers, traders and loyal masses. So fierce was her force that even the British faltered, and offered her a truce (thrice!) and the prospect of returning Awadh to its rightful rulers. The Begum rejected all offers and continued her fight until the British reinforcements quelled the revolt in 1858, at which time she fled to Nepal, where she died in 1879.

The Dalit veeranganas

Jhalkaribai of the Durga Dal is often celebrated as one of the Dalit veeranganas (women warriors or heroes) who led the fight against the British in 1857. But she wasn't the only one. Dalit and social historians have recently discovered the names and deeds of many women across India who contributed to the Revolt. There are some references to women of the Bhatiyara caste (known as Bhatiyarins), who ran inns across the United Provinces, Awadh and other North Indian regions. One of the most well-known Dalit figures of 1857 was, however, an unnamed woman who is celebrated as Uda Devi from the Pasi community—there's even a bust of hers in Sikandar Bagh in Lucknow today.

Women against Bengal Partition, 1905

Women's participation in the movement against the Bengal Partition was high and immediate. When Rabindranath Tagore called for Rakhi Bandhan festivals to represent the unity of the people of Bengal, women across regional and religious divides answered his call en masse. Women not only participated in protests, but also attended mobilisation sessions by politicians. Kadambini Ganguly—one of the first women graduates of India—and Swarnakumari Devi (one of India's first female novelists and Rabindranath Tagore's sister) attended the Indian National Congress's session held in Calcutta, which was to decide on the course of action against the Partition.

Women Wielding Pens against Partition

One of the most empowering ways in which women showed their protest was by wielding pens, and publishing their thoughts on essential nationalist themes like freedom, unity in diversity, Swaraj and Swadeshi. Kumudini Mitra, who edited Suprobhat, and Banalata Devi, who edited Antupur, regularly published articles in support of Indian nationalists, freedom fighters, against British propaganda, and even printed advertisements promoting 'Swadeshi Shilpa' or indigenous industries. Sarala Devi Chaudhurani, the eminent women's rights activist of the time, wrote an inspiring play promoting nationalism, which was published in Bharati. Khairunnesa Khatun, the prihe principal of Sirajgunj Hossainpur Girls' High School (now in Bangladesh), published an article titled For The Love Of The Motherland, in the magazine Nabanoor.

Also known by the sobriquet given to her by Mohandas Karamchand Gandhi, 'the Nightingale of India', for her brilliance as a poet, Sarojini Naidu is easily the most remembered woman freedom fighter of India. Educated in England, she joined the party, and quickly rose through its ranks to become the President of the INC in 1925. To aid her fellow Indian women in getting their rights, she established the Women's Indian Association in 1917. After the end of British rule, Naidu was elected as the Governor of the United Provinces, making her the first woman in independent India to hold such a huge public office.

Aruna Asaf Ali

An educator and activist, Aruna Asaf Ali joined the INC in 1928, and participated in the Salt Satyagraha of 1930, for which she was jailed. She was arrested again in 1932, and this time around she started a movement in Tihar Jail to improve the conditions of political prisoners. In 1942, she took charge of the movement, presided over the INC's Bombay session, and hoisted the Indian flag at the Gowalia Tank Maidan—a deed for which she was dubbed the "heroine of 1942". After independence, she founded the National Federation of Indian Women, the Communist Party's women's wing. In 1958, she was also elected the first Mayor of Delhi.

Lakshmi Sahgal

Captain Lakshmi Sahgal was the leader of the Rani of Jhansi regiment of Subhas Chandra Bose's Indian National Army (INA). While this aspect of Sahgal's life may be known to most, many are still unaware that this brave leader who took up arms against the British was a trained doctor with an MBBS degree, who was practising in Malaysia before meeting Bose and enlisting in his army. She joined the INA's march to India across Burma, was arrested in 1945, and sent back to India in 1946 to

face the INA trials in Delhi. Sahgal continued her work after independence by leading medical aid efforts for Bangladeshi refugees in 1971, Bhopal Gas Tragedy victims in 1984, and for the victims of the anti-Sikh riots following Indira Gandhi's assassination in 1984.

Sucheta Kriplani

You're likely to know her as the first woman chief minister of India, an office which she held from 1963 to 1967, but Kriplani was also a freedom fighter who led with passion and rage. A professor of Constitutional History at Benaras Hindu University, Kriplani provided aid to Partition riot victims in 1946. The founder of the All India Mahila Congress, Kriplani sang Vande Mataram in front of the Constituent Assembly on August 14, 1947, minutes before Nehru gave his famous "Tryst with Destiny" speech.

Matangini Hazra

While not much is known about this freedom fighter's life, the martyrdom of Matangini Hazra, or Gandhi Buri (old lady Gandhi, in Bengali), is something no one should ever forget. A supporter of Gandhian Swadeshi, Hazra not only spun her own khadi, but also participated in the Salt Satyagraha, for which she was arrested. She was injured while attending an INC conference in 1933. In 1942, during the Quit India movement, she held protests against the British in front of the Tamluk Police Station. Reports suggest that as she stepped forward to prevent the police from opening fire on people, she was shot repeatedly, and died while chanting Vande Mataram to her last breath.

Other Female Leaders Who Made History

Apart from the illustrious women mentioned above, there are many women leaders who have inspired millions through their good works. Women like Savitribai Phule, Fatima Sheikh, Pandita Ramabai and Dr Rukmabai were among the hundreds of women who made education and healthcare awareness more accessible to Indian women. On the other hand, women like Kalpana Dutta, Pritilata Waddedar, Bhikaji Cama, Kanaklata Barua, Kamaladevi Chattopadhyay, Durgawati Devi and Tarabai Shinde have played a huge role in the Indian freedom movement. There are hundreds, if not thousands of women who still remain on the fringes of history and made their contributions to the freedom struggle. Even after independence, women leaders in politics, like Supriya Sule, Agatha Sangma, Priyanka Gandhi, Jaya Bachchan, Vyjayanthimala, Mehbooba Mufti Sayeed and Najma Heptulla are all doing their part in keeping the legacy of women leaders alive.

Challenges Challenges faced by women leaders

Women leaders have higher and more difficult problems than males since they must also contend with perceptions. With more women who take up leadership roles, previously unrecognized concerns and obstacles associated with such a position are now becoming apparent. Life is becoming increasingly tough for them due to rising stress levels and multiple responsibilities at work and at home, as well as the continual need to prove herself (Women and Leadership, n.d.). Women's political engagement is hampered or facilitated by a variety of circumstances, including socioeconomic status, geographical, cultural, and political system form (Shvedova, 2007) [9]

1 **Political obstacle:** Women's political representation and advancement are hampered by four primary political obstacles. Absence of party support, such as restricted financial assistance for female candidates, restricted access to political connections, and more stringent standards and credentials applied to women; absence of availability to well-developed education systems for women's leadership in general, and for guiding young women towards political life; and the essence of the electoral system, which favors men (Singh, 2011) [10] . Women are prevented from participating in politics for a variety of reasons. There are many factors like: the present cultural value system, the private-public gap in terms of domain identity, and male predominance in political institutions, which are responsible for less participation of women in politics. They have been unable to amass help and services for cultivating their political constituency due to their low share in India's inner political party structure. Women do not receive appropriate financial backing from political parties to run for office.

. 4.2 Social obstacle One of the most significant barriers to women being politically engaged is illiteracy. They are unaware of their basic and political rights due to a lack of awareness. Parties prejudice not just in terms of seat allocation in polls, butalso inside their ranks. Poverty is also a significant barrier to women's political engagement. An impoverished family's daughter kid is the primary victim, and she faces several challenges. Women are also shown to have a greater rate of dropping out of school than men. Women's thinking is trained in a sense to accept that they are of a lesser class than males since this has been the viewpoint of many in society due to social and cultural standards. The caste system, or social class structure, is also a significant barrier. Because of their families' poor money, women from lower castes were unable to attend school. To provide for their family, many women were involved in low-paying jobs. In India, the majority of women do not own land or property. They don't even get a piece of their parents' assets (Singh, 2011) [10] . The country's poor health situation for women is also a big barrier to their involvement. In the country, there is a

disparity in access to healthcare facilities. Gender inequality in health-care settings occurs even before birth. The majority of girl children are terminated due to the family's preference for sons. Daughters are denied the same feeding services as males after they are born. Due to marital responsibilities and dowry systems, women are also seen as less fortunate. Hospitals are also said to as "gender biassed" since males attend hospitals at a higher rate than women (Alam, 2015) [2] . The possibility of violence, according to Martha Nassbaum, is a substantial impediment to women's capacity to participate in politics. "Violence and the prospect of violence undermines many women's ability to engage actively in various types of social and political connection, to speak publicly, to be acknowledged as respected people whose value is equal to others," writes Martha C. Nussbaum (Nussbaum, n.d.). Because of the continued unequal allocation of family care obligations, women spend significantly more time than males caring for their homes and children (Shames, n.d.) [8] .

3. **Time use and care work** One barrier to women's political participation and leadership is time use. Women spend up to four times as much time on unpaid care work than men in the region, precluding them from economic and political participation (ILO, 2018). Unpaid care work is one of the primary reasons that women cannot enter politics (Tadros, 2014). Furthermore, studies have also indicated that social norms often create preferences for women candidates with household profiles (e.g., married and with children), which creates a double bind for women (Teele, Kalla and Rosenbluth, 2018). Thus, women have to combat the norms regarding care work, and also norms regarding desirable traits in women candidates.

4. **Leadership seen as a male domain** On average, over 50 per cent of the respondents from the region "agree" and "agree strongly" that "men make better political leaders than women do" (World Values Survey, 2014). These perceptions about leadership often translate into reality. Vanuatu's submission for the Beijing +25 review explains that "the dynamics of a traditional patriarchal context, which prescribes rigid gender roles excluding women from formal decision-making spaces such as the parliament" are one of the reasons why no women were elected to parliament in the last two elections.

5. **Backlash, harassment and violence.**

An Inter-Parliamentary Union study on 55 women parliamentarians from 39 countries shows that 82 percent of the interviewees have experienced psychological violence, remarks, gestures and images of a sexist or humiliating nature, or threats and mobbing (IPU, 2016). Nearly 44 percent had received threats of death, rape, beats or abductions. Around 20 percent of women parliamentarian respondents have been slapped, pushed or struck with a projectile that could have harmed them. A country report written for the Asia-Pacific Regional Beijing +25 Conference underscored this point: "Double Standards, blackmailing and smear campaigns in the media are actively used against women

politicians, resulting in their short influence. As a result of violence against women during elections and political activities... two political parties have... no women members at all".

5. Fund incentivized party quotas.

The idea of incentivizing party reform has been receiving traction globally as a way to encourage parties to nominate women and eventually get them elected (Wright, 2019). With political parties being a major influencer (UNDP, 2014), governments could consider funding incentivized party quotas. In Georgia, political parties receive 30 percent more funding if they have at least 30 percent of each gender in the first 10 names on their party list. Additionally, parties that successfully nominate and get a woman candidate elected receive additional funding (IDEA, 2018). Georgia has a higher women's representation in Parliament than the median of countries without any quota systems.

How to overcome the challenges

Women's groups have concentrated on the empowerment of Indian women to overcome challenges of discrimination and violence. Empowerment is linked to family support and better standing inside the home, both of which are threatened by domestic violence and sexual assault. Poverty and illiteracy are two socioeconomic factors that restrict women from running for public office or even voting. The inability to comprehend Panchayat Raj norms erodes one's confidence in running for public office.

I Developing competency for women candidates in politics

□

- Mentoring in politics. Guidance and training programs help women prepare for political positions and improve their political abilities.
- □ Positions in the community. Women who work at the local level get the skills they need to advance to higher levels of government and careers in regional and national politics. As a result, measures aimed at encouraging women to join municipal politics can be especially beneficial in increasing women's political engagement. □
- Platforms for Female. Many competencies development initiatives include strengthening women's platforms, relationships, and pools of future candidates.
- Sustained Training: Providing female candidates with continuous and systematic training delivers greater outcomes than providing stand-alone training during a single period of the electoral cycle. The applicability and effectiveness of training is increased by including local female leaders or trainees who pass on their expertise to others.
- Finance: To overcome the barrier of financial deprivation, women are being taught how to fundraise and funding networks are being established.

- Leadership skills: Offering orientations for newly appointed women, leadership skills training, networking opportunities, and offering chances to stimulate policy discourse are all examples of ways to improve elected women's impact and leadership.

Conclusion

Women's engagement in politics is critical for successful governance, and this project suggests that an enabling environment be created to increase women's political participation. It also suggests that the constitutional legal framework be improved to better accommodate the requirements of women in politics. Women should also be financially empowered by having access to education, job, and finance. It is also suggested that political party members get gender awareness training, as well as leadership training for future female leaders. Political parties' agendas and operations should include gender-sensitive and egalitarian policies, and their execution should be evaluated. It is critical to pay attention to essential issues in order to increase women's empowerment chances. These include education and training programs, the prevention of numerous types of criminal and violent acts, the requirement of equal rights for them, the elimination of discriminatory treatment against them based on factors like race, caste, class, religious doctrine, ethnicity, gender, and socioeconomic class, and encouraging them to participate in Politics.

