

Globalisation & Women's Movement in India during 1995-2006

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Abstracts

During the last one decade, women's movement in India has faced sharper polarisation due to rise of cultural nationalism, that uses women to score points for identity politics, coupled with economic liberalisation that is wooing the elite women and breaking the backs of the working class women.

In response to imposition of structural adjustment programme (SAP) and stabilization policies at the behest of International Monetary Institute, women's movements across the national boundaries have been debating various strategies and tactics of transforming the Neo-liberal Development Paradigm. World Social Forum and Regional Social Fora have provided democratic platforms for reflections on a just, sustainable & caring Global Economy. These deliberations have convinced us that **Another World is Possible** and globalisation also bears the promise and possibilities of furthering women's rights and well-being. Gender sensitive strategic thinking can address practical and strategic gender needs of women. [1] For example, more women in more areas of economic activities can be gainfully and justly employed. Information technology can enable women throughout the globe to share strategies and successes for stress-free and safe life. We should not forget that there is north in the South and there is south in the North. So we must strive for global solidarity and sisterhood of all women who are oppressed and exploited, degraded and dehumanised by the patriarchal class structure.

Feminists are playing a crucial role in motivating the nation-states and the global decision-making bodies to be pro-active in furthering women's entitlements in the households, economy and governance. Rapid pace of globalisation has brought massive uncertainties in women's lives. Multi-faced tragedies due to marketisation of poor economies and commercialisation of human relations, commodification of women's bodies especially in sexual trafficking, advertisements and beauty-contests promoted by the Trans-national corporations (TNCs) and Multi-national Corporations (MNCs), starvation deaths in the rural areas, havoc played by onslaught of new reproductive technologies (of both pro and anti-natalist varieties) violating dignity and bodily integrity of women, armed conflicts, increasing economic disparity, the feminisation of poverty, disasters in the name of mega development projects resulting into massive displacement of peoples, stressful life leading to increasing violence against women, the pandemic of HIV and AIDS, racist population control policies, persistent racism, casteism, sexism, chauvinism and extremism demand urgent attention in terms of the **global effort to change macro-policies, programmes of the nation-state and actions at the local level by the government and non-government bodies.**

Worsening Economic Condition and Growing Sectarian Violence Against Women:

Any fundamentalist propaganda that concerns itself with identity makes use of the gender question to impose rigid norms on women who are identified as repositories of culture and tradition. These norms manifest themselves in

- Son-preference and female infanticide (quotation from Hindu scriptures- “Be thy the mother of 100 sons”. (Questions are asked to wife- “ Did any heroes of *Ramayana* or *Mahabharata* have daughters? That shows daughters are inauspicious!”),
- Glorification of *sati* (widow-burning) — thousands of sati temples have flourished all over India and Global Association for Glorification of Sati has its head-quarter in Chicago (USA),
- Witch-hunting of widows as they are perceived to be inauspicious; dress code, general demeanour and the social construction of the ideal woman who submissively accepts the patriarchal norm imposed by fundamentalists agendas. In the last *Kumbh Mela* 60000 women devotees were deserted by their brothers, sons and relatives. Allahabad police tried its best to reach them to their respective families but the family members refused to have known them. Now, the government has made a special budgetary provision for abandoned widows at the pilgrimage centres and women in difficult circumstances.
- Violence against women has escalated enormously, both in the private and public arena. Economic stress due to SAP (the mainstream economists call it ‘economic reforms’) manifests in the form of domestic and communal/ caste violence).

Southern Women’s Movements’ Perspectives

NGOs wedded to safeguard the entitlements of women have been trying to convince the international financial, economic and commercial institutions, namely, World Bank, International Monetary Fund, World Trade Organisation and Organisation of Economic Cooperation and Development to withdraw existing conditionalities and rules of economic globalisation, and covertly and overtly, promoting the interests of patriarchal class system, all over the globe, defending the interests of TNCs and MNCs and imposing unrestrained commodification, thereby resulting into concentration and centralization of economic, financial and political power in the hands of the few.

There is today a blurring division between the centre and the periphery as the economic and manufacturing situations are undergoing changes in our country. Globalisation has brought about structural changes that have been impacting gender. Apart from employment it affects sustainable development, leading to state withdrawing from commitments to social sector. This affects women adversely. The impact of WTO, taxation patterns and user fee concept are adversely affecting women. [2] The Second National Commission of Labour is furthering the neo-liberal agenda so far as the working class is concerned, though it has separate chapters on women in the informal sector and child-labour.

Some Areas of Concern

- Non-enforcement of Laws and Schemes

In the formal or organized sector there are industrial legislations and other protective legislations for workers. Most of these legislative provisions, unfortunately, seem to be working against the interests of workers, lack implementation and need reform. Government regulated minimum wages

ensure only the bare essentials of survival but even that basic level is denied to workers in the informal sector. Factory inspectors usually avoid reporting as employers complain of low profitability, threaten closure and bribe them to keep quiet. At present crèches are provided in industries that employ more than 30 women employees and there too, ways and means are used to avoid this facility by the employers. There is no provision for providing crèches in the service sector and for both men and women working in shifts- [3]

In India, **The Equal Remuneration Act, 1976** was enacted pursuant to Article 39 (d) of the Constitution of India provides for the payment of equal remuneration to men and women workers, for providing equal opportunities to women and men and for the prevention of discrimination on the grounds of sex against women in the matter of employment. The task of ensuring that there is no discrimination is very difficult, as there is no effective way of implementing the limited findings of the advisory committee. Secondly the definition and evaluation of the same work or work of similar nature leave much to be desired. Even the courts have used different expressions relating to valuation of identical work. This is one of the least invoked legislation.

Maternity Benefit Act, 1961 provides for maternity benefit in case of childbirth, miscarriages, abortions, Medical Termination of Pregnancies (Maps) and tubectomy. Establishments employing less than ten persons are left out from the purview of the Maternity Benefit Act or the Employees State Insurance Act. Under the present Maternity Benefit Act, 1961 the eligibility for maternity leave is that the woman before availing the leave must have worked for eighty days in that establishment or organization. These eighty days include paid holidays and weekly holidays and the period for which she was laid off In many organizations they are never allowed to complete the required number of days on record.

