

A REPORT  
ON

***JOINT TRAINING PROGRAMME ON GENDER ISSUES***  
(18-22 July, 2011)

By  
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## ABBREVIATION

AA	: Appropriate Authority
BMC	: Bombay Municipal Corporation
CC	: Complaints Committee
CEDAW	: Convention on the Elimination of All Forms of Discrimination Against Women
CMHO	: Chief Medical Health Officer
CSR	: Child Sex Ratio
CW	: Commonwealth
DIR	: Domestic Incidence Report
DVA	: Domestic Violence Act
EU	: European Union
F&B	: Food & Beverages
FF	: Female Foeticide
GDI	: Gender Development Index
Gol	: Government of India
GBV	: Gender Based Violence
GR	: Gender Responsive
GRB	: Gender Responsive Budgeting
HDR	: Human Development Report
IFS	: Indian Forest Service
IPC	: Indian Penal Code
IPS	: Indian Police Service
J&K	: Jammu & Kashmir
LBSNAA	: Lal Bahadur Shastri National Academy of Administration
MASH	: Mobile Army Surgical Hospital
MCH	: Mother and child Health
MDG	: Millennium Development Goals
MLA	: Member of Legislative Assembly
MoWCD	: Ministry of Women and Child Development
MP	: Member of Parliament
MTP	: Medical Termination of Pregnancy
NGO	: Non-government Organization
NREGA	: National Rural Employment Guarantee Act
NRHM	: National Rural Health Mission
NRI	: Non-resident Indian
OBC	: Other Backward Caste
PNDT	: Pre-natal Diagnostic Techniques
PRI	: Panchayati Raj Institution
PT	: Physical Training
RTI	: Right to Information
SH	: Sexual Harassment
SHG	: Self Help Group
SJSY	: Swarna Jayanti Swarojgar Yojana
SP	: Superintendent of Police
SSA	: Sex-selective Abortion
UN	: United Nations
UP	: Uttar Pradesh
USA	: United States of America
VAW	: Violence Against Women

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**INTRODUCTION**

The Joint Training Programme on Gender Issues held at LBSNAA covered subjects which were extremely topical and relevant for the participants, being concerns of grave importance for bringing women's participation and development roles into focus. Gender and Development, Gender Responsive Budgeting, Women in Leadership Positions, Sex Selective Abortion, Violence against Women, Sexual Harassment, Dowry, Role of women in Agriculture, land and property rights, and Women, Peace and Security and Environment were the topics of discussion. These generated lively debate and participation from the officers, who shared their own experiences of implementing government programmes. Some practical group work interspersed with presentations and lectures made the training interesting and interactive, as indicated by participants through informal feedback. The programme was attended by a mix of 26 participants (**Annexe-1**) across services such as the Indian Administrative Service, the Indian Police Service, and the Indian Forest Service. The list of Resource Persons is provided in **Annexe-2**.

The resource persons were drawn from the civil services and police, activists/NGO and women's development experts who all brought their vast experience and expertise to bear on their respective subjects.

A **summary** of the presentations and issues raised are presented subject-wise below.

**Day 1:**

- |    |   |   |
|----|---|---|
| 1. | Understanding Gender and Gender Equality: | NGC Team                                      |
| 2. | Gender and Development                    | : Ms S. G. Thakur                             |
| 3. | Women in Leadership Positions             | : Ms Shabnam Hashmi, and<br>Ms Chhavi Rajavat |

- 1. Understanding Gender and Gender Equality**  
Speaker: NGC Team

The presentation began with some quotations from Jawaharlal Nehru and Swami Vivekananda, who much earlier had recognized the critical role of women in building the nation, even before the acceptance of gender and development as understood today. Some well-known UN statistics were selected which showed that women

perform 2/3<sup>rd</sup>s of the world's work but earn 1/10<sup>th</sup> of its income, form 2/3<sup>rd</sup>s of the world's poor and own only 1/10<sup>th</sup> of the world's property.

A differentiation was made between gender, a social construct of roles ascribed to males and females, and biological differences based on physical and genetic dissimilarity. The former could change over time and varied from country to country, whereas the latter was unchanging and based on nature.

The importance of gender is that it defines everything that we do or are expected to do, from dress, behaviour, work, division of labour, to mobility and rights. Attributes and qualities which males and females are supposed to have are also defined by gender. Thus, women are supposed to be the essence of 'body' and 'nature' and the so-called feminine qualities of nurture, selflessness, emotion, love while men represent the mind, logic, reason, and are associated with public life, power, aggression, control and ambition. Gender controls 'space', i.e., public space is for men: office, work, street, etc., and women are restricted to the private space: home and kitchen. Things/objects used by women, jobs considered suitable for women: nurse, teacher, air hostess, secretary as against doctor, farmer, pilot, engineer, and defence for men are all controlled by gender. The division of labour is also based on similar stereotyping: women always being in low paid jobs, unskilled, repetitive with lack of mobility, while men get the better paid jobs, develop skills and can shift with ease.

The manifestations of gender are everywhere: in son-preference, discrimination in food, education, mobility, right to property and decision-making. They affect women at every stage of their lives, from infancy where they face son-preference, childhood where they face discrimination and abuse, adolescence when they are vulnerable to paid sex work, trafficking and rape, adulthood with risks of dowry deaths, cruelty and abuse, and old age where they lack health care and facilities and face abandonment.

Gender relations are social relations that perpetuate differences, and gender is another axis of inequality along with caste and class, as women are not a homogenous category. The five dimensions of gender relations are rules, resources, people, activities and power: one must see whose interests are being served.

There are **two key approaches** to address gender: equality which is based on the presumption that men and women are equal and should have equal treatment. Formal equality discards gender and biological differences and is supposedly '**neutral**'. However, this is also defined by male standards, as a result of which women are again denied access, opportunity and participation. It promotes gender bias and gender blindness and reinforces dominant standards.

The '**protectionist**' approach recognizes the differences and prescribes differential treatment but again reinforces gender stereotypes instead of addressing external causes of subordination and stereotyping. The approach is 'likes are to be treated alike' and it is disempowering as it accepts differences as natural rather than socially constructed.

**‘Substantive Equality’** recognizes women’s unequal position and that they have to be treated differently in order to benefit equally. For instance, to enable women to participate in night jobs, their safety must be ensured, to ensure equality of results. An equal opportunity policy is needed to correct gender disadvantage.

The presentation ended with emphasizing the importance of **gender training as a development intervention**, to create awareness to influence behavior and attitudes, to realize the full potential of both men and women, and to promote the Millennium Development Goals of gender equality and empowerment.

