

## **Women's Charter for the 16th Lok Sabha Elections - 2014**

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The undersigned women's organisations have pressed for inclusion of these issues in the political party manifestoes.

We, the women of India, feel that the outcome of these elections will greatly impact women's struggles for safety, equality and progress. On behalf of crores of women from diverse sections of society from rural and urban areas, across the length and breadth of our country, we wish to draw public attention to the issues that have affected women in recent times. The concerns highlighted here need to become part of the mainstream political agenda in the forthcoming elections and in future government policy to ensure equality and dignity for the women of this country across social groups.

### **TOWARDS A SECULAR GOVERNMENT THAT PROMOTES WOMEN'S INTERESTS**

#### **Part I - Preamble**

*As India once again goes into another general election for the 16<sup>th</sup> Lok Sabha, we, the women of India consider it a crucial battle, coming as it does in the wake of increasing sexual violence, honour crimes, atrocities against dalit, adivasi and minority women, together with rising unemployment, hunger, and relentless price rise. The aggressive pursuit of pro-corporate neoliberal policies by the Congress-led United Progressive Alliance II (UPA II), with its huge loot of public resources on the one hand, and inadequate expenditures on economic and social development on the other, has resulted in severe miseries for the people. The Bharatiya Janata Party is seeking to utilise this rising discontent to its political advantage. Backed by a willing corporate media, it is projecting itself as the alternative. However, as we have experienced earlier, its economic policies are no different from that of the Congress. The BJP's record in the states where it is in government on socio-economic development, equity, social justice and corruption is far from satisfactory. Along with other constituents of the Sangh Parivar, it has launched an extremely vicious and communal electoral campaign in order to polarise the people and consolidate its votes. It is projecting as its Prime Ministerial candidate, the very person who as Chief Minister oversaw the 2002 Gujarat pogrom. The BJP and its parent Rashtriya Swayamsevak Sangh ideology stands for divisiveness, disunity and a highly conservative patriarchal attitude towards*

women.

*We, the women of India, feel that the outcome of these elections will greatly impact women's struggles for safety, equality and progress. On behalf of crores of women from diverse sections of society from rural and urban areas, across the length and breadth of our country, we wish to draw public attention to the issues that have affected women in recent times. The concerns highlighted here need to become part of the mainstream political agenda in the forthcoming elections and in future government policy to ensure equality and dignity for the women of this country across social groups.*

**Violence** against women has increased manifold in the last five years. The crimes against women statistics reveal 68 rapes (3 rapes every hour) and 23 dowry deaths per day (almost 1 every hour). Over 2.5 lakh cases of crimes against women have been recorded every year. The conviction rates on the other hand continue to remain very low - at 24% for rape cases, 32% for dowry deaths and a paltry 21.3% for all crimes against women. This is a severe indictment of the failure of the criminal justice system to address the issue of crimes against women.

Women from **Dalit and Adivasi** communities face structural violence and rape from those who wield enormous social and economic power. The demand to amend the Prevention of Atrocities Act to make include certain acts like parading, denying entry to public places, etc. was not acceded by the UPA II government despite repeated demands that the caste system prevent dalit women particularly non access of land ,discrimination at all spheres of life. The untouchability still prevents them to have access in the society and all economic development activities of the nation. The attacks against women from the north east are on the rise and have raised the serious issue of racial discrimination and violence.

The spate of **crimes in the name of honour** continue, the most recent being a gruesome incident of gang rape of a adivasi girl in West Bengal and the beheading of the couple in Rohtak, Haryana. More and more such crimes are being reported from Uttar Pradesh, Rajasthan, Maharashtra, West Bengal and Tamil Nadu. The government has failed to take action against khaps and other such extra constitutional bodies who encourage such criminal acts, for fear of losing political support. There has been a singular failure on part of the UPA-II government to enact a special law to deal with crimes of honour, despite recommendations from the Planning Commission's Working Group on Women's Empowerment. The Empowered Group of Ministers that was set up to look into the matter has been quietly withdrawn.