Women Movement is demanding an umbrella legislation to cover all women (From formal/organised as well as informal/unorganised sectors of the economy) under maternity protection and ratification of ILO Convention No. 183.

- Problems in Implementation of Employment Guarantee Scheme (EGS)

Women's Movement strongly supports the demand that nation-states from the developing world must introduce EGS. Wherever EGS is already introduced, there is a need for stocktaking as the advisors of Dr. Manmohan Singh, the Prime Minister for Common Minimum Programme Ms. Aruna Roy and Jean Dreze have circulated the draft of Employment Guarantee Act.

In India (in Maharashtra), as far as the EGS is concerned, at the implementation level, it has been revealed that [4]

1. Women have never been paid maternity leave benefits, though the act says so. The problem is the stipulation of 185 days of work; EGS work is never that long; it is in bits and pieces. The entire work of woman regardless of where she is working should entitle them to maternity benefit.
2. Though wages are apparently equal between men and women what happens is the allocation of work is different- men do trench digging which carries more wages. Women have been saying they can also do this work without trouble. Secondly wages are often paid to the group of a few from the same village on the basis of equal pay for men and women but the group leader determines how much a woman gets. This should be remedied.
3. The most serious complaint is lack of facilities- shelter; schooling for the children of women who are the major reporters for EGS work.

4. The most serious lacunae are the stopping of registration of applicants. This has made it difficult to know how many need work. The work site merely records how many turn up. The absence of registering how many want (not just turn up) with details of who the applicants are again loses data regarding the status of the worker- small farmer, marginal farmer, landless worker etc; details of land holding. Plans will be better done if one knows the status of the worker also with regard to improving agriculture.

5. The timing of EGS work is another problem. It clashes with seasonal migration.

6. The most important demand of women workers on EGS sites is skill up-gradation. They are tired of unskilled manual labour and building roads. The objective of employment under EGS is building good infrastructure. But it is done so badly the asset does not last even one year. This needs to be rectified. More choices and better technologies should be introduced in EGS work. Labour processes and labour relations in EGS work should be humanised and gender-sensitive. Women employees working for the scheme should not be targeted for population control programmes.

- Violation of basic Human Rights in Informal Sector

The informal sector as opposed to the formal sector is often loosely defined as one in which workers do not have recognition as workers and work without any social protection. In the informal sector, women workers are forced to work without contracts, without social security, with low wages under bad working conditions. In the absence of health insurance, income security, it is difficult for women workers in informal sector to place importance on their health. The lack of income security often has direct consequence on the access to education for the children of women workers in informal sector. They are not able to study and alleviate their poverty. Often children get absorbed into the informal sector themselves as adults due to lack of education or as children to help adults earn more (e.g. home based workers, vendors, self employed) [5] Unorganised labour is usually perceived as 'poor' and as a beneficiary, consequently there are provisions in the national budgets to help them out of their poverty and vulnerability.

They are treated as beneficiaries of anti-poverty programs. The main concern of informal sector workers is irregular employment.

- Rag pickers- Poorest of the Poor

A Case Study of Women Rag Pickers in Mumbai [6] has revealed that urbanization and the use of land for large-scale agriculture have led to mass migrations to the cities, where the displaced rural poor eke out a living on the margins of India's over-crowded cities. Unable to find work in the formal sector, many turn to street trading and rubbish collection in order to survive. Rag picking is a caste and gender based activity. Rag pickers comprise the poorest of the poor - an estimated 25,000 of them in Mumbai, dwelling in shanties, mainly women and children who collect garbage - plastic, paper, metal, etc., usually from municipal dustbins, landfills and garbage dumps for recycling. They work seven days a week, earning on average less than Rs. 60 / 70 a day. They help maintain the environment of Mumbai by keeping the streets clean and recycling and re-using waste. Mumbai produces 6000 metric tons (600 truckloads) of garbage every day, of which around 7 to 8% is collected by rag pickers.

Rag pickers are highly vulnerable because they have few assets and few alternative livelihood options. Because of their hazardous working conditions the rag pickers suffer many more illnesses and injuries than the general population. Rag pickers live in constant fear of displacement, while others simply sleep on the pavements. Illiteracy among rag pickers and their children is high, and access to formal training or employment is non-existent. Many rag pickers have limited knowledge of their rights as citizens, including basic rights like access to free primary education.

- No skills training

Women are not taught specific skills and are themselves diffident to take up skill training. The government's existing ITI network has a low number of women students. There is a need for improvement of courses and optimal use of space and teachers.

- Abuse in Special Economic Zones

Adoption of Export oriented model and competition for foreign investment has led to the opening of more and more Special Economic Zones (also Free Trade Zones and Export Processing Zones etc.). In these zones labour laws are generally not applicable. Women are being used as 'cheap labour' force. They work under harsh working conditions. There is the abuse of labour and human rights and several instances of sexual harassment at workplace. Governments have had tendency to turn a blind eye to the abuse by capitalists to keep foreign investment.

- Night Work- the Issue and the debate

Business process outsourcing has resulted into thousands of call centres employing young, computer savvy, and English knowing women for night work. Women's Movement is divided over this issue. One point of view supports night duty if, the safety of women is ensured by safe transport facility, group of women doing night duty together and absence of sexual harassment at workplace. Majority of women abhor night duty as they find it difficult as their family members oppose, at times it unsafe and injurious to their children's interests. In Mumbai, bar girls campaigned to work at night, as their work is possible only during that time and also more remunerative. According to ILO, 'night signifies a time period of 'at least 11 consecutive hours, including an interval between 10 p.m. and 7 a.m. [7] But many women workers face a lot of problems due to work at night including sexual harassment, molestation and rape. It is unfair to put a blanket prohibition on night work is discrimination against women to prevent access to jobs and contravening the principle of equality. The questions regarding sexual harassment and assault on them needs to be addressed. The state and employers must be forced to provide safe work environment and safe transport to women employees.

