

Some of the present day major areas of gender concern are low maternal mortality rates, escalating violence against women in public and private spheres, the rising incidences of female foeticide and infanticide, honor killings, dowry torture, which continue to persist over the years.

- Every sixth female infant death in India is due to neglect and discrimination. The sex ratio for 0-6 year-olds fell from 945 females per 1,000 males in 1991 to 914 in 2011 which is the all time low (as per provisional Census of India report 2011)
- Every six hours, somewhere in India, a young married woman is burned alive, beaten to death, or driven to commit suicide. It is estimated that more than 15,000 women suffer from dowry-related violence every year.
- Other women face domestic violence, incest, rape, public humiliation, trafficking and honour killing. The reported incidence of crimes against women has increased from 1,55,532 (2004-05) to 2,03, 804 in 2009. According to a National Crime Records Bureau report 2009, cruelty by husbands and dowry related violence together account for 48% of the total crimes against women.
- A UNIFEM report says nearly 60 per cent of the women in rural India get married before the age of 18 and 60 per cent of married women become mothers before they are 19 years of age.
- The NFHS-3 report mentions that 37.2 % ever-married women who have ever experienced spousal violence (%)

There have been policies and laws to address the issues related to violence against women, but the role of the government has remained very scanty in implementing the laws and the rules. Some of the major policies and laws to address the issue related to violence against women are anti dowry act, 498 A (to deal with any forms of atrocities against women) and the recent Protection of Women against Domestic violence PWDV act of 2005 to address issues related to domestic forms of violence faced by women.

Where is the resource?

- While the acts and rules are in place, the Government lacks the political will and resource allocation to implement them. Regarding the PWDV act, the Government of India has made the implementation as a state chapter which means various federal states have the responsibility to implement the rules of the act. The resources for the implementation will come from state government budget and not from the Centre. The depressing fact is none of the state governments have shown the political interest of spending from the state revenue to address the domestic violence issues. While some states have appointed full time officers with an office, most of the states did not make a full time provision for an officer and an office. There has also been least effort to make the community aware of the act so that they can take benefits of it.

The table below shows that some of the high income states do not even budget for the act to be implemented, while others who have budgets, it is a low percentage of the total state gross domestic product

State	State Gross Domestic Product (Ten Million) INR *	Expenditure on PWDV act 2009-2010**
Maharashtra	901,330*	No separate Budget
Uttar Pradesh	519,899	No separate Budget
Andhra Pradesh	475,267	98,40,000 INR (0.0003% approx. of the State GDP)
Tamil Nadu	464,009	25,96,000 INR (0.0005% approx. Of the State GDP)
Gujarat	429,356	No separate Budget

*Source: http://unidow.com/india%20home%20eng/statewise_gdp.html
 **Source: Staying alive-Fourth Monitoring and Evaluation Report of PWDV act by Lawyer's Collective-2010

According to the National Family Health Survey-III Uttar Pradesh and Tamil Nadu have reported above 40% of spousal, physical or sexual violence but have either no budget or limited budget to provide legal support to the women.

The apathy of the various state machineries make it difficult for a women coming from a low economic background to deal with her life situation where she has to face discrimination and violence of various forms on a regular basis.

The Fourth monitoring and evaluation report of the PWDV act by Lawyer's Collective has brought out very clearly that the states have either not budgeted or have made scanty provisions to implement the PWDV act without any proper guideline of spending on the critical aspects of the act.

Some of the other issues related to the implementation of the acts insensitive state machinery in dealing with the cases related to violence against women. The apathy of the police system is often intimidating for the women even to approach the police, the state judiciary has a lackadaisical approach is disposing the cases related to domestic violence, the legal machinery is often too tied up to support the women from poor communities with free services.

While on one hand the country is growing, the resources are shrinking to implement the policies that create a support system for women facing various forms of violence. The state needs to realize that resources are pertinent to implement the acts and policies and a proper allocation would be highly called for.

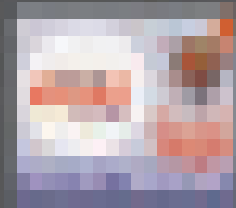
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BHUMIKA NEWSLETTER

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UPDATES

Not all government officers have had gender training but most would have had some exposure to gender issues. In any group of government officers, there may be a wide range of knowledge on gender. Some may have done a lot of thinking about gender equality and be committed to it. Others may be interested but might not have got the opportunity to explore what it means and, others may be



confused or be against it. For training to be successful, our effort was to make participants feel comfortable by way of ensuring that everyone understands the terms and basic gender concepts we are using so that they can relax and not feel inadequate. The challenge is to bring everyone to a common level of understanding without exposing those who have less knowledge or 'talking down' to those who have significant gender background. When we prepare to facilitate this session with government officials, they may want to frame this session as a 'refresher' or 'review' of gender concepts.

One of the Magistrates shared that through these types of trainings his perception has changed while giving judgment.

After Rakshak training the Police have started referring cases to Helpline and were very happy to know the different support systems for vulnerable sections in our society.