## 2. Gender and Development

Speaker: Ms S. G. Thakur

Moving on to the role of Gender in Development, Ms Thakur traced the evolution of the discourse through its historical antecedents. That women play a critical role in the economics of development as well came to be recognized, and gender accepted not just as a social or human rights issue, but also an instrument of economic growth: increase in rural productivity, in growth rates, savings, efficiency and productivity, women’s contribution being seen as good for business with the added benefit of decline in fertility.

UN initiatives played an important role, such as the Women’s Year (1972) and Women’s Decade, (1975-‘85), the Beijing Plan of Action, (1995) CEDAW (1993), and more recently, the MDGs, of which 6 out of 8 relate to gender. Concepts such as GDI and GEM were introduced in the Human Development Reports.

Women’s equality is enshrined in the Constitution. However, inclusion in development planning came much later. National responses were reflected in the planning processes and commitments to engendering programmes and policies through the development decades. *Towards Equality: Report on the Status of Women in India* was a seminal work, and for the first time, The Fifth Five Year Plan had a chapter on Women; the Department of Women and Child Development (1985) and later Ministry of Women and Child Development (2006) were set up, and special programmes for women introduced. The XI Five Year Plan moves towards integrating women in all sectors through gender budgeting. Approaches to gender have moved from welfare, to anti-poverty, efficiency, equity, empowerment and rights-based approaches. From being seen as mothers and carers (1950s-70s), to beneficiaries, to producers, women have come a long way. However, despite narrowing of gaps in education and employment, there are still many gaps and contradictions: inheritance, sex ratios, dowry, and access, to mention a few.

Gender mainstreaming is the **process** of assessing the implications of any action for women and men, and **strategy** for making women’s and men’s concerns an integral

dimension of design, implementation and monitoring and evaluation, to promote equal benefits.

So far, the experience has not been very promising: despite commitments, there has been no attribution of funds, human resources or objectives. With cross-cutting, no champions are left; there is tokenism, trivialization and policy evaporation. There is no outlay for developing capacity, understanding and skills. Gender equality has to be stated as a core development objective, with stronger accountability.

Policies can be gender blind, reflecting male biases or gender sensitive, with a targeted approach within existing distribution, gender neutral, or gender redistributive, seeking to address strategic needs and bring about structural changes. The **key steps to achieve** this are obtaining disaggregated data, encouraging women's participation to influence the development agenda, and organizational capacity-building for social change.

### 3. **Women in Leadership Position**

Speakers: Ms Shabnam Hashmi, and Ms Chhavi Rajavat

Ms Hashmi spoke about her experiences in fighting communalism and working with women and youth through her organization, *Anhad*. Her experience of public-private partnerships was that funds were siphoned off to *madrassas*, where the type of education given was extremely conservative and would send girls back into *pardah*. This had been her experience in Bihar, where there was a programme to open schools for minorities. The religious leaders were, however, very unhappy that no funds were earmarked for them. It was necessary to be vigilant at all times, and it was not always in the hands of activists to pre-empt such happenings. With the rise of the Right among all religions, NRIs were sending funds in the garb of social work but these were being used to spread hatred.

She described her visits to 35 villages in Gujarat after the riots, where 35 horrific gang rapes were documented. *Awaaj* in Ahmedabad had recorded a steep rise in violence against women (VAW) on account of miscreants being let off, who went home and vented their hatred on their own women.

Hence, a woman who is suppressed all the time cannot just come out and become a leader. We need to take on the issues of VAW against the lower and middle class women, *dalit* women, and need to work in schools and colleges with men/youth. Unless we confront the forces of fundamentalism, we cannot have women in leadership positions as much as we would like to bring about the dream of equality of our Constitution. The experience of the Panchayati Raj showed that given the chance, women will come out and assume leadership, and hence she was strongly in favour of reservation.

Ms Hashmi further elaborated that in her experience, with corporate globalization, there was more violence. With the opening up of markets, globalization is taking over spaces and spreading fundamentalism, and a more conservative mind set was setting in. She made the connections between the stagnation in world economy in 1973, the rise of Margaret Thatcher and anti-working class policies. 'Accumulation' by dispossession requires onslaught on the masses by religious leaders. All religions speak of *sanskars*. However, religion can be both good and bad. Using religion to spread hatred is a big industry, and mindsets need to be changed. There may be change in the Metros, but not in the villages. An escalation took place in 2002, and perhaps it is now too late to counter the mind set.

A huge amount of displacement took place in large numbers. Cut off from tradition, and culture, a vacuum is created, and the youth need an identity, which is provided by communal forces. In 1947, leadership was building modern India. No one dreamt that conservative forces would take center stage. Our inheritance from our forefathers was modern thought, but what is happening now is the very reverse. One only has to see the serials today: they reflect the most retrogressive ideas. An independent woman is portrayed as a negative character. We need lakhs of NGOs, activists to counter these forces and those promoting mediocrity are many more.

Chhavi Rajavat, elected Sarpanch, described how she was elected as Sarpanch with the unanimous support of her village. She did not look upon it as a sacrifice, though financially she had much to lose in giving up a lucrative career in the Corporate Sector. However, she had strong emotional ties with her village and people, and the fact that 10,000 people believed in her was enough compensation. She felt that we should be sensitive to the needs of rural people.

In her dealings with the administration, she felt that neither junior/local level officers nor NGOs for that matter, were serious about improving the villages. Seeing how things work makes her frustrated and angry, but hope and the people's belief in her keep her going.

On her own initiative, without taking funds from the govt. or anyone, and with the people's support, she had managed to remove encroachment on 75 acres of land and set up a colony. In her practical experience, where men and women work as a team, there is progress. She had met some sincere ministers and bureaucrats, and wished to reach out to the participants and motivate everyone to improve the villages and stop playing the blame game.

In response to questions asked, Chhavi Rajavat said that in order to participate in the village level issues, local women need moral support. Due to lack of awareness and education, they get intimidated by officials, although even if they cannot read, someone else can read for them. Politics is accepted as a 'dirty game' but it all boils down to the mindset: one has to demonstrate that it is doable. Regarding rural India, she felt that the system is totally indifferent, and development funds are not sanctioned at all. There is lack of awareness about programmes: only ten programmes out of 100

may be sanctioned. She herself was always fighting for sanctions for roads, water etc. and felt that Govt. should be more proactive.

In response to a question as to what would make it easier, she said that creating awareness about the schemes, department wise was important. Even the departments are not aware of what schemes can be used. The Panchayat secretary is a retired official, who has no mind set to work. A lot needs to change: it is not a question of man or woman but development issues, though it is true that women suffer the most. Most NGOs also speak the same stuff, and villagers are fed up. The only way is to set up groups, file RTIs and extract rightful money for villages. For this, we must educate the new sarpanches. In this context, village Sarai near Palwal was given as an example by Ms Hashmi, where they had empowered the youth and a lot of development has taken place.