The horrific gang rape and murder of a young medical intern in the capital city in December 2012 saw unprecedented outrage and anger flowing into the streets all over the country. It resulted in the preparation of a comprehensive report by the **Verma Committee**, whose recommendations constituted a big step forward in the struggle for women's rights.

Unfortunately, the Criminal Law Amendment Bill, 2013 passed by the UPA Government was a piece meal legislation that does not fully address the various dimensions of violence against women. It failed to address the important issues of marital rape exception, does not acknowledge the social, economic and political power of those who rape with impunity women from the most vulnerable sections of our society, does not protect young boys and girls who are in a consensual relationship between the ages of 16 and 18 years from the criminal consequences of statutory rape; does not accept the recognition of command responsibility, excludes Armed Forces Special Powers Act from its purview and retains the death penalty.

The recent demands by young women for **personal freedom and choice** and an equal right to public spaces and the rising protests against crimes against women have led to a sharp **conservative and patriarchal backlash** that blames women themselves for the violence against them. Their clothes, their very presence in public spaces, “modern values of freedom”, “free association of young women and men” are conceived as the causes of rising sexual crimes. For the Sangh Parivar, this presents an opportunity to reinforce the myth that “Hindu” women were safe and secure in a “glorious India” of the past. The attacks on young women sitting in a pub in Bangalore or questioning young couples in public spaces and opposing inter community relationships are examples of such moral policing. The Islamist fundamentalist forces are no less conservative, with attempts to impose dress codes, ban the use of mobile phones by young women and prohibit co-education. There are attempts to reinforce control over women in the name of safety through the creation of extra-constitutional bodies and “women’s safety neighbourhood groups”. It is unfortunate that such views are shared by a large number of people, including government officials and members of the judiciary, whose opinions influence policy.

For women, one of the biggest betrayals has been the utter failure of the UPA II to pass the 33% **Women’s Reservation Bill**, despite its majority in the Parliament. With the exception of the Left parties, not a single opposition party seriously pressed for its passage, and some openly opposed it. Along with the failure to have more women in decision making bodies, it means that women are unable to exercise an effective role in policy making.

Several laws such as the **Protection of Women from Domestic Violence, anti-dowry laws** etc. have been enacted due to the protracted struggles of the women’s movement have been rendered ineffective due to grossly inadequate provision of finances, personnel and infrastructure. An additional allocation for the Nirbhaya Fund, of 1000 crores this year carries little meaning if the survivors and victims of sexual violence are unable to access the funds for rehabilitation and relief purposes. A similar allocation made grandiosely in the last budget has been spent only partially, and in a non transparent manner.

The 2011 Census figures have brought to the fore the further and steep decline in **child sex ratios** (CSR) from 927 to 914 between 2001 and 2011 and spread across 27 states and UTs. Recently released data from the 2011 Census shows a sex ratio of 919 for the age group for

the age group 1 – 6 years, and even lower at 911 for 7-15 years, showing a gross neglect of the girl child. This is a damning indictment of the policies of the Central and some State governments and an exposure of the utter failure to implement the **Pre-Conception and Pre-Natal Diagnostic Techniques Act**. The government has taken virtually no action against those doctors and medical technologists who are out to make profits, without whose collusion sex selective abortion cannot occur. The PcpNDT Act continues to be violated with impunity. The monitoring and supervisory bodies are dysfunctional.

Despite a Constitution that mandates equality, women still do not have the **right to property** on the same terms as men. It varies according to personal and community laws that are patriarchal and deny women equal right to inherited and matrimonial property. Due to women's struggles, the government was forced to incorporate changes in the Hindu Succession Act in 2005. Even where law has given a right, conventions and practices do not recognise them. Women are still compelled to make relinquishment deeds since there is no bar on doing so.