The basic aim of conducting these types of gender trainings is to create training modules to gender sensitize the police, judiciary, administrators, NGOs and media. At the same time an understanding of the actual difficulties faced by all these agencies in dealing with gender specific issues would become known. During the trainings for newly appointed Magistrates, Rakshaks there have been few comments "Using abusive language by men is a common phenomenon as it bursts out of anger" and few female trainees also stated that they do not feel bad if the male counterpart uses abusive language because there would be a strong reason for him to behave in that way. Keeping these things in mind it was necessary to undertake these types of trainings to sensitize the officials so that uniformity would be followed while dealing with the gender based issues. After the training the attitude among the government personnel has changed to a positive direction wherein they felt sensitized and expressed that the thinking they were carrying is not so correct and a sympathetic attitude needs to be developed so that a just society can be formed. After the training for Rakshaks we have been getting many calls on our Helpline which have been referred by the Rakshaks and the material which has been distributed about the different support systems for the women in vulnerable conditions has also been very helpful for them as they have been referring the women to the required support system.

Since 2007 the Centre was not functioning and to make it run smoothly there has been interaction with the District Judge regarding the functioning of the Centre for which an assurance was given that the Centre would start again with an immediate effect and the same was implemented and now many clients are being referred and due to the Centre the cases are getting resolved as, mediation is one of the Alternative Dispute Resolution methods. Under the provisions of Sec.89 Civil Procedure Code, the Parties can settle their cases arriving at compromise with the aid of Mediators. The Role of Mediators is to guide and assist the parties to explore the possibilities of settlement and to know about the pros and cons of the litigation / settlement. The mediators neither settle the dispute nor pass the award, but they guide the parties thereby the parties may arrive at terms of settlement on their own.

under Rajiv Vidya Mission (SSA) Bhumika Women's Collective has been selected as one of the members under Girl Child Education by AP Government in improving the status of girl child education.

G.O.Ms. No. 28, WCD & SC Dept., Dated: 13.06.2011

Category of offence/Atrocity and section of IPC

1. Outraging the modesty of Women (Rape) as per Sec.375 & 376 of I.P.C.

- An amount of Rs.50,000/- to each case as follows:
- 25% when FIR is registered along with the Medical Report
- 25% after filing of charge-sheet
- Balance 50% should be paid after completion of trial

2. **Kidnapping and abduction of woman or child as per Sec. 360 & 361, 362, 363, 363-A, 365 or procurement of minor girl U/s 366-A IPC; selling minors for the purpose of prostitution U/s 372 IPC; buying minors for prostitution U/s 373 IPC**
Rs. 20,000/- to each victim if she is alive. If not, to the head of the family or Legal Guardian as the case may be provided such person is not an accused.
3. **Dowry Death (Section 304-B I.P.C.) Or Dowry Murder Sec.302 I.P.C. r/w or Sec.3,4,5,6 of DP Act.. Sec.306 I.P.C r/w with 498-A I.P.C**
Rs.50,000/- in case of Dowry death as follows:
 - (i) Rs. 25,000/- to the parents towards legal expenses.
 - (ii) In addition the following Relief/Rehabilitation measures shall be taken:
If the mother is left with children, they should all be admitted to the residential schools run by Welfare Departments with the permission of family head or Guardian. The facility of Girl Child Protection Scheme (GCPS) shall be extended to all the Girl children of the deceased, if they are eligible.
 - (iii) In case they are not eligible for the scheme, Rs.25,000/- will be deposited in the name of the Child, in Local Nationalized Bank which the child will get after she reaches 20 years. The Government will take care of full cost
4. **Sexual assault (rape) of minor below 18 years, (or) Gang rape Sec.375 & 376 (2) (g) I.P.C. (or) Custodial Rape Sec.376 (2) (b) or Sec.376-B I.P.C**
 - (i) A compensation of Rs. 1,00,000/- to each victim as follows:
 - (ii) 25% when FIR is registered along with Medical Report
 - (iii) 25% after filing of charge-sheet
 - (iv) Balance 50% should be paid after completion of trial
5. **Women and Children rescued from trafficking**
An amount of Rs. 10,000/- to each individual per case or actual, whichever is lower, to be paid either by the Commissioner, WD & CW or the District Collector to the Children/Women who are rescued from trafficking for:
 - (i) Repatriation of victims rescued from brothels and other places of trafficking to their homes/transit home/rescue home
 - (ii) Expenditure towards travel, clothing and other immediate necessities, urgent medical care, food and accommodation expenses
 - (iii) As per G.O.Ms. No. 1, WD, CW & DW (Pro.) Department, dt.03-01-2003, the District Collector and P.D. WD & CW will ensure all rehabilitation measures like, Economic Empowerment, Health, Education, Housing and Civic Amenities, Legal Assistance etc.,
6. **Women & Girl victims of Acid attacks Based on FIR & Medical Report**
An amount of Rs. 1,00,000/- to each victim as follows:
 - (i) 50% when FIR is Registered along with Medical Report (and Free Treatment under Arogya Sree Policy)
 - (ii) 25% after filing of charge sheet
 - (iii) Balance 25% should be paid after completion of trail
7. **Women & Children who have been Hacked or Throat Slit, or grievously injured due to attack with a weapon etc.**
An amount of Rs. 1,00,000/- to each victim as follows:
 - (i) 50% when FIR is Registered along with Medical Report (and Free Treatment under Arogya Sree Policy)
 - (ii) 25% after filing of charge sheet
 - (iii) Balance 25% should be paid after completion of trail

The Supreme Court asked the states to comply with its earlier order on rehabilitating sex workers, failing which it will summon the chief secretaries of the errant states and seek an explanation. The apex court had asked the central and state governments to prepare schemes for giving technical and vocational training to sex workers and sexually abused women to make them financially independent.