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## **Day 2:**

1. Gender Responsive Budgeting : Ms S.G. Thakur, and Ms Dharmishta
2. Strategies for Gender budgeting: Dr. Paromita Majumdar
3. Domestic Violence : Ms Ujawala Khadrekar
4. Dowry Prohibition Act : Ms Madhu Poornima Kishwar

### **1. Gender Responsive Budgeting**

Speakers: Ms S.G. Thakur, and Ms Dharmishta

## **Introduction to the Session**

The session began with a request for feedback on the questionnaire handed out to the participants on Day One. The general opinion was that it was too long, took about 30 minutes to one and a half hours to fill, and required a lot of thought and going back into old memories of the past. Participants suggested that requirement of dates should be omitted. They also felt that it seemed more geared to getting women officers' responses, and should have had more questions suitable for men. Social networking sites were important for the younger generation, and regional networks and affiliations were important for officers not in their home states. These were some of their other suggestions. Ms Thakur clarified that as a qualitative exercise, it needed to be filled with care.

The session continued with an Energizer on Gender, facilitated by the MoWCD Team . The game consisted of five key questions related to gender and participants were required to either agree (Yes), disagree (No) or in the case of some reservations, go for the in-between categories: (Yes But), and (No But). Participants had also to convince those in other groups to come over to their group. Winners were those who ended up with the maximum participants. The key questions were carefully chosen as



they reflected widely held misconceptions on gender and gave rise to much discussion:

**Q.1 Woman is woman's worst enemy**

*Participants went to the inbetween categories, while the resource persons were in the No category. Many were convinced to come to the 'No But' section.*

**Q.2 Domestic violence is a private issue**

*To start with, many agreed with the proposition, but most were in the 'Yes But' category, but were convinced that it was more than a personal issue.*

**Q.3 Sexual harassment is caused by provocative dress**

*Most participants came in the 'No but' category, until convinced otherwise.*

**Q.4 Health and social sectors are areas for gender but not mainstream sectors like power**

*Some participants agreed, but most did not subscribe to this view*

**Q.5 Women do not need property rights if well provided for**

*Most participants did not agree, except for a few male participants.*

The exercise was followed by an introduction to Gender Responsive Budgeting (GRB) by Ms Thakur.

**Historical Perspective:** Giving a brief history of Gender Responsive Budgeting, Ms Thakur stated that GRB was first mooted in the nineties; it was first started by the femocrats in Australia: this was a govt. initiative and a voluminous report was produced. Commonwealth (CW) countries took the initiative and member countries had to respond to the CW on the link between finance and GRB. Britain had a Women's Budget Group which looked into areas and themes systematically and impacted the govt's responses, for instance, in obtaining an allowance for childcare givers. In India, it has not been so successful, and there was a lot of evaporation. The Finance Ministry in 2001 felt that it was an additional task for them when they were already overworked. A farsighted initiative was taken by the MoWCD in asking the National Institute of Finance to identify glaring gaps, which showed up the need to plug gaps through finances and the need for monitoring. At present, all aid agencies also look to give GR Aid. The Finance Ministry has a critical role to play, to give direction to other Ministries and departments. The govt's GB Statement 20 is an important tool for GRB.

**Role of GRB:** The budget is not just a matter of revenue and expenditure, but a political tool which indicates which sectors should be prioritized and where government wants to bring about change, i.e., 'put your money where your mouth is'. The budget is a window, and political statements need to make a connect with the budget.

All enabling legislations are there: the Minimum Development Goals, National Plans, Beijing Platform, but one needs to monitor whether stated goals are being met by allocation of adequate financial allocations. The budget document is a starting point to see how it responds to the needs of men and women. A GRB is not a separate document but a budget which is gender responsive. There are some myths about GRB: that it implies separate budgets for women, or equal allocations for both, or percentages for women. However, it is not about separate budgets, or setting aside for women, nor 50% for men and 50% for women.

**Examples of Gaps:** The unpaid economy of women's work is not captured nor reflected in the budget. The incidence of anaemia among Indian women is very high. The govt. wants to tackle it, but what is the allocation for it in the budget? How much money per woman has been allotted to deal with it? What percentage of the budget is addressed to women's needs? On the basis of such questions, the budget has to be re-designed. One could look at it sectorwise, or take one sector at a time; the expenditure side or revenue side; the exercise could be done at any level, including district and panchayat levels. A budget analysis is applicable anywhere: watershed management, NRHM, govt., state and district levels. NGO initiatives have been important and impacted on govt., the outcomes of all this need to be monitored.

**Necessity for Gender Budgeting:** Women form 48% of the population but have limited access to services. Inequality has remained and progress has been slow, hence, the need for GRB. It can be undertaken by govts. at state and district levels. While an analysis of the budget can be done independently outside the govt., allocations can only be made by the govt.

### **5 Steps for GB:**

1. Analysis of the situation of women and men, boys and girls, in a given sector (e.g., health)
2. Assess to what extent the policy addresses gender gaps
3. Assess adequacy of budget allocations for implementation
4. Monitoring to assess whether the money has been spent according to the plan. This involves checking financial performance and physical deliverables
5. Assess impact: how far has the situation changed

**Areas for Action/Concern:** under the Ministry of Home Affairs, the list of concerns comprise introduction of women *thanas*, instituting a help desk in the women thanas, gender training for police and constabulary, recruitment, maintenance of data base on gender crimes.

There are big gaps in data in each sector and it is difficult to get gender disaggregated data in health and agriculture. Better data is, however, available in the education sector. Similarly, we need data on NRHM, on women in SHGs, where nothing much seems to be coming out of the Scheme although so many women are involved.

An example of action taken on the basis of data is the *Chiranjivi Yojana* Scheme in Gujarat, where NGOs were used for implementation, and the reduction of stamp duty which led to more registration of land in the name of women.

Responses from participants indicated areas where they would make interventions in their work, e.g., in NRHM, segregate and analyze data on diseases according to gender for men and women, boys and girls, etc. For IPS officers, introduce training of police personnel on gender issues. For IFS officers, empower women forest guards and strengthen them to face pressures from parents and colleagues, and sensitize male guards who display patriarchal and protective attitudes towards them.

In Meghalaya, need to analyze educational data on enrolment, teachers, and deployment issues.

In Bilaspur, there was a need to look at NREGA, SJSY, and NRHM with a gender lens. Ms Thakur suggested doing gender budgeting in non-traditional sectors like forestry and plantation, instead of only health and education. How life could be made easier for so many women who work in plantation was another of her concerns. She further suggested that other important sectors were water and sanitation.

## 2. Strategies for Gender budgeting

Speaker: Dr. Paromita Majumdar

Elaborating on the introduction to GRB, Dr. Majumdar analyzed the process of GRB, through a cycle of Conceiving, Planning, Obtaining Approval, Executing, Monitoring and finally, Analysis and Audit. This was illustrated through various examples from development planning and schemes.