- Sexual harassment at Workplace

Accusations of sexual harassment are much more common today, reflecting the new consciousness and a new sense of power of people to end inappropriate behavior directed towards them. The existence of an effective, informal conflict resolution process is immensely important. Sexual Harassment at Workplace (SHW) has remained one of the central concerns of the women's movement in India since early eighties. During the 1980s, militant actions by Forum Against Oppression of Women (Mumbai) against sexual harassment of nurses in the public and private hospitals by the patients and their male relatives, ward-boys and other hospital staff; of air-hostesses by their colleagues and passengers; of teachers by their colleagues, principals and management representatives; of Ph.D. students by their guides; so on and so forth received lukewarm response from the trade unions and adverse media publicity. But this type of trivialisation did not deter the women's rights activists. More and more workingwomen started taking systematic action against SHW. *Baailancho Saad* (i.e. Women's Voice) in Goa mobilised public opinion, against the Chief Minister, who allegedly harassed his secretary, through demonstrations, rallies, sit-ins till the chief minister was forced to resign. In 1990, the same organisation filed a public interest litigation to bring amendments in the antiquated Rape Law that defined rape in a narrow sense of 'penile penetration into the vagina'. Several women's groups came forward in support of new concern that encompassed variety of sexual violence against women including SHW.

During the 1990s the most controversial survivor of brutal gang rape at workplace involved an

employee of Rajasthan state government employee who tried to prevent child-marriage as a part of her duty as a worker of Women Development Programme. The feudal patriarchs who were enraged by her in their words, “a lowly woman from a poor and potter community”) ‘guts’ decided to teach her a lesson and repeatedly raped her. After extremely humiliating legal battle in the Rajasthan High Court the rape survivor did not get justice and the rapists ‘educated and upper caste affluent men’ were allowed to go scot-free. This enraged a women’s rights group called VISHAKHA that filed public interest litigation in the Supreme Court of India. [8]

Before 1997, women experiencing SHW had to lodge complaint under the Indian Penal Code Section 354 that deals with ‘criminal assault of women to outrage women’s modesty’ and Section 509 that punishes an individual/individuals for using ‘word, gesture or act intended to insult the modesty of a woman’. These section left interpretation of ‘outraging women’s modesty’ to the discretion of the police officer.

In 1997 the Supreme Court passed the landmark judgement in the Vishakha case laying down guidelines to be followed by establishments in dealing with complaints of sexual harassment. The Court stated that these guidelines were to be implemented until legislation is passed to deal with the issue (Mathew, 2002)).

Pursuant to this, the Government of India requested the National Commission of Women (NCW) to draft the legislation. A number of issues were raised regarding the NCW draft produced, and ultimately a Drafting Committee was set up to make a fresh draft. A number of women’s organisations are part of this Committee, including, from Mumbai, Majlis. Majlis was asked to make the draft. Some women’s organisations and women lawyers associated with Trade Unions in Mumbai have collectively worked on the draft with Majlis. Particular concerns while drafting have been to include the unorganised sector and to incorporate provisions of labour law. The bill to be introduced in the parliament is known as **The Sexual Harassment Of Women At The Workplace (Prevention And Redressal) Bill, 2004**. The Bill provides for the prevention and redressal of sexual harassment of women at workplaces, or arising during and out of the course of their employment and matters connected thereto, in keeping with the principles of equality, freedom, life and liberty as enshrined in the Constitution of India and as upheld by the Supreme Court in Vishakha vs. State of Rajasthan [1997(7) SCC.323] and as reflected in the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) which has been ratified by the Government of India.

Scenario in the post- Vishakha guidelines period:

Several organisations have conducted survey research on SHW that were widely disseminated. Survey by Sakshi (Delhi) throws up some worrying data where 80 % of respondents revealed that SHW exists, 49% had encountered SHW, 41% had experienced SHW, 53% women and men did not have equal opportunities, 53% were treated unfairly by supervisors, employers and co-workers, 58% had not heard of the Supreme Court’s directive of 1997 and only 20 % of organisations had implemented Vishakha guidelines. Controversy over SHW by the senior manager of Infosys by the chairman and managing director of NALCO, Medha Kotwal petition on SHW of Ph. D. student by her guide in M.S. University, Vadodara and complaint against senior professor of Lucknow University, complaint of SHW by the film star Sushmita Sen against CEO of Coca Cola have made employers alert about the economic burden and efficiency loss due to SHW. Still, “Most private companies refrain from investing funds in such committees.

Sophia Centre for Women’s Studies and Development study shows that awareness and implementation of the Supreme Court’s guidelines is very low and there is need to spread awareness on the same. Study of *Samhita* (Kolkata) throwing light on the processual dimensions of Bhanvari

Devi Case has alarmed the state and civil society of the enormity and gravity of the menace called SHW. [9] Recently The Times Foundation organized a workshop for the corporate world on SHW. Testimonies of several participants of the workshop revealed that SHW is prevalent even in the companies where the victims are highly educated and have considerable economic leverage. Similar views have been expressed in the business journals. (Business Today, 1-9-2002)

To address Sexual harassment in the informal and small-scale industries, free trade zones, special economic zones, the labour departments may be directed to set up complaints committees and give them publicity or it could be made mandatory for every industrial estate and export zone to have its governing body set up a grievance cell for complaints.

This will require co-operation between women's groups, official bodies, trade unions and employers. Women's groups can play an active role in disseminating information about sexual harassment and redressal procedures in industrial zones and estates. They can also raise the issue of the definition of skills and equal pay for comparable work so as to tackle gender inequality at the workplace. The Sexual Harassment at Workplace (Prevention) Act must be enacted by the nation states to provide a remedy within the criminal justice system. This is to provide for prevention of sexual harassment of women and women employees that is work related. [10]

Recommendations for Employment

A. Policy for Women's Employment [11]

A policy for women's employment has to include strategies for challenging the sexual division of labour and gender ideology inside as well as outside the workplace.

Policies for access- include access to employment, education, training, credit etc.

1. Policies to improve the quality of employment, including her position in the household.
2. Policies to preserve employment and to protect material and human resources and assets.