One of the most striking failures of the UPA government has been its inability to check the **unrelenting rise in prices** of food and other essential commodities. For seven long years since 2007, India has lived with persistent double-digit food inflation. Prices of potatoes have doubled and even quadrupled over this 5 year period, onion prices have at an average doubled from already high levels, and the increase in rice, wheat and groundnut oil too is between 50 to 100% per cent. LPG and kerosene prices have increased enormously causing huge strains on family budgets. The privatization of public services like health, education, transport, etc. is also increasing family burdens.

The singular pursuit of high economic growth has been accompanied with **chronic food deficiency and hunger**. As per the 2013 UNDP Human Development Index, India ranks 94th out of 199 countries in the Global Hunger Index. According to the World Food Programme, each minute, five Indians die of hunger which makes 7000 each day and 2.5 million people dying of hunger in India every year. The NSS reports falling average consumption of calories from 2246 per capita per day in rural areas in 1972-73 to 2020 in 2009-10, and from 2107 calories to 1946 in urban areas. The high growth states of BJP-ruled Gujarat and Congress-ruled Maharashtra are amongst the worst where malnutrition is especially pronounced for children and women. Almost half of India's children under age five years (48 %) are chronically malnourished while seven out of every 10 children age 6-59 months in India are anaemic. 36% of women are undernourished, with a BMI less than 18.5, indicating a high prevalence of nutritional deficiency. Over half of women (55 %) are anaemic.

Food security has been severely impaired by the **weakening of the PDS**, the continuation of the hopelessly **flawed targeted system** and the exclusion of large sections of the poor in the name of their being APL. Four years after the expiry of the '100 day' promise, the National Food Security Act was finally passed by both Houses of Parliament, at a time when

70 million tonnes of foodgrains were being held as stock by the government, four times in excess of the buffer norms. Far from being universal, the Act falls guarantees only 5 kg of food grain per month to 67% of Indian households, 75% in rural and 50% in urban areas. This is well below the ICMR's 14 kg requirement. It does not ensure availability of sugar, pulses, oil and other essential items. This is resulting in irrational exclusions of many people.

UID-enabled **Direct Benefit Transfer and Direct cash transfer** schemes are being projected as an efficient means of transferring subsidies. In reality, once cash transfers are introduced, the prices of food and other commodities and services will be deregulated and left entirely to the market forces and further push up prices. The UID biometric technology is unproven and the infrastructure costs huge. There is no guarantee that DBT cash will actually be used for buying the commodity for which the cash is given. The implementation of schemes that are based on cash transfers to bank accounts like MNREGA, old age pension, widow pension, etc show that the problems of corruption and undue delays continue. At present the LPG Cash Transfer Scheme has been suspended but has caused great hardship to women while it was being implemented.

Government's own surveys show that women are increasingly **out of work**. Even those who are working are doing lowly paid work under highly exploitative and insecure conditions. More and more women are being pushed into unpaid domestic and outside work. Despite several cases of inhuman torture and sexual exploitation there is yet no law to protect domestic workers. Mechanization has led to a huge decline in availability of agricultural workers. Many poor women are being pushed into unsafe and exploitative migration and trafficking.

The **Unorganised Sector Workers Act** of 2008 cruelly excludes most poor women workers by limiting beneficiaries to the BPL category. There is a need for a single window system which caters to workers from all occupations and industries especially when women are simultaneously in multiple occupations.

The **MNREGA** has been an important instrument for addressing rural unemployment and distress. It witnessed a high participation of women which rose from 41% in 2006-07 to 52% in 2012-13. But the average days of work per household has fallen from the 54 days per annum peak in 2009-10 to 45 days in 2012-13. The fall is entirely due to the cut in fund allocation by the centre, which has not kept pace with the wages in the programme. High productivity norms, difficult working conditions, long delays in payment and the unequal wages received by women have continued thereby sabotaging a good Act.

The **agrarian distress** is unabated. It is reflected in the high and continuing rate of farmers' suicides and distress migration. As per NCRB data, a total of 2,70,940 Indian farmers have committed suicide; the yearly average between 2001 and 2011 is 16,743, or 46 suicides a day. Women are still not recognised or registered as farmers, they are left out of

the credit ratings, and excluded from the debt waiver schemes. The recommendations made by the Swaminathan Commission, which included specific measures for women, have been ignored.