Examples were given from NREGA where there were gaps in planning and budgeting, for instance, for crèches and sanitation, considering that the largest workers were women. Money had been allocated only for 100 days wages and the interim relief if work was not given. While executing was an important stage, gaps in planning were evident: **the social audit did not include gender audit.**

Review and analysis could rectify flaws. For instance, bicycles given to girls so that they could attend school were used by others in the family, defeating the very purpose of the scheme. On the basis of a review, it was decided to paint the bicycles pink, which had the desired effect. Such initiatives do not require finance, only thought and analysis.

Five steps required to making a budget gender sensitive are:

**Analysis** of the situation: An illustration was given of the salt workers in Gujarat, who did not want anything when asked, except shoes to protect them from imbibing the salt into their feet day after day of working in the salt pans. The reason given was that at

the time of death, due to the heavy concentration of salt in the body, the feet never burned.

Analysis was followed by **assessment** of relevant legislation, policy, programmes and schemes to see to what extent the policy addresses the gender issues and gaps identified in the first step. This is followed by assessment of the **adequacy** of budget allocations, **monitoring** to see whether money has been spent according to the plans and what was delivered and to whom. This involves checking financial problems and physical deliverables.

**Impact assessment** would include a number of studies and learnings. With respect to Domestic Violence, budget provisions have been made by 14 states. The *Sanchar Shakti* scheme has been recently launched. To be successful, GRB requires convergence across the board.

The session concluded with Group Work. Participants were divided into 4 groups according to their services, and were required to undertake gender analysis of one case study each according to a guideline. The cases were on Climate Change, A School Sanitation Programme, National Forest Policy, and Ministry of Home Affairs. Participants were able to use the framework of analysis and apply it successfully to the case studies and identify the gaps in the policy and budgets from the gender perspective.

### 3. **Domestic Violence**

Speaker: Ms Ujawala Khadrekar

Brief case studies, taken from real life cases dealt with by Ms Khadrekar, were given to participants divided into groups, to gauge their knowledge of the new Domestic Violence Act (DVA). Cases covered issues such as live-in relationships, shared households, protection for unmarried sister, forced marriage, abuse, torture and abandonment of widowed daughter-in-law and rights of the children, rights under Special Marriage Act and types of violence. Discussion after presentations were made by the groups, led to queries about the various provisions of the DVA as they applied to the given cases, leading upto a detailed discussion on the DVA.

Many reliefs are available to women under the DVA, which was drafted by the Lawyers Collective, on the basis of experiences from the field. In 2007, the National Family Health Survey 3 was produced. Until then, there was no definition of domestic violence. The law came about because of this and because there was no law dealing specifically with DV, whereas dowry was covered under the Dowry Prohibition Act, 498A and IPC. Considering that the time taken for a woman to get maintenance could vary from 3 to 10 years, during which time she is at the mercy of everyone, and a woman needs a lion's heart to approach the courts in the first place, the DVA is a far-sighted legislation which can provide immediate relief, as the first thing a woman needs is a roof, security and protection. It takes care of all the shortcomings of 498A,

which also has a very low conviction rate, is open to false evidence and under which divorce and restitution are all difficult.

The right to residence is a very important claim under DVA, and the provision of the protection order provides immediate relief. Breach of Protection Order is non-bailable and cognizable. The idea is to also to protect women in live-in relationships, who may be victims of fraudulent or bigamous marriages. Apart from this, the key features of the Act are the right to live free from violence, the right to reside and the right to seek remedies. It is a mix of a civil and criminal law, provides speedier access to justice, a single window clearance, and has the provision of protection officers who are an interface between women and the courts.

The definition of domestic violence (Section 3) defines 4 kinds of violence, including marital rape, verbal, emotional and sexual violence, i.e., all that which affects the mental health of the woman. Economic abuse includes the deprivation of basic economic and financial necessities of life. It is very hard to get evidence unless the woman talks about it, and without evidence, it is left to the discretion of the court.

The DVA is a victim friendly Act: there are only 7 forms to be filled. The Domestic Incidence Report (DIR) form can be filled by the Protection Officer or SP, and NGOs registered under the Act are the service providers. The doctor is usually the first port of call, and he can file the DIR, but he does not do it. Awareness needs to be created about the Act, and PRIs should be involved in spreading awareness. Infrastructure should be put in place, and govt. must be proactive. However, no budget has been earmarked for all these activities.

In answer to whether the Act is complete, the speaker stated that no act is complete, and domestic violence is the responsibility of society as a whole. The Act does not put the husband to any kind of risk, there is no major loss to him even if a woman is lying and there are no punitive measures for him. Some discretionary powers are given to the courts, and in case of breach, there is one year's imprisonment and Rs.20,000/- fine.

Participants raised some queries regarding the number of cases registered in the past 6 years since the Act was passed. In answer, it was clarified that DVA cases are not registered through the police, but the service provider or protection officer. Matters are charge-sheeted only if there is a breach of protection orders. In such cases, the police can take cognizance and file a case (Section 31). In view of the fact that the woman in question has already been through a process, it is pointless to make her go through it again, and Section 31 is not invoked. As to the number of cases 'normalized', the answer was that ultimately, it is the woman who has to take a decision. Some cases are pending for years, without any financial relief. At least the victim has a roof over her head and protection from further violence.

Based on a study in Andhra Pradesh, a trend seen over 2010-11 is that more cases are going in for counseling, violence reduces after the Protection Order and cases of 498A have come down. Some sociological studies need to be undertaken.

#### 4. **Dowry Prohibition Act**

Speaker: Ms Madhu Poornima Kishwar

Ms Kishwar spoke about the inherent flaws in our legislation, pointing out the wide gap between the law and what happens to implementation on the ground. This is the striking feature of our society that we have laws which are made more and more draconian, but are not respected by the very people who make them. She gave the example of female foeticide, which is banned but is widely practised by the upper classes of Delhi. The belief that education and awareness would make a difference was not borne out by the fact that the most educated and affluent were the most culpable. Female foeticide does not exist among the poorest, tribals, and Muslims who have a good sex ratio.

The belief that we need to 'modernize' and give up traditional values is contradicted by the above and female foeticide is spreading even to the areas where it was not practiced: the South, North-East, among the OBCs: the more modern and educated, the greater the foeticide. Historically, there was no foeticide in a country that worships girls as *Devi* and *Lakshmi*.

The problem with our social legislation cannot be blamed entirely on weak implementation machinery. Apart from hypocrisy and double standards, there is either a lack of understanding or the message is not being carried properly. No serious review is undertaken of our laws, but they are made more severe and yet they fail to be followed.