• Proper Implementation of Laws, Schemes [12]

1. The existing labour legislation, i.e. the Industrial Disputes Act, the Factories Act, the E.S.I.S. Act and the Minimum Wages Act, should not be withdrawn but strengthened to cover all workers. [13]
2. Some mechanism is required to evaluate the value of work under ERA.
3. Minimum wages need to be strictly implemented with ward level committees of workers.
4. Employment Guarantee Scheme-The central and state government has to ensure macro policies that will absorb workers in labour intensive units and occupations. The Employment Guarantee Scheme needs to be expanded and improved for urban workers. The focus of such employment schemes can be on building infrastructure, slum development and housing. The National Renewal Fund should be extended to cover the unorganised sector and a substantial part should go into the retraining of workers. [14]

B. Law Reform [15]

i. Maternity Benefit for ALL working Mothers irrespective of the number of employees. Crèches should be provided for children of all workers and not merely women workers irrespective of the

number of employees. There could be a common fund for each industry.

ii. Family Leave: The minimum paid maternity leave period to be applicable to ALL working mothers irrespective of the necessary length of continuous service or the number of employees, irrespective whether married or un married and whether the child is natural born or adopted. Birth or adoptive fathers of a new child entitled to paid paternity leave on the birth or adoption of a child. Employees to have a right to take time off to care for children, disabled or sick dependants. The options available include: unpaid leave with automatic re-entry to an equivalent post in terms of grade, type of work etc., Part time working, Temporary re-arrangement of working pattern, Flexi-time Request Right available to working parents with young children (below 5 years of age or employees who have to care for disabled or sick dependants. The request can cover: the employee will have a right to return to work following availing of any of the above leave. The staff member must undertake in writing to return to work. No employee will suffer a detriment, be unfairly dismissed or be discriminated against for a reason connected, with pregnancy, childbirth, maternity, paternity, adoption, dependant care leave or the right to request flexible working, or time off to take care for a dependant. There shall be no loss of seniority, sick leave entitlements and incremental progression. [16]

• ***Legal Protection for Informal Sector***

Legal protection has to be given to the informal sector worker in the form of regular employment, notice period, compensatory pay or some form of unemployment insurance. It has been a long-standing demand of the representatives of the informal sector workers, trade unions and NGOs (Non Governmental Organisations) that workers should be registered as daily or piece rated workers with an identity card. This single act would provide information on the number of irregular workers and access to them for welfare measures. Social welfare for the informal sector workers can be implemented by levying a cess on employers in industrial estates. Social services can be dispensed to the workers through existing government infrastructure and tripartite boards. [17]

C. Needs of Women Workers in the Informal Sector:

Recognition as workers, Supplementary development programs, Vocational training for skill up gradation, Provision for maternity benefit and post natal medical facilities, Protection against domestic violence and sexual harassment, Family benefits, Medical reimbursements, Retirement benefits (old age pension), Insurance schemes and policies, Compulsory savings schemes, Micro finance schemes and interest free loans, Legal guidance and awareness. [18]

D. Emphasis on Education and Skills

A clear emphasis needs to be given to education, type of education of poor and especially of women. Women's access to employment is limited (amongst other reasons) because of lack of education and skills. The central and state government has a free education policy for girls but there is no follow up on the number of dropouts. Girls usually drop out from the high school. Special attention and incentives should be given to girls and parents for them to return to school.

E.Capacity Building and Training

Extra allocations of funds will be necessary for tying up the training institutions with job placement organisations or industries. Trainings for jobs have to be combined with additional inputs around building other life-skills towards critical awareness about women's status, improvement in negotiating skills and programs around building and maintaining women's assets including savings.

F. Social Audits

International consumer and workers groups have attempted social audits at the firm level to ensure workers' rights. They have to be made mandatory not only for export firms but for all production units.

G. Self Help Group Movement

Self Help Groups are organisations of women from the downtrodden section of the society that empower the women to be self reliant through capacity and confidence building and by making micro-credit available and accessible to women. The SHG movement has taught women the value of saving and the strength of working as a group.

Some of the problems faced by the movement are : [19]

- Weak groups being formed.
- Delay in gradation of groups by banks
- Subsidy seekers have ruined the programme.
- Implementation by raw NGOs – need for their training.
- Regarding bank credit to `defaulters'
- Insensitivity of bankers
- Delays in release of money by District Rural Development Authorities
- Group activity does not take place
- All members may not take up economic activities

Recommendations for strengthening the SHGs: [20]

- Groups should be only formed by NGOs or Women Development Corporations with the requisite knowledge and ethos of SHG development and micro-credit movement.
- Once an NGO is selected, the nurturing grants should be released every quarter to it, after reviewing training milestones, group savings and internal lending data and not on the basis of bank gradation. NGOs should receive nurturing grants for at least five years, during which they should support the group.
- A state level agency should be appointed to train NGOs and also be permitted to appoint their own NGOs to implement the programme in addition to implementation through its field workers.
- SHG groups are not broken up by the banks insistence to drop the member who is a defaulter or whose family member is a defaulter of the bank.
- Along with initiatives improving the programme delivery mechanism, bankers need to be trained and sensitised every three months, because of the high turnover of bankers in rural areas and the ignorance of bankers coming from urban postings to the needs of rural areas.
- NGO releases should not be made contingent to the group taking up economic activities. NGOs

should be evaluated in the basis of group capacity building and training.

- This SHG movement is now at the crossroads and is poised for expansion and the problems need to be addressed immediately.

H. Property and Land Rights

There is much gender bias in our property laws. Everything appears equal on paper and that is where it ends.

Recommendations

- Testamentary powers that deny the daughters their property rights should be restricted
- Allow daughters full right of residence in the parental dwelling houses.
- Women must be given 'the right to residence' hence putting private household property in the joint names of partners. A care however has to be taken that wherever women have property in their name, men did not appropriate under the pretext of property being in joint name. [21]

A woman on being abused in her matrimonial home has little choice but to continue to endure it. Her natal household is usually unwilling to have her back for fear of the social stigma attached to single women. These and other considerations restrict a women's reliance on her parents' households in times of potentially dangerous marital relations. **Bill on Matrimonial property** has been drafted that needs to be passed. The matrimonial property bill will give her rights

I. Budget Auditing and Planning

The Budget is an important tool in the hands of state for affirmative action for improvement of gender relations through reduction of gender gap in the development process. It can help to reduce economic inequalities, between men and women as well as between the rich and the poor. Hence, the budgetary policies need to keep into considerations the gender dynamics operating in the economy and in the civil society. There is a need to highlight participatory approaches to pro-poor budgeting, green budgeting, local and global implications of pro-poor and pro-women budgeting, alternative macro scenarios emerging out of alternative budgets and inter-linkages between gender-sensitive budgeting and women's empowerment. Serious examining of budgets calls for greater transparency at the level of international economics to local processes of empowerment. [22]

Women's Component Plan to assure at least 30% of funds/benefits from all development sectors flow to women. The Component Plan approach should be executed with a mandated approach of convergence of services at all levels of governance, through inter-sectoral committees of all Ministries/Departments at the Centre and the States with specific responsibility given to the local self government bodies and Municipalities to administer at the grassroots level.