References

1. Advancing Gender Equality in Political DecisionMaking: Good Practices, European Institute for Gender Equality. [Women in Power Project Summary Report]. United States Agency for International Development, 2016. 2. Alam S. Participation of women in Indian politics and the role of media. 2015;4(1).

3. Compendium of Good Practices for Advancing Women's Political Participation in the OSCE Region, Organization for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR). (n.d.). United Nations Development Programme and National Democratic Institute, 2012.

4. Goyal T. How Women Mobilize Women Into Politics: A Natural Experiment in India. Unpublished Manuscript, 2019.

5. Nussbaum M. (n.d.). Women's Bodies: Violence, Security, and Capabilities. 6(2):173-174. https://doi.org/10.1080%2F14649880500120509

6. Ogbogu CO. (n.d.). The Role of Women in Politics and in the Sustenance of Democracy in Nigeria. 182-191.

7. Ria P. (n.d.). Political Representation and Empowerment: Women in Local Government Institutions in Bihar, India.

8. Shames S. (n.d.). Barriers and Solutions to Increasing Women's Political Power. 13.

9. Shvedova N. Obstacles to women"s participation in Parliament" In Women in parliament: Beyond numbers, 2007.

10. Singh S. Challenges faced by women for vertical mobility in politics: A comparitive study of sweden and India, A structural social work approach for gender empowerment, 2011.

PROJECT ON POLITICAL LEADERSHIP OF WOMEN IN INDIA:
CONSTRAINTS AND CHALLENGES

DEPARTMENT OF POLITICAL SCIENCE

PATTAMUNDAI COLLEGE, PATTAMUNDAI, KENDRAPARA, ODISHA

SL. No	Name of Student	Roll No	Signature
01	Swagatik Subhadarshini Swain	BA-20-008	Swagatika subhadarshine Swain
02	Jnanaranjan Behera	BA-20-048	Jnananranjan Behera
03	Rajashriee Sahoo	BA-20-064	Rajashreee Sahoo
04	Manasi Sahoo	BA-20-222	manashi shaoo
05	Subhashis Panda	BA-20-214	Subhashis Panda

Simanggini Das

Signature of Supervisor

PROJECT REPORT ON

A STUDY ON SOCIO-ECONOMIC STATUS OF DALIT WOMEN IN CONTEMPORARY INDIA

2022-23

PREPARED BY

DEPARTMENT POLITICAL SCIENCE

PATTAAMUNDAI COLLEGE
PATTAMUNDAI, KENDRAPARA
ODISHA– 754215

REPORT

A project report on the topic **"A study on the Socio-Economic status of Dalit women in contemporary India"** was prepared by the students of the department of political science for the academic session 2022-23. 4 students participated in this project work. It focuses on the extensive study of secondary data collected from various books, national and international journals, publication of various websites which focused on the social as well as economic status of Dalit women in present day India. The main objective of this study is to study the present economic and social status of Dalit women with respect to important indicators of human development. It also analyzed the demographic profile of Dalit women in terms of population growth, sex ratio, rural and urban percentage and concentration of Dalit in various Indian states. The socio-economic status of Dalit women has been examined in terms of work participation rate, unemployment rate, occupational pattern, wage earning, literacy level and educational level. It also analyses of health status has been done in terms of maternal and child mortality, access to health care system. It also makes necessary suggestions for effective implementation of developmental programmes for the empowerment of Dalit women.
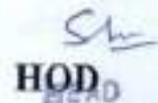
Principal

Principal
Pattamundai College

IQAC Coordinator

HOD
HEAD
Dept. of Pol. Science
Pattamundai College

A STUDY ON SOCIO - ECONOMIC STATUS OF DALIT WOMEN IN CONTEMPORARY INDIA

CONTENTS

CHAPTER – I

INTRODUCTON

In all states across the globe, there are communities which continue to be marginalized and deprived of their rights due to their location within the society determined by class, race, ethnicity, gender and skin colour. In India, caste determines one's social status and Dalit or untouchables remain as one of the most oppressed and exploited community in the country. Though the constitution of India has enshrined several provisions for Dalit communities to safeguard and promote their socio-economic status in order to bring them back in the mainstream of population, the exclusionary mechanism of entrenched hierarchical social relations have brought differential outcome for the Dalit, especially the women. They have to bear the triple burden of deprivation in terms of caste, gender and poverty. Dalit women are forced to enter the labour market at a very early age in order to sustain their families. Traditionally allocated menial and stigmatised works are generally assignedto them In between societal hierarchy and patriarchy, Dalit women stand at the lower most strata of the society and bear multiple deprivations not only in terms of poverty and lack of autonomy, but also untouchability which keeps themiles away from the mainstream population.

As a result of untouchability and caste hierarchy, Dalit women stand as the lowest achievers in the socioeconomic development process of the country 'Progress of any society should be measured in terms of the degree of progress which women have achieved' as once said by Dr.Ambedkar, will not be attained unless and until the status of Dalit women improves in the society. In India, women cannot be treated as a 'single' unit. Caste-gender intersectionality plays a crucial role in determining one's status in the society, and the status is maintained for the life-time through the process of 'caste endogamy.

The situation of Dalit women in India needs special attention. They are one of the largest socially segregated groups anywhere in the world, and make up 2 per cent of the world's total population. Dalit women constitute half of 200 million Dalit populations, and 16.3 of the total Indian female population. Dalit women are placed at the absolute bottom of the social hierarchy as they face systemic and structural discrimination threefold: as Dalits, as poor, and as women. The caste system, estimated to affect 260 million people globally, declares Dalit women to be

1

intrinsically impure and 'untouchable', which sanctions social exclusion and exploitation. The vast majority of Dalit women are poor; they are landless wage laborers and lack access to basic amenities and entitlements. They are subjugated by patriarchal structures, both in the general community and within their own family. Dalit women are discriminated in economic, socio-cultural, politicaland legal spheres. Such deprivation and discrimination against Dalit women presents clear evidence of widespread exploitation and violence against these women subordinated in terms of power relations to men in a patriarchal society, as also against their communities based on caste.

There are about 250 million Dalits in India. There is meager improvement in the social economic condition of dalits in the past 50 years. Which that is not enough when compared to non-dalits. Of course, much more needs to be done. The urgent need is to have a national sample survey on dalits. Every fourth Indian is a dalit. There is no proper survey to give the correctnumber of dalit women in India. They are generally scattered in villages and they are not a monogamous group. About 75% of dalits live below poverty line. Economic backwardness of dalits ismostly due to injustice done to them by the high castes and also due to exploitation. From the timeimmemorial they worked like slaves, sold as commodities resulting in their socialdiscrimination, economic deprivation and educational backwardness. To assess the position of dalitwomen in India this chapter is divided into various heads. Dalit women are one of the largest sociallysegregated groups anywhere in the world, and make up 2% of the world'stotal population. Dalit women are discriminated against three times over: they are poor, they are women, and they are Dalits. Dalit women constitute half of the ca. 200 million Dalit population, and 16.3 of the total Indian female population. Thetraditional taboos are the same for Dalit men and Dalit women. However, Dalit women have to dealwith them more often. Dalit women are discriminated against not only by people of highercastes, but also within their own communities. Men are dominant in Dalit communities. Dalit womenalso have less power within the Dalit movement itself. Women are active in large numbers inthe movement but most leadership positions in the organizations, local bodies and associations have until now been held by men.Even after reservation policy, positive changes and aconstant support of the political machinery in the country towards eradication of discrimination against the Dalits, it is still not easy being a Dalit. So the question that comes to one's mindis - if being a Dalit is so tough, how tough will

it be to live a life of a Dalit woman? Women in any caste are considered lowly creatures. So how does a lowly creature among the alleged lowlycreatures live? The Constitution of India "cast a special responsibility on the State to promote with special care the education, economic interest of the Scheduled Castes and promised to protect them from all forms of exploitation and social injustice (Article46)."

BACKGROUND OF THE LITERATURE

Scheduled Caste and Scheduled Tribes are the two historically disadvantaged population groups recognised in the Indian Constitution. During the colonial time (since 1885), they were known as Depressed Classes who faced multiple deprivations on account of their low position in the hierarchy of the Hindu caste system. Since time immemorial, Indian society is divided into four castes. In this hierarchical system, Brahmin or priestly castes and Kshatriyas or warrior caste occupied two top most positions followed by Vaishyas or

business community and Shudras or the service caste. Shudra or the service caste occupies the lower most position in the Indian caste hierarchy. Mahatma Gandhi's fast unto death and Poona Pact (1932) between Dr. B.R. Ambedkar and Pundit Madan Mahon Malviya. According to the agreement, the demand of separate electorate was replaced by reserved constituency for the depressed classes and in this way, the scheduling of castes took place. In 1936, The Government of India, Scheduled Caste Order (Article 26 (i) describes the Scheduled Caste.

" Dr. B.R. Ambedkar, the chief crusader against untouchability as well as the principal architect of the Indian Constitution, moved two important resolutions. The first one was the prohibition of untouchability and the second was the proper scheduling of castes as well as tribes. Two statutory commissions (National Commission for Scheduled Castes and National Commission for Scheduled Tribes) were set up for successfully implementing the protective measures against SC and ST communities.Scheduled castes are often termed as Dalit.The term Dalit is extensively used in North India and its etymological root is derived from the Sanskrit word 'Dal' which means broken or downtrodden. Punjabi dictionary "The Mahan Kosh" defines "Dalit as one who belongs to the lowest caste (HiniJati) and has been trampled down by or broken under the feet of the upper castes (UchiJati)."The term was first used by Jotiba Phule in nineteenth century and Ambedkar defined the word in Bahiskrit Bharat: Dalithood is a kind of life condition which characterizes the exploitation,

3

suppression and marginalization of Dalit by the social, economic, cultural and political domination of theupper caste Brahminical order2 (Gopal Guru, 1998).In 1973, Dalit Panthar Movement incorporated the Scheduled Castes, Scheduled Tribes, Neo and Buddhists, working people, landless and poor peasantry, women and other socially, politically and marginalised people into the term 'Dalit' (Gopal Guru, 1998).

Dr.Ambedkar was the first social reformer who identified caste issue from a gender point of view and propagated that annihilation of caste is only possible through women empowerment. The tradition of caste endogamy maintains caste hierarchy in the society. Therefore, he encouraged women's participation in political as well as social movements (Singariya, M.R 2014; Dhanvijay Vaishali; 2012; Gunjal 2012)). He was the chief architect of the Hindu Code Bill (156), which legitimised divorce, inter-caste marriages and adaptation in the Indian society.

Though Dr. B.R. Ambedkar, has encouraged women across all social groups to be educated, mobilized and participate in public life to put an end of caste hierarchy (Zelliot, 2005), after the Independence, neither the women organisations nor Dalit activists addressed the caste and gender intersectionality (Vimal Thorat, 2001). Dalit movement became 'masculinised' and women activists started treating women as a homogenousgroup (Sharmila Rege, 1998, page: 42)."Women's lives in India and the world over arecircumscribed by what can be termed as five 'P's: Patriarchy,Productive resources access inadequacy, Poverty, Promotion advancement insufficiency and Powerlessness." (HemaLataSwarup, 1993).

RATIONALE OF THE STUDY

The focus of the paper is to analyze the phenomenon of the socio economic status of women. The justification is that women of all communities are facing violence but Dalit women are facing Different forms of violence in domestic and social fronts besides their lower socio-economic and educational status.india is a multi-religious, multiethnic and multi-cultural country. In terms of human development indicators, it ranks 127 out of 177 countries (UNDP 2004). However,patriarchal system norms are also deeply embedded and women still face discrimination at various levels. The constitution of India states that no citizen shall be discriminated or deprived of the right of equality and equal protection of law. But, the fact remains that this is an illusion for many socially excluded women who are victimized by society. Incidents

4

of violence against women are a normal feature of life. Rape incidents have alsoincreased and witch killing in indigenous communities are also another form of violence against women in India (Kelkar 1992). The Indian government has reported that from dowry harassment nearly 6,000 women a year die and many more are mutilated in India (Reddy 2002 . Studies show that women are vulnerable easpecially widows, single, poor and socially marginalised women. The absence of specificlaws to address this social evil has made it impossible to punish the perpetrators and seek justice for the victims of such abuses.

In this backdrop, the work aims to provide a systematic understanding of the status of Dalit women in India through a comprehensive review of theoretical and empirical literature, analysis of secondary data and content from various relevant documents to depict the multiple deprivations of Dalit women in the broad framework of caste-gender intersectionality.

LITERATURE REVIEW AND GAP ANALYSIS:

Before beginning to work on any particular concept it is always advisable to review theexisting literature pertaining to the proposed concept directly or indirectly. In this regard an attempt was made to find out whether any literature exists on socio economic status and major challenges and recommendation for dalit women in India. A brief account of literature review and gap analysis us presented in the Diverse issues relating to different status of dalit women in india touched upon by different researchers to serve the different objectives.

Amar Kumar Singh and Rajyalakshmi (1993) "Status of Tribal Women in India" discussed the status of tribal women in terms of their demography, health, education and employment. Despite constitutional protection and assurances, even after four and a half decades, . It is characterized by over-work, invasion of sexually exploitative market forces in tribal society, illiteracy, subhuman physical living conditions, high fertility, and high malnutrition and near absence of modern health care facilities.