Dowry is considered a hangover of traditional values, but is a distortion of the old custom of *stridhan*, which was not dowry. It was an unalienable right of women, which even husbands could not touch, and even if he borrowed it, he had to return it to his wife. Dowry is a modern phenomenon which came about in the thirties, due to colonial land policies, which eroded the inheritance rights of daughters in the parental property, thus, giving rise to dowry. It has become a payoff, and the daughter is sent as a dependent to the groom's family, the groom's price being determined by his status.

Dowry as a reflection of the greed of the groom and his family is an insufficient explanation, as it seems senseless to murder a wife or get involved in a life long litigation for the sake of a car/benefits. This is more in the nature of blackmail, and extortion. The provisions of the dowry law border on the lunatic, are absurd to the point of being impossible to follow and though it is stringent, no one follows it. How can a 'voluntary' gift be distinguished from any other, nor can it be ensured that only the daughter will use her dowry, not her in-laws. Dowry demands can also be dealt with under Section 498A, another law which has come into place with greater powers for the police, and which is being misused extensively, to the benefit of the lawyers and police.

The problem with giving to daughters is that they get only consumer goods and assets which depreciate, while boys get assets which multiply and appreciate, such as land

and property. A law where the father wants to give and a daughter wants to take can never be implemented. Laws should not target an entire population who views the effort as an intrusion into their internal affairs.

Laws are for the vulnerable, and one must not depend only on state machinery. In response to a query about violence among service couples, she agreed that violence happens in well-to-do homes as well, among men and women who may be equal, due to the prevailing environment, but these women also need emotional wealth, not just financial independence. The concept of a woman as *parayadhan* must change, as the home is the first place where girls need to find protection. If given assets which were an investment/property/land, rather than 'goods', she would always be independent, emotionally and physically, and not go to her marital home as a dependent. There should be no collusion to disinherit girls from the parents' will.

**Domestic Violence Act:** Regarding the Domestic Violence Act, Ms Kishwar felt that it was a good legislation, but there were reservations over some provisions. She did not feel that a marriage and a live-in relationship could be equated and this made a mockery of marriage. Relationships outside marriage came with their own risks which had to be accepted as such, and could not look for state protection. Secondly, the Protection Order may be suitable for a nuclear family but in a joint family situation, could and had caused much harassment for old people living in the house.

In conclusion, Ms Kishwar suggested that:

- The Dowry Act should be abolished.
- Instead, IPC be used to deal with so-called dowry cases which are actually cases of blackmail and life-long extortion.
- It should be illegal to disinherit daughters.
- Daughters should be empowered by fathers to feel secure in their parental homes.
- They should be given assets (stridhan) similar to those given to sons.

Laws should be used judiciously, crimes defined accurately, and an adequate implementation machinery be set up.

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**Day 3:**

1. Sexual Harassment at Workplace: Ms Ujawala Khadrekar

**1. Sexual Harassment at Workplace**

Speaker: Ms Ujawala Khadrekar

The session began with case studies being distributed among the participants, to understand what kinds of situations constituted sexual harassment at the work place. The Vishakha guideline is not a legislation but serves the purpose of one, and its



guidelines are gender-neutral. It is punitive and there is no scope for corrective measures which should be provided in the Act under consideration.

Sexual Harassment (SH) is defined by the impact on the victim, and not the intent of the harasser. It deals with SH at the work place, which could take the form of any unwanted attention: staring, complimenting, sending gifts, flowers, etc. Every one has a personal boundary and comfort zone, and whatever crosses that constitutes harassment. SH combines misuse of power, with sexuality. The understanding of sexuality has taken into consideration only men's experiences and needs, and has ignored or devalued those of women.

Despite many provisions in the IPC, separate guidelines were still felt to be necessary. Eve-teasing will also become a non-bailable offence.

SH is not trivial and can have serious consequences, (less than 1% of cases are false, according to a study done by *Sakshi* over 2 years, taking a sample of 2,400 respondents over 5 states). Eighty percent of them acknowledged SH, 49% had experienced it, 41% had either experienced it or knew someone who had, and 58% had not heard of Vishakha. Only 20% stated that their offices had implemented the *Vishaka* guidelines.

Participants felt that the sample may be too small to generalize, but it was agreed that it did reflect trends, notwithstanding cultural differences.

The Vishakha Guidelines lay down the conditions of the mandatory committee for each office, which must have a woman member and an NGO representative. Usually SH Committees are given very poor treatment. It is for the employer to work more to create a safe atmosphere at the work place. If the offence comes under IPC, the employer has to initiate proceedings or allow the woman to proceed.

Often the woman who makes a complaint is further harassed in subtle ways: being ostracized, isolated and given no support by other employees. After a blameless record of service, suddenly memos will start being issued against her. The common approach is that she 'invited' the attention. Sometimes committee members are extremely insensitive.

Economic costs of SH at workplace are high, and therefore all the more the employers must take responsibility. SH is a global phenomena, but in the West, very high compensations have to be paid to the victims. There are equal opportunity commissions to deal with it in other countries. There is a thin dividing line between administrative harassment and sexual harassment. The strata of women in work places may not be able to deal with comments or innuendo as middle class women may, therefore it is important for men to change their thinking.

In 2005, eighty percent of complaints committees were not in place in Mumbai.



Regarding procedures for handling complaints, departmental proceedings are not necessary and the enquiries of the SH committee are sufficient. However, the Complaints Committee needs to be given some teeth.

Some slides were shown to debunk myths prevalent about SH. The incidence of SH is as high as 40% to 60%. It is a multi-layered phenomenon, which could include hostility, aggression, and power play, apart from sexual behaviour. Ignoring SH will not make it stop, and maybe taken as tacit consent.

For the benefit of those who did not know, the Vishakha Guidelines of Justice J. S. Varma were passed in the wake of the Bhanvari Devi Case of Rajasthan, in which Bhanvari Devi, a govt. *sathin* in the Women's Development Programme had attempted to stop a child marriage in her village. She was raped by 5 upper caste men in front of her husband, and the high court had exonerated them of the crime, saying that upper caste men did not commit rape. Women's organizations in Rajasthan came together under the banner of Vishaka, to fight for Bhanvari Devi.

Two well-known cases of SH were the Apparel Export Council of India vs. Union of India, and the Medha Lele Kotwal Case, after which a supplementary judgment was passed to include all educational institutes.

The Session continued with a sharing of experiences by Ms Tejbir Kaur Menon (IPS), who described two personal experiences she had of facing sexual harassment herself, despite being an IPS officer. The experience of receiving pornographic email and phone calls from an unknown harasser was un-nerving, but with all the resources at her command, she could finally identify the man, who was an F&B Manager at Taj Coromandel, Chennai. The case was still going on, and the Taj had tried to buy up the media, and suppress the case. In the second instance, the harasser was a 60 year old man who sent parcels containing hair from a barber's shop, and who was also traced. It appeared that he was mentally unstable, and after 4 years in jail, was being treated in a mental hospital. The cases only illustrated how women in power were also vulnerable to SH. As more women went out to work, the cases of crimes against women increased. However, more working women meant less dowry deaths and fewer suicides. Women who do not work, and/or are uneducated are more prone to suicides.