**Public expenditure** for the provision of universal, affordable or free services like food security, health, water & sanitation, child care, etc. has sharply declined even as taxes foregone on account of concessions to the corporate sector and other elites have remained as high as 6-8% percent of GDP. As per the CAG reports, lakhs of crores of rupees have been lost on account of corruption in high places which could have been used for development of the common people.

The **open plunder of natural resources** by corporates with government facilitation has had adverse implications for women, who have the primary responsibility to collect fodder, fuel, water, minor forest produce, etc. The encroachment and annexation of natural resources and the widespread displacement on account of land acquisition and large projects has meant that these resources have become less accessible and more expensive, increasing women's work and drudgery. The absence of adequate rehabilitation and resettlement takes a heavy toll off women.

The Government has been swift to safeguard corporate interests with concessionary loans, but has denied women's self help groups lower rates of interest as part of priority sector lending. The Micro Finance Institutions (Development And Regulation) Bill, 2011 came in the wake of demands to effectively regulate and control the **highly unfair and exploitative practices of microfinance** lenders which drove some borrowers to suicide. However, UPA's draft Bill was totally inadequate and pro-MFI with no interest caps or ban on for-profit MFIs and was rightly rejected by the Parliamentary Standing Committee.

**Secularism has been under siege.** The communal forces, led by the Sangh Parivar, have been unleashing communal violence against minorities in states like Uttar Pradesh. Caste and community identity are being used to polarise society. But the government has refused to intervene and take stringent action to safeguard those affected by communal violence. Regional and ethnic chauvinism is raising its ugly head in many states. It is a matter of deep concern that the mainstream political parties are not just unwilling to stand up boldly against divisive hate politics but are actually using it for narrow political gain.

Successive governments have failed to address the **needs of minorities.** The UPA government failed to act in a substantive manner on the plight of the Muslim minorities highlighted by the Sachar Committee report. It has ignored the claims of Dalit Christians to reservation under the SC category, as recommended by the Justice Ranganath Misra committee. It has betrayed the cause of social justice by hastily passing a Bill in the Rajya Sabha that keeps 47 Institutes of excellence outside the purview of reservations for SCs and STs.

*It is time for women to stand up to protect the secular pluralists heritage of our country,*

*push for alternative policies that will effectively deal with the agrarian crisis and the recession, for a government that is conscious of the need to protect the rights of the economically and socially oppressed sections and will work for their upliftment, a Government that will recognize the rights of women and will work towards gender equality and justice.*

*On behalf of the undersigned women's organisations, we call upon all political parties national, and regional, to include our following demands in their election manifesto for the 16th Lok Sabha elections. We will conduct a widespread campaign amongst the electorate on the basis of this Women's Charter.*

## **Part II: Charter of Demands**

### **Political Reservation**

- Enact the 33% Women's Reservation Bill to reserve one - third seats in Parliament and State Assemblies for women.
- Legislation for at least 50% reservation for women in all decision-making bodies;
- Enact the Constitution (One Hundred and Tenth Amendment) Bill, 2009 after necessary amendments to enhance reservation for women from one-third to one-half of the total seats in the Panchayats and Municipalities; provide similar reservation for the offices of Chairpersons.

### **Food Security and Price Rise:**

- Remove the cap on 'Priority' households in the National Food Security Act and universalise the PDS to exclude only tax payers. Ensure a minimum entitlement of 35kgs or 7 kgs per person, whichever is higher, of foodgrains per household. Special drives to ensure ration cards to all, especially single women, unorganized sector workers, disabled, migrants and street dwellers.
- Strengthen the PDS and provide pulses, sugar, tea, edible oil, salt, milk and vegetables at controlled prices through ration shops. Take strict action against hoarders and blackmarketeers under the Essential Commodities Act. Ban futures trading in essential commodities.