Datta and Sinha (1997) conducted a review of the literature "Gender Disparities in Social Well-Being: An Overview" published in 'Indian Journal of Gender Studies'. It reveals two main explanations for women's lower status, one stressing women's lack ofeconomic independence and value. Early research on gender disparities centered

5

on education and employment, whereas the current trend focuses on other indicators of social well-being, including health, nutrition, and empowerment.

Ghosh and Ghosh (1997)"Dalit Women".The book defined the term 'Dalit' and described the historical background to the castes and the status of Dalits since ancient days. The position and status of Dalit women is vulnerable as they are deprived by their gender and caste. The authors discussed the position of Dalit women in Dalit society and general Indian society.

Sharmila Rege (1998)"Dalit Women Talk Differently: A Critique of 'Difference' andTowards a Dalit Feminist stand point Position" in 'Economic & Political Weekly'. The assertion of autonomous Dalit women's organizations in the 1990s threw up several crucialtheoretical and political challenges, besides underlining the Brahmanism of the feminist movement and the patriarchal practices of dalit politics.

Kuldeep Singh (2009) published his research paper "Dalit Politics and Leadership after Dr. B.R. Ambedkar" in 'The Indian Journal of Social Work'. This article attempts to shed light on Dalit politics andleadership after Dr. Babasaheb Ambedkar by evaluating the role of Dalit oriented parties and leaders inleading the Dalit Movement in the postAmbedkar era. Attention has been more sharply focused upon the Bahujan.

Vivek Kumar (2009)2"Locating Dalit Women in theIndian Caste System, Media and Women's Movement" in 'Social Change'. Dalit women in Indian society are triply exploited on the basis of caste, class and gender. In this context after defining the term Dalits sociologically this paper attempts to establish that Dalit women are different from general caste women on the basis of their structural location, occupations they perform and treatment meted out to them by society in general.

OBJECTIVE OF THE STUDY

The study will be carried on with the following objectives

1. The objectives of the paper are to present the economic and socialstatus of Dalit women with respect to important indicators of human development.

2.   This analysis also includes the demographic profile of Dalit women in terms of population growth, sex ratio, rural and urban percentage and concentration of Dalit in various Indian states.

3.The socio-economic status of Dalit women has been examined in terms of work participation rate, unemployment rate, occupational pattern, wage earning, literacy level,educational level .

4.An analysis of health status has been done in terms of maternal and child mortality, access to health care systems.

5.To study the Impact of Developmental Programmes on the Dalit Women.

6.   To make necessary suggestions for effective implementation of developmental programmes for the Empowerment of Dalit Women .

METHODOLOGY

For this study, I have followed certain research methods to collect information and data from the different Gernals, Reports, News Papers Articals and books etc. It is purely based on secondry literatures and and various relevant data's for this project. Data has been collected purely through the secondary sources. The secondary data has been collected from Governments reports, census report, reports of world conferences, books, journals, newspapers, workshops, experts, parents, guardians, neighbors, observations, web sites, etc.

LIMITATIONS OF THE STUDY

spent near about two months to complete this work, but still I could not cover all fectors of the Status of dalit women in India .Therefore, I had taken Boocks and some Articles. I wasable to gather much more information that includes secondary data, books, reports and web sites. In the short span for period it is very difficult to access all the literatures.The research was done qualitatively than quantitatively. Thus, the findings of this study would be helpful forinitiating a step to make the dalit women aware about their different status ,majorchallenges and constitutional privileges.

CHAPTER PLANNING

In this project I discuss 3 chapters including the Introduction and Conclusion or recommendation. This

is the concept of Socio economic Status of dalit women in contemporary india. I was discuss to the studyof different status ,major challenges and constitutional privilege of dalit women. The thesis has 3chapters along with on Introduction and conclusion.

The Three chapters are as under:-

1. Historical perspective of the term dalit and present position of dalit women
2. Socio economic status and demographic profile
3. Major challenges and Constitutional privilege

First, I was discuss to the study of historical perspective of dalit in early development , .chaturvarnas and Dalits .10 point of law by manu .then study the present position ofdalit women India. Secondly, chapter two titled socio economic status and demographic profile of dalit women in India . In this chapter discussed about social,economical, political. education,health And occupational status of dalit women. Third chapter titled major challenges and policy initiatives,Constitutional privileges and protection for dalit women, then recommendation and suggations for the better implementation of the scheme of dalit women.

Then I was wrote on the project lastly Conclusion or Refference.

CHAPTER –II

HISTORICAL PERSPECTIVES OF DALITEARLY DEVELOPMENT

• THE CHATURVARNAS AND THE DALITS

The Hindu scriptures state very clearly about the origin of caste system. The Rigveda describes the creation of the four Varnas from the limbs of Purushasukta. The Samhita not only gives the origin of Chaturvana from the limbs of the creator, but also interprets this origin theologically and gives divine justification of their functions and their status in society (Mandal Commission Report, 1980: 19). The famous Purushasukta hymn in the Rigveda (Rigveda, 10:97) explains the creation of human beings into four Varnas, or castes: Brahmin, Kshatriya, Vaisya and Shudra, It states:

"The Brahmin was his mouth;

His two arms were made the Rajanya (Kshatriya);

His thighs became the Vaisya;

From his feet the Sudra was produced."

In the Geeta Lord Krishna says: "The four-fold order was created by me,according to the apportionment of qualities and duties."(Kashi Nath Trimbak Telang, 1990, IV: 26). The Mandal Commission observed that according to the Dharma Shastras, if man does good deeds during his life he will be re-born in a high caste while if he does evil acts, he will be born in a low caste, or even as an animal, a pig, a donkey, etc.(Mandal Commission, 19).

Thus we can notice that the Hindu scriptures claim the creator"s hand in the origin of the four-fold caste system of the Hindu society. From the very beginning, the social unit of caste, the jati, was kept up as it served as a primary source of identity for the individual as well as a means of identifying others. The criterion for ranking in hierarchical order was not just ritual purity, but also the land ownership, wealth and political power. Thus it developed as an exploitative structure.

However, the social structures as expounded by Dr. Ambedkar, is different from the traditional Hindu presentations. In the classification below, those inclasses I formed the privilege classes of the Hindu society. Next, in the Social ladder are those belong

to Class II, the Shudras. They are born to serve the Class I. Though there area numbers of social and economic discrimination, they are not untouchables. They havecertain degree of honours and dignity and during passage of time a number of Shudracommunities to acquire social as well as economic status. To name a few: Kayashthas ofNorth India, though originally belonging to Shudra category, could achieve social status.Vaishya Shahas and Telis of Bengal could achieve economic status. Class III and ClassIV belong to Avarna category i.e., outside Chaturvarna. Primitive tribes dwell in forestsand hills normally; they are in any case different class of people; whether untouchable ornot it does not really affect them. They are now included in the list of Scheduled Tribes.The criminal tribes or castes are of low status due to their deeds. Some time entire casteor tribes were declared criminals like Lodha and Kheria Savaras tribes, Meena tribes orGujjar caste. They are certainly not untouchables and were never socially discriminated.The problem remains with Class IV, the Dalits. They were discriminated in everysense. They live in Hindu villages hence do not have advantage of geographical isolationlike tribes. They are to serve all classes of people around and shall have to do all the dirtyjobs.There is not a single instance found when any caste from this community had been elevated. In fact, present reservation policy did not help them to acquire good job since itwas shared by certain Shudra caste that already had social economic and literacy status.

•LAW OF MANU ON DALITS

Manu, the Hindu law giver described the untouchables as Varna Bahayas and thuskept them out of Chaturvarna. Regarding these people Manu ordained separate set of lawgiven below.

The ten-point law of Manu on Dalits is given below:

1.   All those tribes in this world, which are excluded from the community of those born from the mouth, the arms, the thighs and the feet of Brahma, are called Dasyus, whether they speak the language of the Mlechhas (Barbarians) or that of the Aryans.

2.   Near-well known trees and burial ground, on mountains and in groves, let these tribes dwell, known by certain marks and subsisting by their peculiar occupations.

3.   But the dwelling of the Chandalas and Shwapakas shall be outside the village, they must be made Apapatras and their wealth shall be dogs and donkeys.

4.   Their dress shall be the garments of the dead. They shall eat their food in broken dishes, black irons shall be their ornament, they must always wander from place to place.

5.   A man, who fulfils a religious duty, shall not seek intercourse with them; their transactions shall be among themselves, and their marriages with their equals.

6.   Their food shall be given to them by others (than an Aryan giver) in a broken dish: at night they shall not walk about in villages and in towns.

7.   By day they must go about for the purpose of their work, distinguished by marks at the king's command, and they shall carry out the corpses of persons who have no relatives, that is a settled rule.

8. By the king's order they shall always execute the criminals in accordance with law and they shall take for themselves the clothes, the beds and the ornaments of such criminals.

9.   He who has a connection with the women of the lowest castes shall be put to death.

10.   If one who (being the member of Chandalas or some other low caste) must not be touched, intentionally defines by his touch (as a member of a twice born caste) may be touched (by other twice born persons only) he shall be put to death (G.K. Ghosh, 1997:7)

Therefore, from above point of law and law connected with Shudra, it is very clear that Dalits or untouchables are different from Shudra"s, though either of them is lowly placed in comparison to three upper categories like Brahmin, Khatriya and Vaishya. Nevertheless, Dalits are placed much below than Shudras for whom even touching a higher caste is a crime.

• THE UNTOUCHABLES OF THE SOCIETY

One of the essential characteristics of this caste system was the concept of purity and pollution. Over the years the line of pollution became the clear basis of the division

11

of the Indian society into the clean touchables and the polluted untouchables. The untouchables were those whose jatis were at the very bottom of the hierarchical society because of their traditional jati occupations like disposing of dead animals or rubbish, scavenging, etc. This kind of work was considered polluting. According to some, in the beginning these people were regarded as Sudras but gradually they were marked out as a separate and distinct community lower than the Sudras.

As the year passed, the condition of these untouchables became deplorable. They became poorer and powerless and discriminated against at every step of their life. Peoplethought that one is born into an untouchable caste because of the heinous sins of one"s previous life. Those of the high caste kept their distance from these untouchables lest they should be polluted by their contact.

Over the years these untouchables have been given a number of titles, many of which indicate a kind of contempt towards these people. Those who were outside the fourfold varna system are called Avarnas and had no place within the Hindu religion. Hence they are called by contemptuous names like Dasa, Dasya, Raksas, Asura, Avarnas, Panchamas, Chandalas, Achuts, Exterior castes, depressed classes, Harijans, Schedulecastes, etc. (James Massey, 1991: 6, 7). The name to a person matters a lot, for it gives identity, personhood and pride in oneself Varna ideology teaches and propagates that humans are born unequal from different parts of the divine body. This inequality and hierarchy of human is justified by Karma-samsara theory. If I am a Dalit, I have done something wrong in my past life.

Your very nature of birth is determined. You have no choice. Your svad-karma is intrinsic to you. Your salvation lies in your faithful observance of your varna (Jati). There is no mobility in this system. Stay where you are till you die (P. G. Jogdand, 1995: 125).

• ROOT AND MEANING OF THE TERM DALIT

The Dalit is derived from Sanskrit language where it is used both as noun andadjective. As noun, Dalit stands for all three genders: Masculine, Feminine and Neuter. It has as its root dal, which means to split open, to crack, etc. when used as a noun or adjective, it means burst, split, broken down-trodden, scattered, crushed, destroyed etc. (The practical Sanskrit, English dictionary Delhi, 1989); There is also

12

a word dal in Hebrew language, which means broken, crust, down-trodden, split etc., (M.E. Prabhakar, 1988), and may be used in two senses: it may refer either to physical weakness or to a lowly insignificant position in society (Elsa Tamex, Bible of the Oppressed, 1983: 70). In other words, Dalits are people who are broken, crushed and torn apart. They are extremely poor and lowly. The term Dalit can be used for any oppressed group or people who are marginalized and dehumanized .

· USAGE OF THE WORD DALIT

Mahatma Jyotirao Phule (1827-1890), a Marathi social reformer belonging to the backward caste, was the first to use the term Dalit to describe the outcaste untouchables as the oppressed and the broken victims of Hindu Society. The young intellectuals of the Dalits Panther Moment, who used the term to name and define their movement, however, popularized the term Dalit, during the 1970s. They included in their definition of the word all Scheduled castes and tribes, neo-Buddhists, workers, landless labourers, poor peasants, women and others who have been exploited politically, economically and on the basis of religion not all of whom are drawn from the Scheduled Castes. The wordDalit denotes all sorts of oppressions, i.e., social, economic, religious, political and cultural. Hence, the Dalit means all oppressed people of society.

In our discussion too, the term Dalit is used broadly to refer to the Scheduled caste or depressed classes of India and the outcastes, politically powerless, economically indigent discriminated both religiously and culturally and who are not included in thefour-fold Varna structure of Hindu society. The term Dalit is not merely a label or name. In the real sense, it describes the condition of a people and it also represents a struggle for their self-identity and recognition in society .