Affirmative Action

- Women can be empowered by providing economic rights at workplace, through the SHG movement and through giving property rights and land reforms to ensure land rights to women.
- Women in order to empower themselves must be familiar with banking operations like opening and managing their own accounts. Women should be issued bills in their names. [23]
- Women with income below taxable limit should be exempted from paying stamp duties. Tax

benefits should be extended to women who were only earners in a household. This would be a part of affirmative action for women. [24]

- No aspect of economic life is gender neutral. Therefore, every ministry at the Centre and State levels must have a women's division and it should be involved in all decision-making processes like planning, budgeting, implementing and monitoring.
- Women and child development department must be separated. This would help break the stereotype that women alone were responsible for children.
- And above all, there is a need to provide training and capacity building workshops for decision-makers in the government structures, village councils, parliamentarians and audio-visual media. [25]

Alternatives to Economic Globalisation (G)

There have been two responses to G from the social movements:

a. Humanise G by building in gender awareness. Think and act globally as well as locally. Promote multilateral trade and diplomatic relations to establish distributive justice and world peace.

Revitalising economy through South-south Networking

b. Build local alternatives and quit WTO. E.g. Social movements rooted only in the local soil.

We must work with both tendencies, as the ultimate goals of both are the same- social transformation for a just, fair and caring society.

Women's rights organisations and social action groups were the most vociferous during the recently held Asia Social Forum against Trans National Corporation and Multinational Corporation driven G.

Through world Social Forum, Women for just, sustainable and caring trade are trying to reach out to thousands of women who are voicing the concerns of toiling poor. They have also demanded that, all efforts should be made by civil society groups, NGOs and the governments to divert its arms budget to health, education and employment programmes. [26]

Important issues for Global and local level Advocacy:

a. **Strengthening of Food Security and Right to Food** Top down and bottom up initiatives to stop malnutrition and starvation deaths created by stabilisation programmes resulting into withdrawal of state from food security commitments.

b. **Public Health issues** must be highlighted thro' a national network, People's Health Assembly. The Nation States should follow the UN mandate of 5 % of the GDP for budgetary allocation on the public health.

c. **No to dumping of unsafe contraceptives** for coloured and poor women.

d. Ban **sex-selective abortions of female foetuses** in South Asia and China.

e. **State Support for Women's Education** not only at the primary school level but also at the secondary and high school level. Forum for Child Care has demanded that one room of the school should be converted into crèche so that girls who have to look after their younger siblings can also join the schools. More budgetary allocation and actual funding for girls' education.

f. **Free Legal Aid and People's Court:** Justice and Peace Commission, a network of community

organisations working in Mumbai provides free legal aid to poor women to deal with marital disputes, divorce, maintenance, custody of children, alimony, property, right to stay in the parental or matrimonial homes.

g. **Housing Rights** are the most important. The NGOs have demanded that in all housing societies and state supported housing schemes, 10 % houses should be reserved for female-headed households.

h. **Sanitation, Public toilets:** There is an urgent need to take up the issues of urban sanitation in terms of higher budgetary provision from the state and municipal funding.

i. **Safety nets for women in the subsistence sector** of the economy in terms of loans, infrastructure, storage and transport and state subsidy and support price for agriculture, animal husbandry, dairy development, horticulture and floriculture.

j. **Environmental Issues:** Natural resources, being humankind's common heritage, must be preserved for the use of actual and future generation with the perspective each human being has an access to water, air, energy, etc. according to her or his needs. Commercialisation and privatisation of these resources must be stopped. Biological diversity (flora, fauna, forests, ecosystems) must be preserved and indigenous women's collective wisdom must be recognised, respected and valued.

k. **Occupational Health-** Women scavengers and recycling workers under extremely hazardous circumstances. They should be given masks, hand gloves, gum-boots and free and quality medical care.

l. **Crèches:** the state, employers and trade unions should provide more day care centres for the children of working mothers in the community and near the workplace.

m. **Implementation of Labour standards:** Erosion of labour standards as a result of globalisation should be fought tooth and nail. Let the nation states compete to give better wages and work-conditions to the workers.

n. **Global Code Against Commodification of Women's Body as a spare-part for sale, pornography and obscene portrayal of Women in Media:** Universal standards for decent portrayal of women in media must be evolved.

g. **Community Oriented Media:** Social action groups need to interact closely with the mainstream media, and also generate their alternate media to highlight women's rights to dignified life.

Let us be realistic and accept the fact that Globalisation is a Fate accomplished. Then let us make concerted efforts so that globalisation has a human face. This can happen only through the global solidarity and sisterhood of the toiling women all over the globe. We have to think globally and act locally to make all decision-making bodies accept that women's rights to survive are the human rights.

Campaign for Legal Reforms:

While providing support to women facing problems concerning marriage, divorce, maintenance, alimony, property rights, custody of child/children and guardianship rights, the activists realised that the existing personal laws and most of the customary laws were discriminating against women. Hindu daughters were deprived of coparcenary rights in parental property as per the codes of *Mitakshara*. Christian women could not get divorce on the ground of husband's adultery; it had to be coupled with cruelty, bestiality and sodomy; while Christian husband can just declare his wife as an

adulteress and divorce her. This antiquated law was enacted in the colonial period to serve the interests of the British bureaucrats who had their legally wedded wives in England and were cohabiting with the Indian (in their language 'native') women. Parsee daughters who married non-Parsee men lost their property rights and non-Parsee wives of Parsee husbands got only half the shares in husband's property as per the Parsee Personal Law. Shariat Law subjugated Muslim women by imposing *purdah*, allowing polygamy and unilateral divorce by men to his wife/wives and by depriving divorced Muslim women of maintenance rights.