- Remove the cap on number of domestic LPG cylinders available at administered prices. Ensure a minimum quota of at least 5 litres of kerosene per person at controlled prices through the PDS shops. Provide subsidized LPG for cooking Mid Day Meals and ICDS Centres.
- Reduce the prices of petrol and diesel by cutting excise and customs duties.
- No to cash transfers and linkage of Aadhar for availing of essential commodities especially food and fuel through the PDS.
- Universalise the ICDS. Ensure hot cooked meals in ICDS, MDMS and other nutrition programs.
- Control the price of all essential drugs.
- Stop the export and auction of foodstocks and instead provide them to the states.
- Extend procurement of all food crops at remunerative prices in all areas of the country.

## **Employment and Wages:**

- Remove the 100 workdays cap in the MNREGS. Revise work norms and ensure payment of minimum wages to women. Ensure implementation of crèches at worksites.
- Enact an Urban Employment Guarantee Act
- Regularise ICDS, ASHA, Mid Day Meal and other scheme workers with minimum wages pensions and social security benefits. .
- Implement the Unorganised Workers Social Security Act of 2008 by universalizing its provisions for all workers irrespective of all occupations and industry. Provide adequate budgetary support to implement various social security schemes in a single window system.
- Implement a special protective legislation for agricultural workers for minimum and equal wages, maternity benefit and pensions and other social security for them.
- Recognise working women in the organized and unorganized sector as independent economic units.
- Ensure equal and index linked minimum wages of at least Rs 10000 per month.



- Implement a universal and mandatory child care scheme. Set up Committees and ensure implementation of the Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act. Amend the Act to expand the definition of workplaces to including homes and farms and remove the penalty clause.
- Ban FDI and control the entry of big business houses in retail trade.
- Include women's Self Help Groups as part of priority sector credit sector and provide them with loans at 4%. Ensure adequate training and marketing support for their products. Pass a law to stringently regulate MFIs.

### **Social Development:**

- A minimum universal non-contributory publicly funded pension for Rs 2000 per month for all women above the age of 55 years, all widows and all disabled women irrespective of age.
- Increase public spending on Education to 6% and on Health to 5% of the GDP.
- Regulate and bring social control on private educational and health services. Promote public funding of education and health systems.
- Universal and free public health care for all. Control prices of essential drugs and provide them free of cost in public facilities.
- Regulate and monitor clinical trials.
- Enact a Central law to provide free and compulsory education in the age group 0-18 years, with special emphasis on the girl child.
- Universalise ICDS and extend it to all habitations. Increase expenditure on supplementary nutrition schemes including Mid Day Meals.
- Universalise all health, welfare and educational schemes without any conditionalities. Remove the two child norm. Give priority to single women, SC, ST, minority women headed households and disabled women.
- Implement special packages for the rehabilitation of women and children in households affected by suicides of farmers, handloom workers, agricultural workers, etc.,
- Implement the recommendations of the Sachar Committee and the Rangnath Mishra Committee for reservations for Muslims in educational institutions and jobs.

## **Land, Water, Natural Resources**

- Distribute surplus ceiling land to landless households with joint pattas to women.
- Ensure land for house sites for all homeless, with priority to single women in rural and urban areas in the joint names of women and men.
- Prevent the diversion, acquisition, encroachment and takeover of common lands like pastures, community forests, scrublands, etc and ensure user rights for women over them, especially for those from SC, ST, migrant and nomadic communities.
- Treat women as Project Affected Persons in all relief and rehabilitation measures, minimize displacement, no displacement without prior informed consent; and ensure alternative means of employment and livelihood for women displaced due to infrastructure, urbanization and industrial projects.
- Stop privatization of water resources and drinking water schemes in rural and urban areas. Give priority to water for agricultural and drinking water purposes.