· PORTRAYAL OF DALIT WOMEN IN HINDU EPICS

The society often treated women as an object of sex and sexual exploitation. It was an established fact that women were looked down in all aspects of life. Discrimination is shown towards them in all spheres, in the disguise of tradition and culture.

According to reports issued by the present Ministry of Welfare, over half of the rape cases officially registered in India concern women belonging to the Scheduled Castes

and Tribes. On average, one thousand such cases of rape are reported each year and they are often not investigated and difficult to prove. The use of torn-true and other forms of cruel behaviour towards poorer and oppressed sections are not new in Indian society.

The Indian literature gives controversial statements regarding the status of women in the society. At some point it says that the mother should be respected highly more than the father and Guru (teacher). And elsewhere it advises not to trust woman. One of the ancient scriptures says that if father is bad, the son can abandon him. If Guru is bad the disciple can leave him but one should not leave one"s mother though she is of bad character. It says one should respect one"s mother. The son should obey the mother. But later Manu dharma Shastra says women should not be given freedom. She should be kept under the control of man at every stage of life.

In the earlier days of civilization, women enjoyed a superior status. The matriarchal system of society placed the control in the hands of woman. They were the owners of wealth and enjoyed power and freedom. This is in Pre-Vedic and Vedic period. In the pre-historic society people lived in-groups. Group marriages were common system of society. Women because of their productive functions enjoyed superior status.

Children were identified with the names of their mothers. The family was known after the mothers. This is the symptom of matriarchal society. Mahabharata depicts this type of system .

In later days the structure of the society has undergone several changes and it slowly moved towards patriarchal system. Mother"s right was overthrown and property came into the hands of men. This overthrow of the mother"s right was the time where caste evolved. Transition from group marriage to single marriage is for private property. This system gave way to class and caste structure in the society. One can see this transition in Ramayana and „Mahabharata".

POST-INDEPENDENCE PERIOD AND THE PROBLEM OF DALITS:
The problem of the Dalits and the struggle for liberation is continuing in the post-independence period with equal favour, because even India's political freedom in 1947 was notable to help them in getting out of their condition. Prior to

14

independence, the British rulers used the policy of "noninterference" in local, cultural and religious practices in order to rule thepeople of India and for that they even created a new vocabulary. The new rules of independent of India have continued to use the same vocabulary and expressions which in no way have helped the masses, particularly the Dalits. This was perhaps the reason why most of the Dalit move results andtheir leaders were not supportive of the freedom movement led by the upper castes under the Indian National Congress.17 While piloting the Constitution of Independence India on November 4, 1948. Dr. Ambedkar did say it was "workable" and "flexible" but even this character of the construction has been used only to maintain the status quo of the set rules of life in Indian society because it has only gone in favour of the powerful not the mass of powerless people the Constitution itself as Dr. Ambedkar said is not "bad" it is the use of its flexibility which has proved bad, it is because of this truth,that the condition of the Dalits even after independence, has not improved.

•Present position of Dalit women –

The present position seems to be better with reference to the rate of literacy among dalits. The literacy rate is 31.48% for boys and 10.93% for girls. Dalits women belonging to the creamy layer of the society are better with good education and socially and economically they are well off like other high castes. They are fully aware of the welfare schemes provided by the Government and their percentage is very low when compared with the total dalit population. In rural areas, the first generation girls from SC need the attention of Government and other organization. Mostly the teachers of the locality provide information to them about the welfare schemes. In many Dalit associations executive positions are occupied by male members whereas very poor representation is made by women in their pasts. The women are not properly informed about the Government schemes and there is an urgent need to get a feedback about the welfare schemes where lot of money is spent for the development of Dalits. The funds are not utilized properly for their upliftment. Many of the schemes go unnoticed because they are not popularized properly. The coaching programmes conducted by the Government for dalit women are beneficial in training many women to compete in the competitive exam. These

programmes also do not reach the needy dalit women because they are cornered by the very few creamy dalit women. This should be monitored properly and the schemes should be reached by the most deprived and constantly struggling dalit women. Because these dalit women are neglected by socially advanced communities and also by the better offamong the dalits, which leads to an unhealthy socio-economic condition. There should be some scientific basis to pick up the poorest and they should be equipped with facilities.

The present position is better because of education. literacy rate for boys 31.48%, girls 10.93%. Now they have lot of self respect, aware of their rights, organisations to voice their feelings. The creamy layer is well aware of the Government welfare schemes. Among SC dalits executive positions in associations are occupied only by men, very poor representation by women. Feedback about the welfare programme is very essential.

The 1992-93 Annual report from the Ministry of Welfare shows 1,236 reported cases of rape on Dalit women and the National Commission for SC/ST shows that approximately 10,000 cases of human right violations on Dalits are reported every month. But what is even more disturbing, is that only one out of ten of the cases are reported annually whilst, nine go unreported. In addition to this, according to the Human Right watch Report, approximately 115 million children are in slavery and 2.6 million children are held as bonded labourers (Narula). After fifty-five years of India's independence and despite the excellent laws in place to protect Dalit women, they are still suffering unimaginable atrocities from the high caste Hindus. It is believed that thousands of these cases go unreported and unpublicized because the poor Dalits that live in rural areas, who are the worst victims, have no control on power, wealth, justice, police and the media (Thind n.pag). The only way these Dalit women can escape the viscous cycle of poverty, abuse and oppression is through education. Through education more Dalit women can come toknow their basic human rights and they can then raise an even stronger voice against abuse and exploitation from the upper castes (Thind: Agarwar).

1. Gender Equality

Female infanticide is more prevalent among the uneducated dalit families. Educational development among SC women is very marginal because only girls were not sent to school because of the responsibilities at home. Therefore the gender discrimination starts at the very early stage in the life of a dalit girl. Normally girl children are retained at home to look after the siblings. Another thing is the compulsory marriage of the girls at very early age after which the education is stopped. Generally in the male-dominated society, polygamy is allowed and more so in many dalit families. Because of this the position of the women deteriorated. Joint family system, polygamy, property structure, early marriage, and permanent widowhood were hurdles for the development of all women in early period. But in the twentieth century, after the Mahatma Gandhien movement to educate women, slowly changes occurred in the position of women. But here, rural women were more blessed than urban women because divorce and remarriage were allowed for them. Mainly Sudras (i.e. low caste people) allowed divorce and remarriage for their women.

2. Family Role

Because of the girls remain uneducated, they got married very early. Marriage in the high reproductive stage with high fertility rate, children care more. Because of the unlimited family, the burden fell on the young girls which affected their health. They were not able to assist in family matters to their husbands. But now the situation is different. The girls manage to plan their family, educate the children, assist the husbands in family matters and office going and professional girls improve the economic conditions. On the whole the family becomes socially developed because of the education of the girls. Education among women increased inter caste marriages, which is definitely a sign of development. Government also encourages inter caste marriages among dalits and high caste by incentives.

3. Dalit Women Atrocities

Vulnerably positioned at the bottom of India's caste, class and gender hierarchies, Dalit women experience endemic gender and-caste discrimination and violence as the outcome of severely imbalanced social, economic and political power equations. Their socio-economic vulnerability and lack of political voice, when combined with

the dominant risk factors of being Dalit and female, increase their exposure to potentially violent situations while simultaneously reducing their ability to escape. Violence against dalit women presents clear evidence of widespread exploitation and discrimination against these women subordinated in terms of power relations to men in a patriarchal society, as also against their communities based on caste. Violence against Dalit women is to deny them opportunities, choices and freedoms at multiple levels, undermining not only dalit women's dignity and self-respect, but also their right to development. Twelve major forms of violence constitute the basis of this study, nine being violence in the general community – physical assault, verbal abuse, sexual harassment and assault, rape, sexual exploitation, forced prostitution, kidnapping andabduction, forced incarceration and medical negligence – and three being violence in the family – female feticide and infanticide, child sexual abuse and domestic violence from natal and marital family members.

Dalit women are victims of social, religious and culturalpractices like Devdasis and Jogins. In the name of these practices, village girls are married to God by their helpless parents. These girls are then sexually exploited by the upper caste landlords and rich men and directed in to trafficking and prostitution. They don't own any land nor are they aware of their rights on land. Dalit women's daily diet is the leftover of family meals, inadequate in quantity and quality. Health services are either not available in case of illness or unaffordable even if available. In addition to that, due to early marriage and too many pregnancies their health is always at risk.

Their socio-economic status directly depends on their participation in politics. Political parties in India speak much about equality of women but have totally ignored the dalit women. In the year 1993, 73rd amendment in the constitution granted reservation to dalits, tribal and women in local government. This amendment made it compulsory that one third of the seats reserved for dalits be filled by dalit women. In some states, there has been little or no acceptance of reservation for the lower castes and dalit women by the upper castes. This has resulted in atrocities against Panchayat members including women. Dalits who stood for election were beaten, and dalit women were raped and ill-treated. The members of the higher castes, who are not prepared to relinquish power to the lower castes, grabbed their

land. An easier method to retain power is toput-up proxy candidates but keep the control in the hands of the dominant castes, always men. An important obstacle is the noconfidence motion against dalit women as Pradhan by thedominant sections. Rural elites are unable to accept the power, which has been given into the hands of the poorer and disadvantaged women.

CHAPTER – III

SOCIO – ECONOMIC STATUS AND DEMOGRAPHIC PROFILE

·DEMOGRAPHIC PROFILE

According to the 2011 Census, SC population constitutes 16.6 percent of the total Indian population. Punjab ranks first in the concentration of SC population (31.9%), followed by Himachal Pradesh (25.2%) and West Bengal (23.5%). Haryana, Uttar Pradesh and Tamil Nadu have nearly 20 percent SC population to their total population. States which have SC population above 15 to 20 percent are Chandigarh, Uttarakhand, Rajasthan, Delhi, Tripura, Bihar, Odisha, Madhya Pradesh, Andhra Pradesh, Karnataka and Puducherry. Very low concentration of SC population is found in Goa, Lakshadweep, Andaman-Nicobar, Daman and Diu, Dadra and Nagar Haveli, North Eastern states except Assam and Tripura. Two major western states like Maharashtra and Gujarat record 11.8 and 6.7 percent SC population in 2011.

Overall population of India records a steady decline over time. During 1961-71, it was 2.24 percent which slightly declined to 1.96 percent in 1971-81 and again increased to 2.34 percent in 1981-91. After 1991, the overall population growth records a sharp decline. It has declined from 2.06 percent in 1991-2001 to 1.64 percent in 2001-11.

In 2011, SC population records a very high growth (1.91%) compared to the non-SC/ST population (1.53), and the highest growth is found among the STs(2.15%). Growth of SC population overtime shows that the population growth was always higher than the non-SC/ST population. During 1971-81 and 1981-91, the growth of SC was 2.73 and 2.81 percent, and it recorded a steady increase up to 1981-91 periods. Population growth of SC has declined after1981-1991. It became 1.89 percent in 1991-2001 and now it is 1.91 percent (2001-2011). There is a slight increase in SC population in 2001-11. Non-SC/ST population records a steady decline over period, and it remainsalways lower than the SC, ST and overall population. During 1961-71, non SC/ST population had a growth rate of 2.23 percent. It declined to 1.70 percent in 1971-81, and slightly increased over two

20

percent during 1981-1991 and again recorded a declining trend. Recently in 2001-11, it is 1.53 percent (0.38% lower than the SC population).

· **Population Pyramid -**

Population pyramids provide information on birth rate, death rate for each age-group, life expectancy and future growth of a community. Both Scheduled caste and Non-SC/ST population show a triangular shaped population pyramids with huge base and declining summit, but SC population pyramid records steep sides between 10-14 and 15-19 years of age group, denoting high death rates in between these two age groups. Sides are steeper in case of SC population pyramid as compared to the Non-SC/ST one.

Largest number of population is found in the age group of 10-14 years. Birth rate is declining for both the social groups because 0-4 year population is shrinking. However, in case of Non-SC/ST population, younger age groups (0-4; 10-14; 15-19 years) record more males than that of the females.

With the increasing height, the SC population pyramids become narrower at the top than the Non-SC/ST population pyramid. SC population records lower life expectancy, especially the women. More than 80 years old SC women are less than 1%, but the percentage is higher for Non-SC/ST population. Therefore, the birth rate is declining for both SC and non-SC/ST groups, but in case of SC community, death rate is still higher in all age groups, especiallyin the age group of 10-14 years and the life expectancy is lower than the Non Sc/ST counterpart. Life expectancy is lower in case of SC women than non Sc/ST women. Thus, in spite of fall in fertility, demographic dividend is not applicable for SC population. This social group is still experiencing higher death rate in all age-sex groups.

Sex Ratio :

India records 943 overall sex ratio. The highest sex ratio is recorded among ST population (990), followed by SC (945) and non-SC/ST (937). Therefore, SC/ST population always records a better sex ratio than the non-SC/ST Population. The child sex ratio always remains very high among the SC population compared to the national average as well as Non-SC/ST population. It has increased steadily over

21

time. In 1991, the child sex ratio of SC population was 921 compared to 927 in national average and 923 for Non-SC/ST population.