Underlying philosophy of all these personal laws was that: women are not equal to men. They are governed by the patriarchal ideology. Irrespective of their religious backgrounds, these personal laws perpetuate patrilineage, patrilocality, double standard of sexual morality for men and women and perceive women as dependent on men. Individual women from different communities have challenged the constitutional validity of discriminatory aspects of the personal laws in the Supreme Court of India. Increasing number of educated workingwomen and housewives from all religious backgrounds have been approaching secular women's organisations. Main problems faced by them from their natal families have been forcible marriage, murderous attacks in cases of inter-caste, inter-class and inter-religious marriages, property disputes, incest and from their husbands and in-laws have been adultery, bigamy, polygamy, divorce, custody of child/children, property, incest etc. As the issue of personal laws is intertwined with the religious identities, the secular women's movement had to face tremendous hostility from the elite of the different communities, mass organisations, patriarchal secular lobby and the parliamentary parties cashing on block-votes.

Individual women (divorced, deserted, single and married under duress) are questioning discrimination in the customary laws. Tribal women in Maharashtra and Bihar have filed petitions demanding land rights in the Supreme Court of India. Several women's groups (*Saheli*, Delhi, *Vimochana*, Bangalore and Forum against Oppression of Women, Mumbai) and human rights lawyers team (The Lawyers Collective, Mumbai and Indian Social Institute, Delhi) have prepared drafts containing technical detail of gender just and secular family laws. In 1996, Ahmedabad Women's Action Group (AWAG) filed writ petition to declare Muslim Personal Law, which allows polygamy as void as offending Articles 14 and 15 of the Constitution. [27] "The issue of women's rights and family law reform has been increasingly entangled within the polemics of identity politics and minority rights." [28] Say a feminist lawyer, Ad, Flavia Agnes.

On April 23, 1985, the Supreme Court of India awarded lifelong maintenance to an old divorced Muslim woman, Shah Bano. The communal tone of the judgement - which, instead of highlighting the right to maintenance of a divorced woman, spoke of 'Muslim woman' and 'Muslim husband'- created unnecessary and harmful polarisation on religious grounds. Lawyers, women's groups, progressive and conservative people reacted sharply. Demonstrations, rallies, petitioning, signature campaigns, media war, public meeting, both for and against the Muslim Personal Law- all totally communalised the issue of gender justice (Vibhuti Patel, 1995).

Human Rights Law Network, YUVA and College of Social Work, Mumbai have prepared domestic workers' bill to regularise terms and conditions concerning work condition and wages of the domestic workers who happen to be women from the depressed classes. Deepalaya, Justice and Peace Commission of St. Pius College has published a manual focusing on practical and operational aspects of legal battles, law and order machinery and community's initiatives such as people's courts, out of court settlement in presence of an impartial individual or a body.

Women's Movement and Population Policy

When it comes to reproductive rights of women, most of the efforts of the women's groups in India have been directed against excesses committed in the name of family planning programmes. Now,

Indian Council of Medical Research, All India Institute of Medical Sciences and Institute of Research in Reproduction (IRR) has shown readiness to discuss scientific, medico-legal and operational dimensions of bio-medical researches conducted on human subjects. UNFPA and WHO have drawn guidelines about population policies that its focus shifts from targeting women for population control to women's reproductive rights. Ethical guidelines for bio-medical research are drawn. Still in the interior parts of India, poor women have been the main targets of the abusive sterilization operations and unsafe injectable and oral contraceptives.

Recent researches on adolescent girls and abortion have highlighted the problem of teenage pregnancies, trafficking of young girls for sex trades and complicity of the criminal justice system. Campaign against sex determination resulted into central legislation banning amniocentesis, chorion-villai-biopsy and sex pre-selection techniques for femicide. But, much needs to be done to make the legislation effective in the real life. CEHAT and the Lawyers Collective have jointly supported a petition (Public interest Litigation in the Supreme Court of India) filed by Dr. Sabu George for effective implementation of the Act: In 1998, All India Democratic Women's Association challenged the use of the drug quinacrine as a method of female sterilization by filing a Public Interest Litigation case against Quinacrine. [29] Women's groups are demanding that the population policy should focus on women's reproductive rights. [30]

Campaign Against Pre-birth Elimination of Girl Child

Prenatal Diagnostic Techniques (Regulation and Prevention of Misuse) Act was enacted in 1994 by the Centre followed by similar Acts by several state governments and union territories of India during 1988 (after Maharashtra legislation to regulate prenatal sex determination tests), as a result of pressure created by Forum Against Sex-determination and Sex-preselection. But there was a gross violation of this central legislation.

In response to the public interest petition filed by Dr. Sabu George, Centre for Inquiry into Health and Allied Themes Mumbai) and MASUM fought on their behalf by the Lawyers Collective (Delhi) [31]; the Supreme Court of India gave a directive on 4-5-2001 to all state governments to make an effective and prompt implementation of the Pre-natal Diagnostics Techniques (Regulation and Prevention of Misuse) Act (enacted in 1994 and brought into operation from 1-1-1996). Now, it stands renamed as "The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act".

Recently enacted Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Act, 2003 tightens the screws on sex selection at pre-conception stage and puts in place a string of checks and balance to ensure that the act is effective. [32] The Pre-natal Diagnostics Techniques (Regulation and Prevention of Misuse) Amendment Act, 2002 received the assent of the President of India on 17-1-2003. The Act provides "for the prohibition of sex selection, before or after conception, and for regulation of pre-natal diagnostic techniques for the purposes of detecting genetic abnormalities or metabolic disorders or sex-linked disorders and for the prevention of their misuse for sex determination leading to female foeticide and for matters connected therewith or incidental thereto".

Under the Act, the person who seeks help for sex selection can face, at first conviction, imprisonment for a 3-year period and be required to pay a fine of Rs. 50000. The state Medical Council can suspend the registration of the doctor involved in such malpractice and, at the stage of conviction, can remove his/her name from the register of the council.