Other examples of SH were in the police training campus, where she found the girls very subdued, and it came to her notice that the principal would go for inspection when it was their bathing time. Four girls were exempt from PT, and she found out that he was sleeping with them. Out of 263 girls in training, he had sexually molested 32 girls. This is tantamount to custodial rape, and there was no infrastructure for their safety. No one appeared in court from the govt.: it could be collusion or a service loyalty or a 'boy-boy' thing. Finally, the girls also wanted to close the case as many of them got married.

The case of Mercy, a burns case was as pathetic, where she was raped in the hospital bathroom by an attendant who was supposed to bathe her. Hospitals are places where SH is rampant, as are educational institutions. She had also witnessed a rape of a young woman at the airport by two policemen, who got ten years for it.

The incidence of SH at work is high. Air hostesses get molested: an example was the Nair case where 80 passengers signed in support of the woman. The case of David Davidar was a high profile case, where the compensation was also high. The West is ahead of us in other ways: there is no talk of sexual harassment now, but 'feminization' of institutes, to say not just "leave us alone" but to create an environment that allows women to achieve their fullest potential at work. In India, poor women cannot come to court or face the stigma, and eventually become untraceable. Sometimes women become discouraged and resign from work, especially in the police service. They may transform, but it takes time. It has been shown that mixed teams with women do better than all-male teams. Men have come a long way, but they need to go further, and take others along with them.

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**Day 4:**

1. Women in Agriculture : Mr. N. C. Saxena
  - Women and Land/Property Rights
  - Forest Act
2. Female Foeticide : Dr. Sabu George, Dr. M. Geetha, and Dr. Puneet Bedi

**1. Women in Agriculture**  
**Speaker: Mr. N. C. Saxena**

Basing his presentation on his vast administrative experience, Mr. Saxena gave an overview of women in agriculture', women and land rights and women's roles in forestry and forest policy. Women's roles and rights in this area were the subject of much debate earlier and provoked very traditional responses, in the interest of preserving family values. However, while family values should be preserved, they should be based on equity and fairness. It was seen that happily married men were more open and liberal in their views, whereas others were usually more rigid.

The division of labour was not biologically but culturally ordained, and women were normally (not 'naturally') custodians of food security, hence it was logical that ration cards should be in the name of women. However, this was not acceptable. The whole cultural milieu projected and endorsed stereotypes of women's roles and their dependence on men, as witnessed even in Indian films and music, from which Mr.. Saxena gave many examples. Similarly, the legitimacy of dalits and marginalized groups also differs. In a multi-cultural, multi-religious society, regional and linguistic groups have the highest legitimacy and Muslims the lowest. Women are somewhere in

between. There could also be political consensus for some groups but not social consensus, or both or vice versa. For instance, regional pluralism and caste had both political and social consensus whereas women had social consensus but not political, and Muslims had neither.

The usual indicators of women's status are: sex ratio, literacy, work participation rates and property rights. Women's subordination came about with the organization of household work: inside work and outside work, social and cultural norms, caste and class relations, and Manu's Law, according to which women were never fit for independence.

### **Women and Land Rights**

There was great opposition to giving land rights to women, as could be seen from the experience of UP, where land was inheritable only by male children. This could be construed as a contravention of the Constitution. Even to bring about a small change in the law in favour of the wife was a huge task. Married daughters had no rights, unless there were no other family claimants. Acquired property had to be equally divided, unless willed otherwise.

Under the amended Hindu Succession Act (2005) regarding inherited property rights, equality was achieved under the law, yet implementation was left to the states as inheritance laws are state-specific. In some cases, personal law applies, under which only a son was co-parcener at birth, while daughters inherited only on the death of the father, and that also only half of what remained. Before 2005, divorced and separated women did not have right to husband's self-acquired or ancestral land. In Muslim law, women cannot be totally disinherited.

Women's rights have now been made equal across all categories of land and property, however, no interest was shown by the MoWCD or the Ministry of Rural Development in promoting equal land rights for women. Nor has there been much effort to promote awareness of women's land rights.

Women's work participation rate has gone up steadily in agriculture, and is increasing due to men withdrawing from agriculture, on account of migration or alternative jobs in brick kilns, rice milling, or urban jobs. Only 40% males are left and hence agriculture is becoming more women dominated. There has always been an underreporting of women's work, and as there is less diversification of women's work, it is difficult for them to find alternate work. Women perform 100% of tasks related to cleaning, 75% in winnowing and weeding, 50%-75% in threshing and nurseries, and 25%-32% in harvesting. Yet the picture of the *kisaan* is always that of a man not a woman.

In respect of wages, women's wages for similar work are always less than a man's, and there is also a bias in measurement of work, even in NREGA, unless they work as a husband-wife team. Other policies also reflect bias, e.g., when determining compensation due to displacement, major unmarried daughters along with minor sons

are included as part of the family and deprived. The family should be defined in a gender-neutral way.

In the interest of justice, status and efficiency, land rights should be in the name of the woman. She would then be recognized as a farmer in her own right, could apply more easily for credit and other benefits, making the arrangement more efficient, and enabling her control over assets. Income earned would be spent for family welfare, rather than alcohol and tobacco. The use of tobacco rather than fruits and vegetables, is increasing very fast in rural areas.

The usual argument that women migrate on marriage also holds true for men, who migrate for work. Other apprehensions against new land laws are that holdings will get fragmented, but this happens also with sons, and evidence shows that small holdings produce more. Family disputes arise even among brothers, and even if women cannot plough, they can hire men. Technical knowledge and access to markets will also come, once women get ownership.

Today, there is very little land available for women to acquire on their own and the scope of giving land to the poor is very limited. The only land they will get will be through inheritance, and the concept of group-ownership may work as a pilot project but not over a large canvas. The time of joint *pattas* of the '70s and '80s is long past, and only applied to govt. land. Even here, it would be better to give equally but separately to men and women, rather than joint ownership.

Agriculture in the long run may not be the tool for women's empowerment, and it may be better to educate them and provide employment in other avenues to improve gender participation. However, as of today, 79% of women still work in agriculture, and the two strategies are not contradictory. Laws are intended to facilitate the process of empowerment and the culture of thousands of years cannot be changed overnight. The sharing of power may yet take decades.

### **Forest Policy**

Traditionally, the government has always taken care of social needs, and private players of market needs. However, it is a strange policy (1985) reflected in forestry, where the reverse is true. Farmers were to produce fodder and fuel, and the govt. was providing timber.