It raised to 936 in 2001 which is higher than the national average (929) as well as Non-SC/ST population (923), further increased to 945 in 2011 which is much higher than Non-SC/ST population (937) and national average (943).In all age groups, SC/ST population always records better sex ratio than the GY non-SC/ST social group. However, the sex ratio of youth and adolescent population exhibits that the age group of 15-19 years records the lowest sex ratio for SC population (872) compared to the other social groups.

Fertility :

In 2005-06, SC population records a TFR of 2.92 which is very high compared to the Non-SC/ST/OBC population (2.35), but lower than the ST (3.12). TFR of SC population has been slightly decreased over time. It was 3.92 in 1992-93, and became 3.15 in 1998-99 and 2.92 in 2005-06. The Non-SC/ST/OBC population records a sharp decline. It was 3.30 in 1992-93, and became 2.66 in 1998-99 and 2.35 in 2005-06. Therefore, SC population has a very high TFR. It is higher than the national average (2.68) which indicates that the fertility rate is still very high among the SCs.

Mortality :

NFHS 1,2 and 3 data reveals that infant mortality rate (IMR) has declined for all social groups across the years. However, SC population always records the highest IMR compared to the other social groups. In 2005-06, IMR for SC population is 66 whereas others or Non-SC/ST/Obc record 49.

ChildMortality :

Child mortality always remains higher for SC social group compared to others. In 2005-06, SC records 88.1 child mortality rate, and others (Non-SC/ST/ OBC) records 59.2. Therefore, In India, demographic transition varies social group wise. SC population is still experiencing high fertility and mortality rates, especially for lower and upper most age groups. Life expectancy at birth is lower than the non-SC/ST social group and female life expectancy is lower than the male life expectancy. However, non-SC/ST social group records greater female life expectancy at birth. Sex ratio of SC population records high female deficit, especailly in adoloscent age

group. Both SC and non-SC/ ST population records low sex ratio for female population, and only ST social group records a balanced sex ratio for both male and female population. According to NFHS-3 data, SC records the highest IMR (66.4) followed by

ST (62.1), OBC (61.1) and others (55.7). Neo-natal Mortality is also highest among SCs (46.3) and second highest for OBC (42.1). Child mortality and under five mortality rates are the highest among STs. All these rates are lowest for others (even lower than the total). Thus, marginalised communities not only record high fertility, but also record high infant and child mortality.

Marriage :

In India, marriage is an important indicator to understandfertility due to the universality of marriage and social acceptance to marital fertility. Thus, marriage is a demographic as well as social indicator. The Mean Age at Marriage in 2010 is 21 for females and the legal minimum age

for marriage is 18 years. However, a considerable number of women get married before 18 years and it varies across states. Over the year, India has recorded a slow but steady rise of Mean Age at Marriage. It was 15.4 years in 1951 and now it is 21.0 years .

Census 2011 exhibits that 14 percent women and 4 percent men get married before the legal minimum age. This percentage varies across social groups and it has been found that SC/ST women are more prone to marriage before the legal age. In all social groups, 3 or 4 percent men get married before 18 years; but 14 to 16 percent women get married before this age.

Regional Variation: Mean Age of Marriage is lowest in Rajasthan (17 years), Bihar, Madhya Pradesh, Uttar Pradesh and Andhra Pradesh (17.5), but Mean age of Marriage is above 20 in Jammu and Kashmir (23), Kerala (22), Karnataka, Delhi, north-eastern states (Mizoram, Manipur and Nagaland). In North India, the Mean age at Marriage is low for all women.

Social group wise segregation reveals that higher percentage of women from SC/ST social group get married before 18 years. Rajasthan, where lowest Mean age at marriage is recorded, reveals that 23 percent SC and 24 percent ST women get

married before the age of 18. In Bihar, SC population records the highest number of currently married women under 18 year age group, and more than 30 percent SC women are married before the legal age of marriage. Some states with high mean age at marriage also record higher incidence of underage marriage for SC population. Mizoram records 33percent currently married SC women in the age group of 17 years. Northeastern states may have lower number of SC women, but underage marriageis higher among them. West Bengal and Jharkhand record 25 percent currently married women in the age group of 17 years. In terms of underage marriage, West Bengal stands next to Rajasthan, but in case of West Bengal, under age marriage is acute among SC women. Jammu and Kashmir records the highest Mean Age at Marriage (23), but ST population records 11 percentcurrently married women under the age group of 17 years.

Therefore, the overall Mean Age at Marriage cannot express the picture of child marriage or underage marriage properly. It not only varies across region, but also varies across social groups. States with high Mean Age at Marriage record the highest number of underage currently married women in SC community.

· THE SOCIAL CONDITION OF DALITS

The Dalits in India, wherever they are, suffer the stigma of untouchability and the violation of human rights. Society does not treat them as human beings. The basic human dignity, self-respect and freedom to live as human beings, freedom to speak, freedom to choose any occupation and freedom to develop their talents – have been totally denied to these people for centuries. They (Dalits) are considered to be polluted beings. The pollutions – purity principle operates so strongly that their touch, their mere shadow, and even voices are believed to pollute the caste Hindus. They (Avarnas) are not simply human beings. No need to talk about them. They exist either, as objects of pleasure for the high caste or means for their welfare and luxury. They are caste out and left. The Dalits were denied the comfort of good clothes and even footwear. Besides,some most perverted practices existed in the Indian society. For instance, the Dalits were forced to hang an earthen pot around their neck to collect their spit, and a broom had to be tied behind them to erase their footsteps as they walked on a public road. When a Brahmin came by, the Dalits had to lie at a

24

distance on their face, lest their shadow should fall on the Brahmin and pollute him. In some places the Dalits were not allowed to go out on the road or to a public place between 9 a.m. and 3 p.m. because before 9 a.m. and after 3 p.m. their bodies cast long shadows. (B. R. Ambedakar, 1971: 39). By birth and occupation the Dalits are considered to be polluting and morally defiling and hence they are segregated as much as possible.According to the National Commission for ScheduledCastes and Scheduled Tribes 2000, approximately 75% of the Dalit girls drop out of primary school despite the strict laws of the Government of India, which hold reservations for Dalit children (National Commission n.pag). Despite showing keen academicaptitude, reasons for this early drop out from the education system is poverty or to escape humiliation, bullying and isolation by classmates, society, and even their teachers (Thind). There are large numbers of reported atrocities on Dalit women that can be found recorded in various newspaper articles, journals, and government reports in India many of which can be viewed on www.ambedkar.org. The majority of the stories we read and hear are of bright young Dalit girls who are punished by the upper caste teachers in rural area of India, for daring to score good grades. Feeling rejected most girls in this situations drop out of school and have nowhere to turn but towards manual scavenging and other repulsive jobs (News Archives). According to the National Commission for Scheduled Castes and Scheduled Tribes, the majority of the educated people are of the upper caste, many of which may practice caste-based discrimination. Therefore, Dalit girls feel discouraged to enter education and we see the lowest literacy rate for Dalit girls compared to the Total population of educated upper caste girls (National Commission n.pag). The Annual Report of University Grant Commision for 1999-2000, shows that Dalits in general have very low participation rates in higher education (Annual Reports of University n.pag).

ECONOMIC POWERLESSNESS OF DALITS

Income of an individual or a society is usually considered an indicator of his or itseconomic class. The term class is based on economic resources. Needless to say, untouchability is not only a religious system but also an economic system. In a caste-ridden society like India, competition is not on the basis of talents and natural

aptitudes but on the basis of the caste in which one is born. 82.8 percent of the land of our country is owned by the caste Hindus. It is said that only a 7 percent of the land is owned by the Dalits and among them nearly 70 percent have less than one hectare (Seminar on Ambedakar, New Delhi, 1991). They are assetless, being mostly landless agricultural labourers or small artisans. They stand no chance in the battle for livelihood: the contest is unequal. There is equality only among equals. To treat unequal as equals is to perpetuate inequality. The greatest injustice is to divide equally among unequals. Most of them are underemployed. Wages are arbitrary and pitiably low. All this drives the Dalits into indebtedness, the result of which is bondage to which even death brings no end. They are denied access to drinking water; by the powerful and the upper castes, is the worst form of dehumanization. They are left with no voice and face. They are the victims of violence and atrocities both at home and outside.

Reports of the Commissioner for Scheduled Castes and Scheduled Tribes, 1977-78 admit that the Scheduled Caste in many parts of the country are humiliated, insulted, manhandled, assaulted, burnt alive, tortured and their womenfolk molested. The miseries are aggravated when they are boycotted socially and economically.

There is a character in the novel "Gana Devta" of Tarashankar Bandopadhyay, a Gyan Pith Awardee, in which a young Dalit woman who was asked by her mother to serve by cleaning the house of the Zamindar of the village but in the process she was raped and as compensation was paid large sum of money. In spite of knowing the background how she earned, her mother expressed her happiness. Later, it was noticed that other nobles frequently used to visit her and enjoy her with sexual intercourse. But during the day she was treated as an untouchable, and her very sight was considered as pollution.

Not only women alone, Dalits irrespective of sex were considered as untouchables by caste Hindus. In fact, if a caste Hindu touches a Dalit by mistake, the Dalit wasusually punished. Women were no exception.

Dalit women are compelled to go for various economic activities primarily due tothese economic conditions. Even they go for hard labour, even the work that is supposed to be done by men. But they used to get fewer wage in comparison to their

male counter part. Women work as daily labour for threshing paddy, transplanting seedling or even as labour in road or building constructions, mostly of higher caste Hindu, Muslim or Christian, many-a-time raped. Though normally considered as untouchables, these Dalit women were permitted to enter in inside of the houses at the time of childbirth. After jobs are over they are reverted back to the untouchable status.

The following points have been emphasized on the life of Dalit women:

1. Dalit family system is patriarchal.
2. Dalit women"s place in the family is secondary even if she earns.
3. She does not take any independent decisions.
4. She can be some times quite firm.
5. She is a little more "free" than other women as remarriage and choice of husband is possible She has economic independence but spends all the money for her family. She can go out to work.
6. She still does the menial and dirty work that Manu ordained.
7. Economic standard is low.
8. Food-inferior state, etc.
9. Clothing -50 percent women had torn clothing.
10. Houses: usually in very bad area of the village dirty and mud constructions "Kachha".
11. Marriage and other social occasions they tend to follow caste restrictions.
12. During all rituals tendency is to spend more than what they can afford due to what people will say.
13. Better awareness of health.
14. Though all women understand importance of education only the Boudha Dalit women understand the importance of education particularly girl"s education.
15. Political awareness is quite a lot.
16. Boudha Dalits and Christian Dalits more advanced than Hindu and Muslim Dalits in their living and way of thought.
17. The Boudha women seem to have matured more and more conscious of their rights than even the Christian. (P.G. Jogdand 1995: 167)

On the basis of these points one can draw certain conclusions. The life of Dalitwomen is governed by certain rules and taboos as prescribed by Manu. Consequently, the Dalit women are subjected to inhuman behaviour and acute discrimination. They are not being treated as human being. For those who converted to Buddhism or Christianity, the life of women have undergone change. They are more conscious and are trying to establish their own identity in society. On the contrary, the Hindu Dalit women are still Different Aspects of Economic status on Dalit.

•Poverty:

Incidence of poverty among the SCs has declined over time. It was48.6 percent in 1993-94 which declined to 37.9 percent in 1999-2000 and further reduced to 30.3 percent in 2009-10. Others or upper castes record a better picture. Incidence of poverty among the upper caste was 30.7 in 1993-94 and it declined to 27.5 percent in 1999-2000 and in 2009-10, it was 17.7. SC population records very high incidence of poverty in 2009-10 compared to the upper castes as well as higher than the national average (21.0 in 2009-10). Therefore, it can be said that though incidence of poverty has declined among the SCs, more than 30 percent SC are still poor. In 2011-12, incidence of poverty is more than 29% for SC population and 22 percentages.

• work Participation :

Gender gap in work participation rate is striking in India. For male population, it always remained above 50 percent whereas for female population, it always remained below 30 percent. Female WPR records fluctuations. It was 28 in 1961 and sharply declined to 11.9 in 1971 and again increased to 19.8 in 1981. 1991 onwards, WPR is increasing and currently it is 25.51 in 2011.

Female WPR is the highest among ST women. It always remained above 40 percent among ST women and lowest among the non-SC/ST women. In2011, it is 22.76% among the non-SC/ST women. SC women record lower WPR than ST women, but higher than the non-SC/ST women. In 2001, SC women's WPR was 29.4, and it slightly declined to 28.3% in 2011.

28

Wage :

SC female earns Rs. 90 per day on an average while upper caste females earn Rs. 251.2 per day and SC males earn RS. 145.5 per day. The wage gap between SC females and upper caste females is Rs. 161.2 per day and wage gap between SC males and upper caste male is Rs. 150.7. Therefore, in spite of high WPR, wage gap between SC and non-SC/ST females is large.