Is Rs.1500 per month enough as maintenance for three children? No, said the Delhi High Court, which has pulled up a man for giving this paltry amount to his divorced wife for bringing up their three children. He has now been ordered to cough up a monthly maintenance of Rs. 7500 – or Rs. 2500 for each kid.

From June 1, 2011 women of 58 years can travel in train with concessions given to senior citizens and men in this category can enjoy a higher concession of 40 % in their fare.

Extending a helping hand to disabled persons in the State, Chief Minister announced several benefits and enhanced the incentive for a marriage between an able and a disabled person from Rs. 10,000 to Rs. 50,000 with immediate effect. It was also decided to increase the subsidy for the disabled for economic support schemes to Rs. 30,000 on a par with Scheduled Castes and Tribes and to extend the Arogyasri scheme to them.

The Delhi government has written to the Chief Justice of the Delhi High Court urging him to set up fast track courts for ensuring speedy justice to rape victims.

The central government will launch a scheme to compensate rape victims from August 1, 2011. “The scheme has been approved and the budget has been provided. Now it has been decided to launch the scheme (for rape victims) on Aug 1. The scheme will aim to provide restorative justice to rape victims through financial assistance as well as support services. The scheme provides an amount of Rs 2, 00,000 for the victim which may be increased to Rs 3, 00,000 in certain cases, like the rape of a minor or of a mentally or physically challenged woman.

In a bid to improve the skewed sex ratio of girls and boys, the Maharashtra government launched a helpline number on July 11, 2011 to prevent illegal sex determination tests and female foeticide. The recent provisional census figures have put it at 883 girls per 1000 boys in the State. Citizens can call 188002334475 and register complaints, voice concerns as well as give tip-offs on sonography centres/doctors operating anywhere in Maharashtra and engaged in flouting the PCPNDT Act {Preconception and Pre-natal Diagnostic Techniques (prohibition of sex selection) Act, 1994} or any such related illegal activity. They can also seek information about the various provisions of the Act, and counseling on health issues. The website www.amchimulgi.gov.in would be thrown open to the public from August 1, 2011 and would be available in Hindi, English and Marathi.

FEW SUCCESS STORIES FROM IPAP

Received a call from Police to rescue Bangladeshi women from trafficking and through the intervention from Bhumika Helpline we were able to rescue her and referred the case to the support centre located at Women Protection Cell for further action.

Bhumika Helpline received a call as well as mail from New Delhi to rescue a woman who is his friend's lover and stays at Warangal. She is house arrested by her parents for loving a person from lower caste and the case has been referred to Warangal Support Centre who dealt the case successfully by rescuing the girl from her parents and also convincing the parents for marriage. After the success one more volunteer has been added to our feather from New Delhi.

Support Centre at Karimnagar received a case where the husband was harassing her for conceiving another female child and approached the Centre where the Social Workers counseled him and explained about the biological aspects as well as educated him about the different schemes under ICDS and ICPS for girl child. After the counseling session he got so convinced that from that time he is taking care of them very well. *Government schemes are helping the families to reconcile.*

Support Centre at Women Protection Cell got a case of a minor girl marriage and the harassment from the spouse and his family and she cannot go to the police as her marriage is void due to which she approached the Centre. During the counseling process the social worker gave moral support and also educated her about the different part time job opportunities which she can take up.

Support Centre at Anantapur got a case where the husband is unemployed and due to which he started misbehaving with his family members. When the case came to the purview of the Centre then they counseled the spouse and directed him about the different job opportunities available in today's market which he was not aware of. In the next session he was able to secure a job and they thanked the social workers for providing a path which has changed their lives.

Support Centre at Basheerbagh got a case of forcefully taking away one of the child from his wife without informing her. She approached the Centre and requested them to help her in getting the child custody for which a case was filed and she got the child custody and thanked the social workers for getting the custody of her child and a punitive action has been taken against him.

By Ranjana Das, Program Officer, Oxfam India, Hyderabad Office

India has seen a major growth during the post liberalization period and is emerging as an economic power in the global scenario, but upward economic growth trajectory however has not impacted the lives of women in India. Violence against women remains the most pervasive and least recognized human rights violations in India. Social, cultural, political, economic, and legal factors in the region combine to leave women vulnerable to community-sanctioned violence. In India, there is ample evidence of women experiencing exclusion across different aspects of social development.