The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Rules, 2003 have activated the implementation machinery to curb nefarious practices contributing for

MISSING GIRLS. According to the rules this all bodies under PNDT Act namely Genetic Counselling Centre, Genetic Laboratories or Genetic Clinic cannot function unless registered. [33] The Bombay Municipal Corporation has initiated a drive against the unauthorised determination of gender of the foetus as per the directive of the Ministry of Law and Justice. All sonography centres are required to register themselves with the appropriate authority- the medical officer of the particular ward. The registration certificate and the message that under no circumstances, sex of foetus will be disclosed, are mandatory to be displayed. [34]

The shortcomings of the PNDT Act (2003) lie in criteria set for establishing a genetic counselling centre, genetic laboratory and genetic clinic/ultrasound clinic/imaging centre and person qualified to perform the tests.

- The terms genetic clinic/ultrasound clinic/imaging centre can't be used interchangeably. But the Act does.
- Moreover, The amended Act should have categorically defined persons, laboratories, hospitals, institutions involved in pre-conception sex-selective techniques such as artificial reproductive techniques and pre-implantation genetic diagnosis.
- Who is a qualified medical geneticist? As per the Act, " a person who possesses a degree or diploma or certificate in medical genetics in the field of PNDT or has minimum 2 years experience after obtaining any medical qualification under the MCI Act 1956 or a P.G. in biological sciences". Many medical experts feel that a degree or diploma or 2 years experience in medical genetics can't be made synonymous. [35]
- As per the Act, an ultrasound machine falls under the requirement of genetic clinic, while it is widely used also by the hospitals and nursing homes not conducting Pre-implantation Genetic Diagnosis (PGD) and PNDT.

Ban on the Advertisements of SD & SP Techniques.

Another important initiative that has been taken is against any institution or agency whose advertisement or displayed promotional poster or television serial is suggestive of any inviting gestures involving/supporting sex determination. MASUM, Pune made a complain to the Maharashtra State Women's Commission against Balaji Telefilms because its top rated television serial's episode telecast during February 2002 showed a young couple checking the sex of their unborn baby. The Commission approached Bombay Municipal Corporation (BMC) and a First Investigation Report (FIR) was lodged at the police station. After an uproar created by the Commission, the Balaji tele-film came forward to salvage the damage by preparing an ad based on the Commission's script that conveyed that sex determination tests for selective abortion of female foetus is a criminal offence. Now there is another battle brewing. The women's groups insist that the ad should be telecast for 3 months before each episode, while the Balaji Tele-films found it too much. [36]

We need to counter those who believe that it is better to kill a female foetus than to give birth to an unwanted female child. Their logic eliminates the victim of male chauvinism, does not empower her. The techno-docs don't challenge anti-women practices such as dowry, instead display an advertisement, "Better Rs.5000 now than Rs.5 lakhs later" i.e. Better spend Rs.5000 for female foeticide than Rs. 5 lakhs as dowry for a grown up daughter. By this logic, it is better to kill poor people or third world masses rather than let them suffer in poverty and deprivation. This logic also presumes that social evils like dowry are God-given and that we cannot do anything about them. Hence victimise the victim. Investing in daughter's education, health and dignified life to make her

self dependent are far more humane and realistic ways than brutalising pregnant mother and her would be daughter. Recently series of incidents in which educated women have got their grooms arrested at the time of wedding ceremony for demand and harassment for dowry, is a very encouraging step in the direction of empowerment of girls. Massive and supportive media publicity has empowered young women from different parts of the country to cancel marriages involving dowry harassment. They have provided new role models.

Hence, our slogans are

“Eliminate Inequality, not Women”, “Destroy Dowry, not Daughters”,

Say “No” to Sex-determination, Say “Yes” to Empowerment of Women,

Say “No” to Sex Discrimination, Say “Yes” to Gender Justice.

Philosophical and medical details of NRT need public debate without iron wall of secrecy, in all Indian languages as NRT is penetrating even in those areas where you don't get even safe drinking water or food. Technologies for population control are primarily concerned about efficiency of techniques to avert births rather than safety of women. Women have to put up with the side effects of NRTs. New reproductive technologies are provider/doctor controlled, not women controlled. Hence the women's groups repeatedly state that NRTs have inherently anti women bias. In the petition filed by CEHAT-MASUM in the Supreme Court of India and supported by the women's rights groups, Dr. Sabu George, the petitioner's demand of expansion of the scope of the Pre Natal Diagnostic Techniques Act to include sex pre-selection techniques and effective implementation of the PNDT ACT [37] has not only been accepted but also rules have been formulated for its implementation. The state governments are also organising state level seminars for doctors from the government and private sectors to focus on raising awareness to the fact of sex selective foeticide as a discriminatory practice. They are also trying to deal with the issue from the point of view of responsibility of science towards gender justice, medical ethics and human rights. Recent publication of CEHAT “Sex Selection- Issues and Concerns” selected important writings of spokespersons, which have examined the problem of “missing girls” from these angles.

There is a need to clarify the gender-just position from the anti- abortionist position. “Women should have a right to their bodies and unconditional access to abortion is not in conflict with the claim that sex selection and sex selective abortions are unethical. It is not the abortion which makes the act unethical, but the idea of sex selection.” [38]

We have a great task in front of us i.e. to change the mindset of doctors and clients, to create a socio-cultural milieu that is conducive for girl child's survival and monitor the activities of commercial minded techno-docs thriving on sexist prejudices. Then only we will be able to halt the process of declining sex ratio resulting into the phenomenon of missing girls. To stop a gender imbalanced society we will have to convince doctors and clients, state and civil society that “Daughters are not for slaughter”.

Campaign Against Sexploitation:

Women's rights organisations in Kerala and Goa have consistently opposed tourism driven sexploitation of children and young women. Global tourism industry has given rise to mushrooming of bars and nightclubs through out Asia.

Prostitution

Series of raids by the Bombay police in the red light areas “ generated public opinion that strongly called for joint cooperation of the Government and non-government agencies in the matter of rehabilitation.” [39] Several women’s rights groups and health groups are working in collaboration with refuge homes for rehabilitation of the ex-prostitutes in a humane manner.