More than 31 percent SC and 28 percent ST female workers are engaged in elementary occupations. Only 2.6% SC women work as professionals whereas 7.34 percent non-SC/ST women are professionals. In technicians and Associate Professions, more than 11 percent non-SC/ST women are found, but only 5.61 percent SC females are found there. Unemployment for SC women always remained near around 8 to 7. It increased in 2004-05 and 2009-10, but again declined in 2011-12. There is very little gender gap in unemployment for SC population. Unemployment rate for Non-SC/ST population is 6.6 in 2011-12 which is slightly lower than the SC female.Unemployment rate is the highest among SC women with Graduate and above degrees. Nearly 29 percent SC and 20.3 percent ST women with Graduate and above degrees are unemployed whereas 12 percent Non-SC ST OBC and 23.2 percent OBC women are found in this category.

Near around 30 percent SC population lives below the poverty line and the figure has not changed in the last few decades. Though SC women record relatively higher Work participation Rate compared to the non-SC/ST women, most of them are engaged in low paid elementary jobs and very few are found in professional or technical jobs. Wage gap between SC and nonSC/ST women is also very high. Unemployment rate is the highest amongSC/ST women with graduate and above degrees.

POLITICAL STATUS

Direct political participation of Dalit women in local governance (Panchayati Raj) is a central human right in itself and enables the realisation of a host of other human rights. Political voice and decision-making power concerning basic services, economic development and social justice are critical factors in challenging and transforming structural caste-class-gender discrimination, and enabling Dalit women

to realise their fundamental rights. Political participation also demands accountability from state and non-state actors to guarantee and respect these women's equal political voice and development. This requires a transformation of power relationships both within institutions of governance and in the women's social environment.

Recent legal and policy reforms in India to ensure the representation of marginalised social groups in decentralised governance, including Dalits and specifically Dalit women, through constitutionally mandated reservations (affirmative action quotas) in Panchayati Raj institutions bring these issues to the fore. They demand analysis to determine how Dalit women are enabled to claim their right to political participation in local governance, and the extent to which this participation is an effective tool for empowerment and realisation of human rights for excluded social groups. Annammal3quoted above, calls on Dalit women to persevere with the 'socialrevolution' that the panchayat system and reservations therein have started in India. At the same time, the more tempered words by the Dalit women panchayat representatives from Ahmedabad district are an assessment of the present political situation and indicate where change is required: formal authority does not equal political power.

"Women's participation, Dalit women's in particular, in the panchayats is necessary so that society can develop. Only women will think about women's issues. Only Dalit women can respond to and take a stand on Dalit issues and particularly on Dalit women's issues. In as much as Dalit women's participation is required, they also need to be given support and guidance. Then only can they become capable representatives... Nothing is attainable without exercising authority, and my desire is to increase the confidence of Dalits to fight and gain authority and power in society for their development."Ramilaben, taluka panchayat President, Vadodara district, Gujarat

HEALTH STATUS

The high degree of deprivation among Dalit women is reflected in other indicators of wellbeing — under-nutrition and health. About 65 per cent and 56 per cent of ST and SC women respectively suffered from anaemia compared to 47.6 per cent of

non-SC/ST women. In 2004-2005, 23.2 per cent of SC and 28 per cent of ST children under four years of age suffered from malnutrition (based on weight-for-age). Of these underweight children, 54 per cent of SCs and 56 per cent of STs were severely undernourished. There is a significant difference between SC and ST children and non-SC/ST children, 13.80 per cent and 41.1 per cent of whom are malnourished and undernourished respectively. While the Government of India has adopted the national goal of reducing the present infant mortality rate (IMR) to 60 by 2000, the SC's IMR, child mortality and under-5 mortality is 83.00, 39.50 and 119.3, respectively. Compare this with 61.8, 22.2 and 82.6 for non-SC/STs, respectively. Similarly, IMR, child mortality and under-5 mortality are 84, 46.3 and 126 among STs. About 72 per cent of births to SC women and 81 per cent of births to ST women took place at home; the corresponding figure for others is 59 per cent.

Dalit women are excluded from decision-making. They are not in a position to exercise their power. Wherever Dalit women have contested, they have faced stiff opposition and even been brutally attacked. There are instances where Dalit women have been elected into local governance and, through the reservation policy, nominated as the president of the local governing unit (Panchayat). But when these women have endeavored to exercise their role, it has met with resistance, even to the extent of physical violence. The reservation for Dalits, particularly for women, is accepted in form but seldom in substance. Any change in the status quo is resisted. Dalit women's sitting on chairs is seen as threat to social hierarchy. So, the upper castes in the village vetoed chairs in the panchayat office. A Dalit woman president is not allowed to sit on a chair if the other caste members do not allow this. She is forced to be a mere figurehead, while the functioning of the Panchayat is taken over by uppercaste members. Political parties in India speak much about equality of women but have totally ignored the Dalit women.

Health condition of a social group is intricately interlinked with socioeconomic condition. Thus, health condition differs across regions depending on the economic and social development of a place. In a caste-divided society like India, health condition varies across social groups, and this section provides a comparative analysis of Dalit and non-Dalit women's health outcomes and access to healthcare

services. The previous section on demographic indicators has already highlighted the fact that Dalit population is lagging behind in demographic transition. This social group records higher fertility and higher mortality in all age groups compared to the non-SC/ST population. Infant and child mortality rates are also very high, and the child and adolescent sex ratio of SC population is showing gradual reduction of female population in each age group. At the same time, a considerable number of SC women are facing underage marriage leading to adolescent pregnancy.

ST records the worst BMI for women. Here, 45.52 percent women are underweight or thin and 39.79 percent SC women are thin or underweight. OBC records 34.94 percent and the general or upper castes have only 29.08 percent women under underweight. More than 50 percent women are of normal weight in each category, but OBC has 53.54 percent normal weight women. More than 17 percent women of others or higher caste group are overweight.Prevalence of anaemia is also high among Indian women. More than 55.3 percent women have anaemia and among them, 38.6 percent have mild and 15 percent have moderate anaemia. Though anaemia is prevalent across all social groups, it is highest among the STs.

• **Access To Health Care Facilities -**

Providing basic minimum healthcare facilities to all the citizens is one of the important aims of governance since 2000 when India signed the Millennium Development Goal to combat against poverty, hunger, gender inequality, illiteracy, malnutrition, maternal and child mortality. The United Nations Millennium Development Goal incorporates eight goals which all 191 UN member states have agreed to attempt to reach by the year 2015. The United Nations Millennium Declaration, signed in September 2000, commits the world leaders to combat poverty, hunger, disease, illiteracy, environmental degradation and discrimination against women. The main hurdle for India in achieving Millennium Development Goal is social group wise disparity in the access to healthcare facilities.

• **Falit Women Access To Maternal Facilities -**

Percentage of women having less than 3 ANC visits has declined over time across all social groups. Among the SC population, the percentage was 63.55 percent in 1992-93, and it became 61.70 percent in 1998-99 and came down to 54.12 percent in 2005-

06. The figure shows dramatic decrease in the last period at 7.58 percent. Among the STs, the percentage was 71.48 percent which remained almost unchanged or slightly increased in 1998-99 (71.63%) and declined in 2005-06, but the figure is still higher than any other social groups. More than 59 percent ST women have less than 3 ANC visits. Among the others or upper castes, this percentage has decreased drastically inthe last period. Only 36.41 percent women take less than 3 ANC services. Therefore, ST and SC women are still lagging behind in the access to ANC services. Though in the last period, the rate of change is very high for ST and upper castes, it is relatively lower among the SC women (7.58). This indicates the fact that most of the SC women still cannot access three or more than 3 ANC cares.

Social group wise access to maternal and child health services reveals that ST (59.28%) and SC (54.12%) population records the highest percentage of women who have less than 3 ANC visits. OBC records only 50 percent and others or upper castes record 36.41 percent. Nearly 64 percent upper caste women visit 3 or more than 3 times to ANC centres. The difference between SC and the upper caste is very high (17.71%).

• Post Natal Care -

From NFHS-2 to 3, the percentage of women receiving Post-natal Care (PNC) after the delivery has increased from 31.21 to 42.8, but the social group wise data reveals that SC/ST population has lesser access to PNC compared to OBC and others. NFHS-3 data reveals the gap between SC/ST and non-SC/ ST OBC women in accessing PNC. Less than 40 percent SC/ST woman can access PNC while more than 53 percent others can access it. In spite of the increasing trend in the access to PNC, SC/ST women are still lagging behind. More than 60 percent SC/ST women do not get Post-natal Check-up after the delivery of child. Only 24 percent women get it within four hours while 35 percent non-SC/ST/OBC women receive PNC within 4 hours of child birth. NFHS-3 data shows that in India, only 30 percent mothers receive PNC from doctors, 8 percent from nurses and 3 percent from Dai. Nearly 4 percent SC and 6 percent ST women still rely on Dai. Only 24 percent SC and 40 percent non-SC/ST/OBC women receive PNC from doctors.

NFHS data reveals that institutional delivery in India increases from 26.48 percent in 1992-93 to 41.49 percent in 2005-06. However, accessto institutional delivery varies across social groups. ST women record the least access to institutional delivery (19.34% in 2005-06) followed by SC

(35%). OBC and non-SC ST OBC women have 40 and 54 percent access to institutional delivery. Thus, more than half of the non-Dalit women have access to institutional delivery while only 35 percent SC women accessed institutional delivery.

• Decision Making Power -

Women do not have the power to make decision regarding their health issues. In more than 30 percent cases, husband alone takes decision and in 6 percent cases, someone else (probably in-laws) takes decisions. This picture is not the same across all social groups.

SC/ST population records higher infant and child mortality compared to the non-SC/ST social group. Women from these social groups have lesser access to ANC, PNC and institutional delivery. They also record poor BMI and high prevalence of anaemia.

EDUCATION STATUS

Lack of educational development is another important problem. In 2001, the literacy rate among SC and ST rural females (aged 15 and above) was 25 per cent and 24 per cent respectively, compared with 41 per cent for non-SC/ST women. The literacy rate among SC women in urban areas was 48 percent, compared with 54 per cent and 70 per cent for ST and nonSC/ST women respectively. The dropout rate among SC and STwomen is also relatively high at every stage of education. The high dependence on casual labour, with relatively low earnings coupled with inadequate exposure to education, among SC and ST women induced a high degree of deprivation and poverty among them. (Thorat, 2008).

According to 2011 Census, the overall literacy rate of India is 73.8 percentwith a male literacy of 82.1 percent and female literacy of 65.5 percent. The census provided a positive indication that growth in female literacy rates (11.8%) was substantially faster than in male literacy rates (6.9%) in the2001–2011 decadal

period, which means that the gender gap appears to be narrowing. SC and ST record 66 and 59 percent literacy rates while Non-SC/ST population records 76 percent literacy rate. Therefore, there is a high gap in literacy rates among the three social groups.

Gender gap in literacy is remarkable across all social groups. SC population reveals 48.33 percent female and 64.21 percent male literacy rates. ST population records 57.37 percent male and 41.58 percent female literacy rates, and non-SC/ST population records 72 percent male and 59 percent female literacy rates. Gender gap in literacy rate is highest in Rajasthan as well as the entire north India, it is same across all social groups. Gross enrolment ratio at different level of schooling shows the gender gap across all social groups, but in primary level, there is not much gap. In secondary level, the gender gap in GER is high for all social groups, but SC population shows least gender gap (7.7 for SC and 10 for STs). In primary level, boys' dropout rate is higher than the girls, but in higher level, girls' dropout rate is higher than the boys. This picture is true across all social groups.

Gender gap in literacy rate and educational attainment is remarkable across all social groups and it is wider among the SC/ST population. However, recent data (2009-10) reveals that gross enrolment ratio is equally high for both male and female students, but in the secondary level, dropout rate is higher for the girls.

- ## OCCUPATIONAL STATUS

In 2001, about 57 per cent of SC and 37 per cent of ST women respectively were agricultural wage labour in rural areas, as compared with 29 per cent for non-SC/STs. In urban areas, 16 per cent SC and 14 per cent ST women were daily wage labourers as compared with only 6 per cent from non-SC/STs. Only 21 per cent of SC women were cultivators compared with 51 per cent for STs and 45 per cent for non-SC/STs. SC/ ST women also faced differential treatment in wage-earning, particularly in urban areas. In 2000, SC and ST women casual labourers received daily wages of Rs 37 and Rs 34 respectively, compared with Rs 56 for non-SC/ST women; the national average was Rs 42. Besides this, a large number of SC women are engaged in so-called 'unclean' occupations, like scavenging. Because of their

association with these occupations. Dalit women face discrimination in the social and economic spheres. (Thorat, 2008)

The Work Participation Rate (WPR) of SC population is said to be for males 22.25% and for females 25.98%. The contribution of SC women to the economic development of our country is significant especially in the agricultural sector. They are exploited by the higher caste landlords. They are paid very marginal salary for the hard work in the field for the whole day. In leather industries the tanning process is considered to be an unclean job which is done only by socially backward class. Traditional artistes get very more benefit because the middleman exploits them. The condition of scavenger and sweepers is very deplorable and they the most vulnerable sectors among SC. The working condition is very poor and the remuneration is also very poor.