## **Resource Mobilisation and Budgetary Allocations:**

- Increase substantially public expenditure on economic and social development programmes for the people, maintain integrity and ensure full utilization of allocated resources, stop budget cuts on pro-people works.
- Provide central budgetary support for the effective implementation of the PWDV Act, anti-Sexual Harassment Act, Prevention of Atrocities Act and for schemes to support survivors of crimes against women, particularly sexual assault, acid attack, honour crimes and sectarian violence.
- Discard privatization and the failed PPP model which subsidizes the corporate sector, worsens service delivery and raises costs/user charges/fees for the consumers
- Stop proliferation of liquor vends as a source of revenue mobilization.
- Ensure that all Ministries and Departments effectively allocate at least one third allocations for women. Ensure a minimum of 30% allocations for women within schemes for SC, ST, Denotified Tribes, Minorities and other socially deprived

groups. Ensure that allocations for sub-plans for dalits and tribals are not diverted.

- Stop giving tax concessions to the rich and corporate sector. Raise taxes on the wealthy and the corporate sector and unearth black money in order to increase the expenditures on public infrastructure, health, education, welfare schemes, etc.
- Make available data of beneficiaries of different welfare schemes disaggregated on the basis of sex, caste and community groups in order to enable a proper assessment of their outcomes on different social groups of women.

## **Protection of Civil Rights**

- Enact a comprehensive law against communal violence. Ensure speedy justice and adequate compensation to the victims of communal violence, particularly rape survivors and children.
- Amend the SC and ST (Prevention of Atrocities) Act to include obstructing the use of common resources such as wells, ground, social and economic boycotting, prevention of participation in elections, etc. Fill up the backlog in all SC, ST and other reserved posts in a time bound manner. Give reservations to Dalit Muslims and Dalit Christians.
- Provide for the reparation and compensation of families of wrongfully confined minority and tribal youth.
- Take stringent action against army, para-military and security personnel indulging in human rights violations in disturbed areas. Repeal the AFSPA.
- Enact an anti-racist law to ensure greater security of people from the North-East.

## **Violence against Women and Legal Issues:**

- Implement all the recommendations of the Justice Verma Committee Report. Include sexual violence against women from SC, ST and minority communities as aggravated sexual assault. Make marital rape an offence. Safeguard S498A of the Indian Penal Code.
- Fast track all cases of violence against women within a legally bound period of time.
- Stringent implementation of the PcPNDT Act. Safeguard women's right to safe

abortion.

- Protect young couples in a relationship and their right to choose a partner. Enact a comprehensive stand alone law to deal with crimes in the name of “Honour” and khap panchayats.
- Amend the criminal law so that the statutory rape provision does not apply in consensual sexual relations between young couples when the girl is 16 years or more and the age difference is 3 years or less.
- Enact a comprehensive law to prevent trafficking of women and children for labour and sexual exploitation. Oppose the proposal to delink prostitution and trafficking.
- Enact a law for equal rights in marital and inherited property for all women. Strengthen laws relating to maintenance for women and children. All family laws should give equal rights to women in marital and inherited property.
- Ensure equal rights and equal laws for women from all communities. Make registration of marriages compulsory.
- Introduce and enforce a stringent liquor policy to control production and sale of liquor. Delegate powers to women gram sabhas and ward sabhas to permit opening liquor vends in the area.
- Re-orient the educational syllabus to inculcate values of gender equality and conduct multi-level campaigns against regressive anti-women practices such as dowry, child marriage, etc.
- Repeal Section 377 of the Indian Penal Code (IPC) and decriminalise same sex adult consensual relationships.
- Enact a comprehensive law against superstitions and irrational practices.

## **Others**

- Institute and implement a Code of Conduct for the prevention of anti-women derogatory statements by persons in public office.
- Draft and implement a gender-sensitive Media Code.
- Strengthen the autonomous functioning of the National and State Commissions for Women, the selection and composition of the members must be made through an institutionalized, independent and transparent process and Members should be not

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be political appointees but should be experienced professionals and women's rights activists.

- Promote and financially support Women's Studies Centres in all Universities.
- Ensure minimum 10% of Plan fund for gender budget. Gender auditing should be strengthened.

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