The Indian Forest Service has very experienced, knowledgeable and committed officers, but policies are controlled by the IAS and politicians, and are usually anti-people. It was only after many years, through the Planning Commission, that the law was changed and many minor forest products were 'freed'. Policies appeared to be made to benefit the contractors rather than the forest users/tribals and women. Instances were the case of *tendu* and bauxite, where the duty on *tendu* leaves (picked by women for *bidi*-making) was Rs. 12,000 per tonne, and that on bauxite was Rs. 30/- per tonne, benefiting the contractors. Women get Re.1/- for plucking, and royalty is Rs. 3/- although 15 lakh women are employed in *tendu*-picking. Thus, the

purpose is not to generate employment but revenue. In the case of bamboo, used by artisans, the policy appears to be to (delete) subsidizing it heavily for industrial use, 15 paise a piece, while the forest dweller has to purchase in the open market at Rs. 10-13/- per piece. Bamboo is to be found not in the forest but in the paper mills. Similarly, a lot of Saal forests were converted to teak forests, which generate more revenue and have faster growth. On the other hand, Saal provides many by-products of use to tribals.

The policy appeared to promote species for industry rather than for women's needs. Unlike agriculture, where a powerful lobby operates, forest produce does not enjoy a minimum support price or transfer of money in case of fluctuation.

Another example was of cashew development on so-called govt. wasteland, which was actually tribal land, given to private corporations, ironically under a scheme for 'Economic Rehabilitation of the Rural Poor' (Mid-term Review, IX Plan).

The forest map of the country is almost contiguous with the map of tribal populations and Naxal movements, reflecting the total neglect of tribal populations and the rise of Naxalism. The tribals suffer from land alienation, lack of development and services, indebtedness and displacement. The Ministry of Tribal Affairs has not taken up these issues, but instead given out funds to all types of NGOs for implementing small projects. The Joint Forest Management teams have almost collapsed, and women's participation is very low.

The Forest Policy has gone through three phases from 1875-1975, 1975-88 and 1988 onwards. The New forest Policy attempts to rectify some of these anti-people trends, and prioritizes environmental and basic needs to support the tribals.

Comparing agricultural and forest policy, whereas in agricultural produce, there is a 20%-50% fluctuation in price, in forest produce it is 200%. Tribals have no clout, and cannot stand up to private corporations. Forest produce is dispersed and localized, monopoly is with traders and hence exploitation, there is no credit and erratic supply of raw materials, and lack of women's entrepreneurship. With seasonality and excess local supply, bargaining capacity is limited. The Forest Rights Act, 2006, acknowledges the historical injustice done to tribals. However, bureaucrats conveniently do not apply it to mining areas. Community rights have not been recognized and there is no focus on promoting community management.

Mr. Saxena concluded with pointing out the paradox of One India, two stories: with 8%-9% economic growth, we have the world's poorest people, with increasing forest cover, we still have the lowest percentage of forest cover, a growing demand for forest produce and the poorest forest dwellers, and the best co-management systems but no transfer of rights.

## 2. Female Foeticide

Speakers: Dr. Sabu George, Dr. M Geetha, and Dr. Puneet Bedi

Dr. Sabu George stated that the provisional data from the 2011 Census clearly reveals that the child sex ratio (CSR) has declined even further compared to the 2001 data. All major states across the country have registered a decline, even areas which had a good sex ratio, such as J&K which has shown the biggest drop. The difference between areas is only a matter of points, while the overall decline is 5 points. States such as Maharashtra which were comparatively good have also registered a steep decline.

Maps showing the comparative CSR between 2001 and 2011 in selected states clearly reflect patterns which cannot be disregarded. The latest Census reflects the worst CSRs over the past 150 years. Whereas many countries have more boys than girls, and at birth there are 105 boys to 100 girls, in India it is clear that unless something drastic is done, the CSR will show a further decline in the next Census.

Civil Society has made the mistake of only concentrating on bringing about social change. Dr. George felt that what is required is to identify and catch doctors who should be punished as criminals. A correlation should be established between the number of clinics, and the rise in sexing, as done by the Gokhale Institute in Maharashtra, a study which shows a clear correlation. There is no lack of data but the commitment to act on it is lacking.

Based on her experience as Collector in many districts of Madhya Pradesh, the practical difficulties of implementing the PNDDT Act, the reasons thereof and what could be done, were brought out in detail by Dr. M. Geetha. Even though the Act gives the Appropriate Authority (AA) - now vested in the Collector - quasi-judicial powers, and also provides for action from civil society, there are many loopholes and challenges. It is difficult to find 'proof', decoys are also hard to find, the Form F is difficult to monitor, the AA is not accountable, the Advisory Board is itself made up of culpable persons, and there are inadequate resources. Anyone can certify a sonologist, and anyone can buy a machine and set up a centre. Govt. doctors also carry out sexing, as evidenced in Ujjain where the 3 clinics sealed were all owned by govt. doctors. Mobile clinics were the most culpable, as they just disappeared across borders at the first sign of being tracked. In Mandsaur, sealing clinics simultaneously led to a backlash: private doctors went on strike, and were soon joined by govt. doctors, hospitals were closed, the Collector was criticized and local MLAs, MPs were vehemently opposed to the closing of sexing centres.

In each district, the Advisory Board had to be reconstituted. The CMHO/CMO could not be relied upon for cancellation of licenses, raids, etc. The revenue officers were more useful and dependable, and the media was always supportive.

Sex-selective Abortion (SSA) has many aspects: medical, ethical, practical, social and political. Many programmes such as NRHM invest in awareness-raising, but the

numbers reflect that nothing has changed. The urgency is to implement the Act, and even one good AA/Collector can make a difference.

### **Antecedents of Female Foeticide**

**Historical Perspective:** Based on the study and experience of many years, Dr. Puneet Bedi traced the historical antecedents of the rise of female foeticide. The usual theories of son-preference, patriarchy and dowry were discounted by him, and the blame laid squarely on America's anti-population agenda of the '60s, the cornerstones of which were abortion and female foeticide. He referred to McCarthy, to Malthusian theories of population control, 'inferior' races and drew parallels with Korea and Japan and forced abortions in those countries in the 1950's. 'MASH' as an instrument of population control, forced abortions in Korea, and the biggest bogey of population for USA leading to poverty, in turn, leading to communism were the linkages he made to illustrate his point. Hence, the setting up of the Population Council, and the introduction of population policy in India. All aid agencies linked aid to population control, and the hidden agenda of public health programmes was controlling the population. Female foeticide was thus, according to him, born in Washington D. C.

Sheldon Segal, Assistant Medical Director of the Population Council could be credited with introducing sexing in India, supported by Ford Foundation, with a brief to introduce family planning, MCH, and female foeticide as a means of population control. The govt.'s MTP Act also nowhere uses the word 'choice'.