CHAPTER -IV
MAJOR CHALLENGES AND CONSTITUTIONAL PRIVILEGE

India, one of the largest democracies in the world, needs wider participation of people across caste, cred, gender and ethnicity, but debate around the Women's Reservation Bill in the parliament has focused on the bitter truth that politics has proven to be very inhospitable for women in India. Though government has taken various initiatives in increasing women and SC/ST candidates participation at the Panchayat and Municipal level, at the higher level, very few women especially SC women are found. The 73rd and 74t h Constitutional Amendment Acts (1992) ensured that 1/3rd of the total seat should be reserved for SC/ST and women in all Panchayat and Municipalities. It is no doubt a bold step that ensures women's political participation. At the same time, Women Reservation Bill was also proposed which suggested 33% reservation of all seats in the Lower House of the Parliament and all State Legislative Assemblies for women. Unfortunately, in its 16 years' journey, it has not been passed yet. On 9t h March, 2010, the Upper House of India's Parliament has passed it, but the UPA government has failed to pass it in the Lower House. Leaders from Samajwadi Party (SP) and Bahujan Samajwadi Party (BSP) want to amend the bill for ensuring more political participation from SC/ST women. Currently, in the NDA regime, the Bill has a possibility to come into power. BJP leader and Minister of Minority Affairs, Najma Heptullah, has recently remarked that "it is the will of the men in the Parliament and not the women which is required to pass these Bills".

The available data on the Lok Sabha for the period 1971–2004 reveals the dominance of SC men in politics as compared to SC women. The 15t h Lok Sabha has a total of 84 SC Members in the Parliament, of which 72 are men and only 12 are women. However, more women parliamentarians have entered the politics since 1971, and there has been a slight improvement in the percentage share of the women parliamentarians with an SC background though they continue to be under-represented in comparison to SC men. For example, in 1971, Lok Sabha had a total

of 26 women Members of Parliament, of which six were SCs, two were ST and the remaining 19 belonged to non-SC/ST groups.

In 2009, Lok Sabha, which is a UPA led Congress government, has one of the highest number of women members in the Parliament. Further, the highest number of SC women are also seen in the current Lok Sabha (15[th]LokSabha) which consists of 12 SC women members (see Tables 10, and 11.).

The trend in the membership of women in the Parliament over the years is asfollows: The data indicates that the membership of women parliamentarianswas the least in the 6t h Lok Sabha (the 1977 Janata Party Government), noneof women from SC group, only one from ST group, and 19 non-SC/ST women members. After the 1984 Lok Sabha, which had 45 women parliamentarians, the share of women's percentage declined in the subsequent Lok Sabha till 13th Lok Sabha, 1999. However, there has been an increase in the number of women parliamentarians since 1999. This has also resulted in a slight improvement in the percentage share of SC women parliamentarians, and currently, in the 15t h Lok Sabha, representation of women is the highest in all general elections till now. However, they continue to be under-represented in the Parliament and are only 10 percent in the Lok Sabha, which is below their share in the population and the critical mass of 33%.

• SUPPRESSION OF DALIT WOMEN VOICE -

Though Indian Constitution provides legal safeguards to SC/ST people from the atrocities committed against them, a large number of SC/ST men and women face violence and atrocities. The term atrocity was not clearly defined in the Constitution, but Parliamentary Committee on the Welfare of SCs and STs has defined in the 4th Report in para 1.4 in 2004-05 that "Women belonging to SC castes and tribes bore double burden. They were exploited by caste and gender and were vulnerable to and powerless against sexual exploitation." According to the National Crime Record Bureau in India,four states namely Uttar Pradesh, Madhya Pradesh, Rajasthan and Andhra Pradesh account for 66.9 percent of the total atrocities against SCs/STs(1995-2007). Extreme types of atrocities against Dalit include stripping of Dalit and tribal women, forcing SC/ST persons to drink urine or eat human excreta, blackening their faces, shaving their heads and parading them in village streets.

38

Witch-hunt is another cruel form of atrocity against Dalit and tribal women where poor women are branded as witch by the dominant groups and killed or exiled from the villages. Newspapers reports that 2,556 women were branded as witches and killed in India between 1987 and 2003 (Meena Kandasamy, 2011). In spite of legal safeguards, victims of atrocitiesespecially women hardly get justice due to institutional prejudices and social stigmatization of rape victims. The SC& the ST (Prevention of Atrocities) Act, 1989 is not strictly followed.

Recently, the horrific news of caste based atrocities in Badaun, Uttar Pradesh has created a wakeup call for the women of socially excluded group. In Badaun, two Dalit cousin sisters were not only killed and raped by upper caste youth, but also hanged from mango trees in the same village. It clearly indicates that the nature of atrocities against SC women and girls has sprung up especially in the rural areas where upper caste people enjoy influence over government machineries. Aam Adami Party (AAP) of Haryana has recently decided to submit a memorandum to the Governor demanding actions to stop the atrocities against Dalit community in the state where four Dalit girls were recently being abducted, raped and killed by some upper caste youth. The incidents of Badaun (UP) and Hissar (Haryana) are not sporadic events, but the bitter picture of a harsh reality still continuing in the twenty first century.

RECENT AMENDMENT AND BACK LOG -

On March 4, 2014, just before the Lok sabhaElection, the UPA government has brought some effective amendments to The SC& the ST (Prevention of Atrocities) Act, 1989 in which sexual harassments against Dalit and tribal women were to be handled in more severe way. The Bill suggests 'touching a Dalit or tribal women in a sexual manner without consent' or 'acts/ gestures of sexual nature' against them would invite stringent provision of the SC/ST Atrocities ACT (POA), 1989.

The Bill also specifies punishment for public servants from other communities who fail to do their duties relating to SC/ST people like registering FIR or arresting the culprits. The Bill also mandates Special Courts at district level to speed up the trial process and atrocities against women would be judged by women judges. Unfortunately, the Bill has not been passed yet.Dalit women in India face multiple

deprivations for their social status as well as gender identity. Four-fold caste stratification of the society exists all across the country.

Demographic data reveals that the Dalit population records high fertility as well as high infant and child mortality rates. Life expectancy is lower among the Dalit and Dalit women have the lowest life expectancy compared to the upper caste women and Dalit men. Though in general, women have higher life expectancy than their male counterparts, Dalit women show a reverse picture. Therefore, the Dalit population is growing without demographic dividends.

Sex ratio of Dalit population reveals low child and adult sex ratio (slightly better than the non-SC/ST), but much lower than the Scheduled Tribes.

Under age marriage is higher among SC/ST population. Nearly 15 to 16 percent girls from these subgroups get married before the legal age of marriage (18 years). This problem is acute in the north, especially in Rajasthan.

Pradesh and Madhya Pradesh. States having higher Mean Age at Marriage, (Kerala, J&K, north-east) also record reverse trend among the SC girls. A considerable number of SC girls from Kerala, J&K and north-eastern states get married before 18 years. In West Bengal, under age marriage is very high (above 23%) among the SC population.

Low age at marriage and high fertility has a direct impact on the health outcomes. Dalit women record low Body Mass Index (BMI), higher prevalence of anaemia and low access to maternal health care facilities. Hardly 35 percent SC women get the facility of institutional delivery during the child birth and a large number of them rely on indigenous methods and stay at homes during the delivery. Mainly husbands and in-laws take decisions regarding their health. Economic data reveals that nearly 30 percent SC and 43 percent ST households live Below the Poverty Line (2011-12). However, at the same time, Dalit women record higher Work Participation Rate than that of their non-Dalit counterparts. Higher access to the labour market could be a positive aspect of the community, but high wage gap between SC and non-SC/ST women, concentration of Dalit women workers in agricultural sector and elementary occupations show that most of the Dalit women are ill paid and are deprived of high-

salaried positions. Unemployment rate is higher among the Dalit women with graduate and above degrees and this condition is acute in the rural areas.

Though all social groups record gender gap in the literacy rate. Dalit population records higher gap than that of their non-Dalit counterparts. Dropout rate is higher among the Dalit girls in Secondary and Higher secondary schools. Political participation of SC women is lower in the State Assemblies andthe Lok Sabha. Organised crimes and atrocities against Dalit women are alarmingly high, and the problem is acute in some states.

· CONSTITUTIONAL PRIVILEGES AND PROTECTION FOR THE DALITS:

Justice, liberty, equality and fraternity are the founding principles of the Indian Constitution. The Constitution grants all the citizens social, economic and political justice, equal status, equal opportunity, equality before law, freedom of thought, expression, faiths, beliefs, worship, profession, organization, action etc. The state constantly endeavors to attain political, social and economic equality. We have attained political justice to a certain extent but have yet to attain social and economic justice.inequality reigns in many spheres of the country's life. The need of the time is to endinequality between man and woman in various fields. Inequality breeds many social andeconomic problems and these problems are a hindrance to women's liberation anddevelopment. Within women too, there is inequality e.g. between Dalit women and non-Dalit women.

Our Constitution gives some specific directives to the government and the rules of this country for the protection of the Dalit's against social discrimination and economic injustice. Some Constitutional privileges are reserved for the Dalit's in order to protectthem and to raise their socio-economic status. It contains a number of provisions to safeguard the interest of the weaker sections either by way of imposing duties on the state to enact laws or to promote and protect the interest of the these Dalits. The important provisions of the Constitutions may be counted as follows.

1. Article 15, Clause 1: The state shall not discriminate against any citizen on grounds only of religions, race, caste ...or any of them.

Clause2: No citizen shall on grounds of religions, race, caste ...or any of them besubjected to any disability, ability, restriction or condition with regard to: (a) accessto shops, public restaurants, hotels and places of public entertainments or (b) the use of wells, tanks, bathing Ghats, roads and places of public resort maintained wholly or partially out of state funds or dedicated to the use of general public.

Clause 4, of Article 15: further empowers the state to make "special provisions for advancement of socially and economically backward classes of citizens or for the scheduled castes ...".

2. Article 16: Equality of opportunity in matters of public employment: clause (2) forbids discrimination on ground of "religion, race, caste, sex descent ... or any one of them in respect of any unemployment or offence under the state."

Clause 4 of same article authorizes state to make "provision for the reservation of appointments or posts in favour of any backward class of citizens which in the opinion of the state is not adequately represented in the service under the state."

3.   Article 17: Abolition of untouchability: Untouchability has been abolished and its practices in any form forbidden. The enforcement of any disability arising out of "untouchability" shall be an offence punishable in accordance with the law.

4:     Article 46: Enjoins on the state to promote educational and economic interests of the scheduled castes and other weaker sections. The state has to protect them from social injustices and all forms of exploitation.

The Constitution has made a very progressive attempt, first to declare theuntouchability as an offence and then to promote the interests of the untouchables. It has given them social, economic and religious protection so that they too may enjoy like theothers the citizenship of the state. These above mentioned Constitutional protection and privileges are not a concession or extension of privileges, but the concrete way by which justice is to be exercised for them. Felix Wilfred says that reservation is not simply a claim for affirmative action in favour of the Dalits but an affirmation of the fundamental rights of the socially and economically discriminated and disabled (Felix Wilfred, 1991: 58). In a society like India, where everyone cannot have a competition on equal terms, therefore, the

socially and economically crippled are protected and some privileges are given (ibid).

But we see in India even after 60 years of Independence that the picture of theDalits has not changed much. Though untouchability has been abolished, at theConstitutional level yet the dreadful evil is still spreading with full fury (Shetty, 1978:18), and the conditions of the Dalits are going from bad to worse. Several study by Indianscholars have shown that despite the many Constitutional safeguards, and the economicdevelopment and special privileges granted to the Dalits, the social and economic gapbetween the caste Hindus and the Dalits, between the rich and the poor, is stillmaintained, and which is growing day by day in most part of the country (R. G. Sinha,1986: 197).

The Indian Constitution as per Article 341(1) empowers the Presidentof India "by public notification, (10) specify the castes, races tribes or parts or groups within castes races tribes which shall for the purposes of this contribution be deemed to be Scheduled Castes". Again the Constitution, without defining in Article 366 (24) only refers back to the power given to the President of India in Article 341. But once the President has given such an order, the list prepared on the basis of Article 342 (2) on Scheduled Castes can be changed only through an Act of Parliament. While exercising the powers conferred in Article 341(1) on him, the President of India promulgated an order in 1950, known as the Constitution (Scheduled Castes) order 1950 in the list of the Scheduled Castes. Thus, order almost re-enacted the list of Government of India (Scheduled Castes) Order 1956.

·THE DALIT CONSCIOUSNESS

With the dawn of the modern age and development of democratic values, social reforms and certain voluntary organization have made bold efforts to improve the lot of the Dalits. The efforts made by Raja Ram Mohan Roy, Swami Vivekananda, Swami Dayanand Saraswati, Mahatma Gandhi and above all by B. R. Ambedkar, to improve their social, political, economic and educational conditions, are yielding result now. The twentieth century has given the Dalits a ray of hope and they are fast becoming conscious of the injustice done to them. They are simmering with the

indignities and tyrannies inflicted on them for centuries and are becoming increasingly intolerant of and dissatisfied with the lower status assigned to them in the name of religion.

Today, the Dalits are searching for an identity in the Indian society. The educated Dalits have become conscious of their past — the days when an earthen pot had to be tied to their necks for the spit, a broom or a branch to their waists to sweep their own foot-prints behind. the days when they were forbidden to hear or to recite the scriptures. The Dalits who were considered to be no-people want to assert their place in history and uphold their culture. Oppressed and marginalized so for, they want to build up a Dalit identity.