Child Sexual Abuse

Women’s groups have taken up the cases of child sexual abuse within childcare institutions. [40] In response to sexual assault of a deaf-mute juvenile in the observation home, Forum Against Child Sexual Exploitation (FACSI) came into existence. Juvenile Welfare Board situated in the premises of the observation home took 10 days to respond to the event and that too after massive pressure exerted by FACSE which conducted thorough inquiry and submitted its report to the National Commission of Women. In its recommendations it demanded formulations of code of conduct for the child care institutions. Transparency in its functioning, regular inspection, social audit by the citizens groups were some of the crucial measures for checking and controlling abuse. In case of child sexual abuse, FACSAE suggested that the institution must launch a public inquiry or constitute a truth and reconciliation commission.

Women’s Movement and the Development Agenda

During 1970s and 1980s, the women’s movement highlighted marginalisation of women from the economy. The efforts of women activists were directed in agitation and propaganda for women’s rights, street fighting against escalating violence against assertive women and team building to counter sexual harassment at work place. In the 1990, the women’s movement is demanding its legitimate place within the mainstream with its own agenda of empowerment of women with partnership with men (Martha Nussbaum and Jonathan Glover, 1995). It has been able to identify its allies in all sections of society. Its horizontal and vertical networking has created congenial atmosphere to execute development agenda with the help of effective use of information technology, communication channels, modern managerial practices and efficient law and order machinery.

The most difficult areas have been providing educational opportunities for the poverty groups, low - cost housing, environmental and occupational safety and human rights concerns. Development thinkers and workers need safety nets to operate without pressure from the local bullies and vested interests. Bullies of each and every communities are increasingly taking advantage of development workers/teachers/ academicians because they are non-hierarchical in their functioning and also because they are not commercial minded in their day-to-day affairs. When individual women activists sense threat/pressure in advance, they do change their accommodation and jobs. This is another form of sati. The state, political parties and beneficiaries of women’s groups too have duty to ensure democratic and multicultural atmosphere within which the women activists can take judicious and gender-just decisions about allocation of developmental resources and development funding for construction of schools, community centres, sports-clubs, libraries and reading rooms, low cost hospitals and low cost housing for the poverty groups leading settled life.

Women’s Movement and Peace Initiatives

The most important contribution of the women’s movement has been its commitment for peace-initiatives in the disturbed areas torn by communal conflicts, ethnic tensions and mob violence. Its work in the refugee camps has been acknowledged by the state. Media publicity on this issue is extremely important so that such work can be replicated in the places where such groups don’t exist. Indian women’s movement has played a crucial role in the global peace initiative (Women for Peace, 1994). Women’s groups were at the forefront in terms of offering support to the survivors of communal carnage in Gujarat in 2002. [41] Women’s Movement in INDIA and Decision Makers in

the Educational Institutions.

To incorporate a gender perspective in the academic curricula, our decision-makers will have to be prepared for numerous reforms in the existing syllabi and teaching methods. Conceptual issues regarding gender perspective will have to be integrated in all subjects within humanities, social sciences, technical training institutes, Academies on essential services such as railways, road transport, police, military and paramilitary forces, health-care, school of architects, engineering and science colleges so that we can get gender-aware human resource for area development, town planning, travel and tourism, public health projects, industrial growth and disaster management. Fine arts faculties, communication schools, sports department, music colleges and libraries should integrate relevant research findings generated by the women's movement in their course content. The most difficult task in this direction is - identification of motivated teachers who are ready to evolve course- content on women, which can be integrated in the mainstream discipline.

This exercise will have to be supplemented with textbook writing, translations and funding. Vice-chancellors of our universities need to be convinced about foundation course on women and Development. Educated women (with specialization to deal with technical aspects) of the women's movement can be invited as resource persons to provide inputs in curriculum development. Sexual harassment of women employees, contract labour, Ph.D. students, women field workers and women teachers should be handled with utmost sensitivity, by the heads of the institutions and academic council. Witch-hunting of women academicians fighting for women's rights must stop.

Women's Movement to Promote Secular Humanism

The members of secular women's rights groups believe in fight against all forms of sexual oppression and consider women as an oppressed sex. They believe, like casteism and communalism, sexism is also one of the most effective weapons utilised by the ruling class to divide masses. Hence, they believe in fighting against caste system, religious chauvinism and sexism simultaneously. In their personal lives also they practise non-discriminatory attitudes towards people of different religions, castes and classes. They consider that economic independence of women is a minimum necessary condition for women's liberation but it is not enough. One has to fight for women's rights in socio-cultural, educational, political fields to achieve total liberation. Many of those members of women's rights groups call themselves feminists. They do not like the term 'social worker' for themselves. Those who believe that legal reforms can change women's position are known as liberal feminists. Those who consider men as responsible for the plight of women are known as radical feminists. And those who situate women's oppression in the overall socio-economic and cultural reality are known as socialist feminists. Socialist feminist believe in establishing linkages between women's movement and broader socio-political movement by working in collaboration with various types of mass organisations like trade unions, democratic rights organisations and issue-based united fronts. They think that women's demands have to be fought on a day-to-day basis. Then only new ethos, new ideologies, new morality and new egalitarian relations between men and women can be evolved.

Globalisation has made civil society more inward looking. Caste, religious and kinship networks are activated to bring reforms within the community. All networks with global connections are executing development projects, which would benefit their stake groups. In this situation, women's rights activists with multicultural perspective can play important role as catalysts for women's empowerment. Without ensuring women's rights, globalisation can't have a human face. We should not forget that globalisation has widened income gap between the resource poor and resource rich countries. Free play of market forces have made majority of Indian women more vulnerable. NGOs have provided islands of security in some pockets. In this situation, affirmative action by the democratic institutions and the nation state, in secular areas of human governance is the only

answer.

Decision Making for the Global Governance:

Gender parity through distributive justice has been one of the milestones of the Millennium Development Goals. We can see the human face of globalisation only when we are able to reduce the North South Gap in the quality of life, Women decision-makers across the globe must strive collectively and see to it that resources and fruits of development and economic prosperity are distributed justly among countries, within countries and among all human beings thereby eliminating poverty. This will ensure everyone access to food and nutrition, shelter, health services, safe transportation, right to information, education, justice, culturally rich leisure-time activities. To deal with this crucial task force, we will have to evolve high levels of participatory democracy in governance so that we can improve lives and freedoms of peoples in all parts of the globe.

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