• Dr. B.R. Ambedkar: The Messiah of the Dalits -In order to understand their present consciousness, movements and uprising, it is important to know about late Dr. B.R. Ambedkar. Dr. B.R. Ambedkar has become the symbol of what can be achieved by the Dalits. By birth Bhimrao Ramji Ambedkar (1891-1956) belonged to the untouchable mahar caste. Of himself he said: "I am born a Hindu, because I could not help it, but I assure you that I will not die a Hindu......Ambedkar is asaga of struggles against myriad odds" (H.D. Sharma). He proved this in his life ... long struggles for justice and human right.As a student he suffered heaps of untold humiliation both from teachers andstudents. In a way this painful and negative experiences helped him to look at Hinduism very critically. Further as a young scholar, he was not allowed to learn Sanskrit, which was meant only for the Brahmins; but with the help of some broadminded teachers, he did learn the classical language, which helped him to interpret the Hindu scriptures.Going into the vulgarity of Hinduism, especially the "divine" origin of caste system and untouchability. he did not enjoy to be a Hindu, but in any way being an insider, his approach was rather intellectual, appealing to reason, reflection and action, and thus to reform Hinduism.As for his dissatisfaction with Hinduism, he was ever on search of which religionto choose. Islam. Sikkism and Christianity failed to appeal to him; at the end he was taken up by Buddhist thought and philosophy. In the end, along with his wife and thousands of followers, Ambedkar accepted Buddhism at Nagpur on October 14, 1956)

• Conscientization of the Dalits -

Ambedkar was, moreover, the leader of many mass agitations of the Dalits of Maharashtra. In order to educate his people, he opened schools and colleges and played an important role in conscience his fellow Dalits. It was Ambedkar who made his fellow Dalits aware of exploitative and oppressive caste system of India. This he did not only by his speeches during rallies, but also by his extensive writings. He has left behind a wealth of books, editorials and speeches to his followers. He hammered one point: that caste is not a physical object like a wall of bricks or a line of barbed wire which has to be pulled down, but a notion, a state of the mind. According to him, it is difficult to walk out of caste, for it is only a class jacket.

Ambedkar is called the Modern Manu and the savior of the oppressed and discriminated Dalit of India. He sharpened the sensitivities of the Dalits and made them outward looking and able to articulate their suppressed feelings, and inspired them to demand their fundamental right as citizens of India. He conscientized them of the fact that only "self-help, self-development and self-assertion will break their bondage. He emphasized on struggle, struggle and nothing else but struggle...." in order to freethemselves from the clutches of caste system.

ii) Social and economic freedom for the Dalits -

Ambedkar did yeoman service for the uplift of the Dalits by carrying out a lifelong struggle against the evils of Hinduism. His dream was to lead them to a life ofdignity, meaning and self-respect. From the very beginning, he devoted much of his timeto bring about a radical social democracy. He fought valiantly to get equal rights for his fellow Dalits. „For him political freedom was meaningless unless it was accompanied by social and economic freedom. Political freedom without social and economic freedom could only create contradictions for the Indian notion. " His mission to bring about a radical transformation in the living conditions of the Dalits, who were condemned for centuries to live a most dehumanized life in the society.

Ambedkar was not in favour of having just the political transformation of India.But he wanted a total change, especially in the field of social life of the Dalits. According to him without changing the social marginalization of the Dalits, pursuing political and economic goals would not bring about the desired results. He encouraged the

Dalits to get involved in the politics so that social and economic freedom may be achieved gradually. iii) Religion for Ambedkar and His Conversion -Ambedkar upheld that religion which treats a man as human being. According to him, religion is for man and not man for religion. The goal of any religion is to develop man and to teach him how to conduct himself in his relationships with his fellow men. Religions are man-made institutions and therefore, Ambedkar asked his fellow Dalits to accept any religion, which helps them to live as human being with dignity and a new identity.

Ambedkar had started his search for a new religion in 1935 when he publiclyrejected Hinduism and finally accepted Buddhism on 14th Oct 1956 (D. Ahir, 1968: 135). About 250,000 Mahars from Maharastra and 3,000,000 Dalits from other parts of India embraced Buddhism following their leader (B. Paradkar, 1972: 66). This change of religion by Ambedkar, along with thousands of Dalit disciples, was a public demonstration of his protest against Brahmanical religion, which upholds values of graded inequality and purity and pollution as the basis of the caste system and untouchability. He would have no compromise with such a system. The Dalits, heclaimed, sought a new identity of dignity and social equality in Buddhism, which stood for egalitarian values.

•RECOMMENDATION FOR THE BETTER IMPLEMENTATION OF THE SCHEME OF DALIT WOMEN

1. Selection and identification of the talented Dalit girls needs to be done scientifically.

2. Competitive spirit should be instilled in the Dalit girls.

3. Selection of candidate to be done at college level itself for coaching.

4. Result oriented, teaching is essential.

5. Activities oriented towards confidence building needs to be chosen.

6. Loan facilities needs to be made available.

7. Financial aid to be given to the meritorious Dalit girl to compete for UPSC, SPSC.

8. Hostel facilities for Dalit girls at all levels of education should be provided.

9 Reservation policy for Dalit girls should be made available in both admission and employment along with other girls but not as separately created.

10 Government has to be increased awareness among Dalit women about their rights and privileges.

This should be augmented by information technology, which shouldreach even to the remote rural citizen who form the large majority of Dalit women population in our country. The special programmes for Scheduled Caste have beentaken up from the very beginning in terms of their special situation ñ disabilities of caste on them by nefarious traditions. However, in retrospect it is clear that these programmes are notional and continued to be defunct with low level of participation and achievements of the objectives.

· SUGGATIONS FOR OVERALL DEVELOPMENT OF DALIT WOMEN MAY BE CONSIDERED

1. Removal of traditional disabilities suffered by different sections of population of various counts.

2. Elimination of exploitation in all forms and protection of women's rights and interests, with formulation of gender sensitization programmes.

3. Equity for and protection of those engaged in the traditional sectors of economy including artisans and traditional services.

4.The present inequity in the statutory wages should be removed. The minimum Wages Act should contain a provision to the effect that the daily wages of ordinarylabourers in all economic activities shall be so determined the following principle that the earnings of one person in a family should be sufficient for the maintenance of the entire standard of the family.

5.. Specific training programmes should be conducted and their recruitment of SC/ST women as an Extension Worker in agriculture, animal husbandry, technology transfer, environment, forestry, waste land development, horticulture, sericulture horticulture, small scale industries, electronics should be ensured.

6. Credit should be made available to SC and ST in all credit schemes. A certain percentage of SC/ST quotas should be earmarked for the women.

7. Raw materials for sustaining economic activities should be made available on concessional rates through effective and efficient distribution channel.

8.   Women'scooperation should be strengthened through extending them monetary incentives and sustained monitoring.

9.   Their income earning should be raised by providing access to crucial inputs like land and credit.

10.   The rural Dalit women working on land should have right to claim equal facilities available to all other workers.

11.   Women can be mobilized by promoting self Help Women'sGroups, which help them to gain self-esteem and self-worth.

12.   Informal education should be imparted to Dalit women.

13.Women should be trained in learning to organize themselves into groups, so that a platform for voicing out their grievances and to demand better utility services and inputs can be established.

14.   Considering the number and magnitude of the problems of Dalit women, voluntary agencies must be encouraged in the spheres.

15.   Right values and ethics have to be inculcated in the minds of young Dalit children. Human Rights education should be a compulsory component of the school andcollege curriculum that is respecting every human, whatever be the caste, race, creed or sex.

• IMPACT OF SOCIAL DEVELOPMENT PROGRAMME FOR DALIT

1. Recognizing women's contribution, women's knowledge.

2. Women fighting their own fears and feelings of inadequacy and inferiority.

3. Women enhancing their self-respect and self-dignity.

4. Women becoming their self-reliant and autonomous.

5. Women controlling own bodies.

6. Women controlling resources like land and property.

7. Reducing women's burden of work specially with in the home.

8. Women participation in decision making within the family and in the society.

9. Women sharing responsibilities and rights equally.

CHAPTER –V
CONCLUSION

The review of literature reveals the manifold dimensions of deprivations of Dalit women. They are degraded into the level of untouchable objects, but at the same time, a sexually exploited lot. Caste system and its tyranny have contributed a lot into this deprivation process. The emancipation movement of Dalit women, spearheaded by Dr. B. R. Ambedkar was therefore attacking the very root of this slavery, namely the caste system of Hindu religion. His advocacy of conversion to Buddhism was to liberate the Dalit women from the clutches of caste system. However even after such religious conversion, the economic deprivation of Dalit women has persisted. The pro-active policies of Government of India for economically empower them through reservations and provisions of subsidies are very significant. Nonetheless, most of such economic policies missed the target of actually empowering the Dalit women. One of the reasons for this failure was the imperfect notion of women empowerment. The second reason lies in the process of implementation, which was highly bureaucratic and hence liable to corruption.

Therefore, in the next chapter, we shall present the meaning and nature of theconcept of women empowerment. In the penultimate chapter we propose a better process and medium for the economic empowerment of Dalit women namely SHG mediatedeconomic empowerment. Dalit women need group and gender specific policies and programme to address the issue of multiple deprivations. Though India has variousaffirmative policies for the socially marginalized groups and women and alsoensures the right to education for all. SC women and girls are still facingthe curse of illiteracy and underage marriages. Dropout rate is higher amongthe SC girls in the higher secondary schools and underage marriage is moreprevalent among them. Dalit women require comprehensive policies onhealth, especially on the maternal and child health because infant and childmortalities are higher among them. Economic data reveals that though Dalitwomen have higher Work Participation Rate, they are mostly concentrated inlow paid jobs, and unemployment rate is the highest among SC women withgraduate and above degrees. Similarly, political participation is low

in theLok Sabha and State Assemblies. Therefore, Dr. Ambedkar's main strategyfor women empowerment, 'Educate, Organise and agitate' is far from thecompletion.

CHAPTER –VI
RREFERENCE OR BIBLIOGRAPHY

1. Ambedkar, B.R. (1951), "The Rise and Fall of the Hindu Woman: Who was responsible forit?", originally published in the journal, The Mahabodhi(Calcutta), Vol.59, May June, 137-5, reprinted in 1980, Bheem Patrika Publications, 30 pages

2. Das Satyajit (2015): 'Ambedkar and woman rights: An analysis:' International ResearchJournal of Interdisciplinary & Multidisciplinary Studies (IRJIMS); ISSN: 2394-7969 (Online), ISSN: 2394-7950 (Print) Volume-I, Issue-I, February 2015, Page No. 191-195

3. Gunjal V.R. (2012): 'Dr.BabasahebAmbedkar and Women Empowerment.' Social Work, Vol. XI (1), PP 84-85

4. Gopal Guru(1998), 'The Politics of Naming' Seminar, No.471, Nov. 1998, p.16. Hema Lata Swarup (1993): "Ethnicity, Gender and Class", International Conference of Historians of the Labour Movement, Europaverlag, Vienna, 1993, p.1.

5. Rege, Sharmila (1998): "Dalit Women Talk Differently: A Critique of "Difference" and Towards a Dalit Feminist Standpoint Position"; Economic and Political Weekly, October 31, 1998; page 42

6. Rege, Sharmila (2006) Writing Caste/Writing Gender: Narrating Testimonios of Dalit Women in Maharashtra, Zubaan, 2006

7. Rege, Sharmila (2010) Education as TrutiyaRatna, Economic and Political Weekly,Vol. XLV,nos 44 &45, Oct30- Nov12,2010

8. Peter (Jay) Smith (2008); "From Beijing 1995 to The Hague 2006 – The Transnational Activism of the Dalit Women's Movement:" A paper presented at the Canadian Political Science Association Annual Meeting, Vancouver, British Columbia 2008.

9. Agarwal, S. 1999. Genocide of women in Hinduism.Sudrastan Books, Jabalpur, India.Available online: http://www.dalitstan.org/books.

10. Manu. 1920. Manu Smriti: The laws of Manu with theBhasya of Medhatithi. Translated by Ganga Natha Jha.University of Calcutta, Calcutta, India.News Archives. http://www.ambedkar.org.

11. . The National Commission for Scheduled Castes andScheduled Tribes, Government of India.

12. . The Annual Reports of University Grant Commision,Government of India.

13. Narula. S. Broken People: Caste Violence AgainstIndia's "Untouchables." London: HumanRights Watch, 1999

PROJECT ON A STUDY ON SOCIO-ECONOMIC STATUS OF DALIT WOMEN IN CONTEMPORARY INDIA

DEPARTMENT OF POLITICAL SCIENCE

PATTAMUNDAI COLLEGE, PATTAMUNDAI, KENDRAPARA, ODISHA

SL. No	Name of Student	Roll No	Signature
01	Sailabala Kunda	BA-20-020	Sailabal Kunda
02	Deepak Kumar Behera	BA-20-034	Deepak Kumar Behera
03	Subhasmita Tarai	BA-20-154	Subhasmita Tarai
04	Laxmipriya Jena	BA 20-162	Laxmipriya Jena

Shubhashree Pathal
Signature of Supervisor