The present strategy to prevent FF is childish and the usual theories are an oversimplification: the PNDT Act has been trivialized and sanitized, and a case of 'something must seem to be done'. Female foeticide is genocide, according to the Rome Convention to which India is not a signatory and which was opposed by USA.

Infanticide was practiced by only 1% of the population anywhere, unlike sexing and SSA. Nature does not auto-fix, and if we interfere with nature, we must face the consequences. Evils such as infanticide, neglect, early marriage, maternal deaths, bride burning, honour-killing, domestic violence, rape and *sati* are social evils, not crimes. There is also a chance in Nature that girls become fitter if they survive. But female foeticide is a crime, and it is hard to understand the psychology of doctors who practice it. Do they have criminal minds, and have become serial killers? The example was given of a Dr. Mangala Telang, caught in 1992 who still continues to practice with no sanctions. Tens of thousands of doctors are involved, and since it is costly to become a doctor, sexing becomes an extremely lucrative option.

What should be done? Changing mindsets is a popular strategy for social evils. However, preventing dowry or changing property laws have proved counterproductive. Incentive schemes are an insult to girls, and awards should be stopped. Despite all such interventions, the CSR had dropped and will continue to do so. Aid agencies will

continue to fund NGOs for awareness programmes, and continue to orchestrate genocide.

Dr. Bedi concluded by saying that **the need of the hour is to go after the doctors and clinics**. One could easily catch clinics where less than 80 girls are born each year, or where Form F is fudged. The onus of proving innocence should be on the doctors.

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**Day 5:**

1. Women, Peace and Security : Dr. Suraj
2. Reflections on the Programme: Ms Vandana Krishna
3. VALEDICTORY : Ms Rajni Sekri

**1. Women, Peace and Security**  
Speaker: Dr. Suraj

*'You May not be interested in War, but War is interested in You' (Trotsky)*

**The Imperative:** Dr. Suraj covered the gender concerns of situations of conflict which seemed to have proliferated in the post Cold War period, and underlined the necessity of involving women in conflict resolution to deal with the exploitation of women in conditions of strife.

People living peacefully are not interested in the policies which cause wars, but get affected by them. Countries around the world reflect growing civil war, insurgency, genocide, and UN failures can be seen in areas such as Darfur and Srebrenica . In Srebrenica, 30,000 civilians, mostly women and children were killed, and in Darfur, atrocities, murders and rapes took place.

In wars today, resource-rich countries become the seat of action and these countries are mostly poor and under-developed. The UN, described by some as 'a dream managed by a bureaucracy', has not been as effective as it should have, although its successes are not as widely known. The justification of war is always peace, but whereas the old wars were between states, in today's wars, non-state actors play a major role. Earlier there were lofty declared objectives, now, it has been said that it is one Empire based on the promotion of disorder .Dr. Suraj referred to Alaine Joxe's book, Empire of Disorder, and also mentioned Mary Kaldor's 'New and Old Wars' and 'The Bottom Billion' by Paul Collier.

**Whatever the basis, a common factor in all wars is the targeting of women and children who are its first victims. Exploitation does not end with war, but continues even when war is over, and sexual exploitation is a common tactic.**



The imperative, therefore, is to focus on women's agency in peace talks, peace-building initiatives and post conflict recovery.

**UN Directives on Women, Peace and Security:** There are many such directives: Universal Declaration on Human Rights (1948), CEDAW (1979), Beijing Platform (1995), Millennium Declaration (2000) and many UN Security Council Resolutions (1325, 1820, 1888, and 1889). No.1325 gives a specific mandate on gender issues and holds member countries accountable.

The UN Women (June 2010) is an amalgamation of four separate UN Bodies with a mandate to monitor all UN Agencies working for gender equity. Its main focus is to see that the organizational Preamble matches the budget, to promote convergence, and avoid duplication.

**Conflict in South Asia:** There are many conflicts in the region, due to cross border disputes, separatist movements, Maoist insurgency, disputed territories, etc., and in all, sexual and gender-based violence is a tactic of conflict. Women must be involved in peace initiatives, though it is an uphill task, in the context of gender discrimination, rape and violence as weapons of war, the feminization of poverty and the lack of an enabling environment.

Women become actors in war in various capacities: as relatives, providers of food and shelter, as displaced persons themselves, as victims and suffer disadvantages too at all level: restrictive mobility, running female-headed households, disruption of normal life, presence of armed forces, camps, etc.

There has been some progress in peace agreements which reflect gender concerns. There is an increased awareness of gender concerns, and recognition of how women are affected differently, reflected in peace agreements. However, there need to be more women in governance positions.

**The Challenges:** Only 16% of peace accords include special provisions for women and children, and only 8% of recovery budgets are allocated for them, and only 5.7% of actual outlays go for women and children. Employment is more for men, there is inadequate investment in property rights for women, SH and violence continues post peace in an atmosphere which seems to provide immunity from consequences of such actions, and justice systems continue to be weak.

**Priorities:** The priorities are, therefore, to promote women's participation, and bring about justice and security. Participation implies the political empowerment of women, decision-making in peace processes, governance, international peace-keeping, political missions, and in justice and security sector institutions. Unfortunately, there are no women negotiators and no accord has been signed by a woman.

**Strategic Directions:** Post war, we need courts, proactive police to improve security and safety, discourage the culture of impunity, punish sexual and gender-based

violence, provide services to women, and greater economic and resource support for recovery. The participation of women should be encouraged for truth and reconciliation committees, as commissioners in institutions, in budget committees and peace initiatives.

Participation of women and forming solidarity groups are the key to gender responsive governance.

**Climate Change:** Dr. Suraj touched briefly upon how climate change has a differential impact on women, as fuel, fodder, water availability directly affects women. Hence, afforestation is a major intervention to arrest climate change. Much work has already been done on gender and climate change, and the involvement of women is critical to their success.

## 2. Reflections on the Programme

Speakers: Ms Vandana Krishna, and Dr. Amarinder Kaur

Ms Krishna felt that the training programme had been a wonderful experience, touching in parts, disturbing in others, and had amply fulfilled its purpose in sensitizing the participants on gender issues.

Women's empowerment is a very high priority issue, a key result area, and as an administrator and Secretary to the Women's Department in Maharashtra, she was taking back a lot of good ideas and experiences, particularly in gender budgeting, an exercise which was on-going currently in the State. Many myths had been shattered, and awareness created on gender issues. For instance, on the nature of dowry, and property rights. Deeper insights were gained and it was apparent that there is no broad acceptability on stopping dowry. She felt there should be workshops for ministers to persuade them, as property rights go to the roots of women's empowerment.

Having been in the Women's Department on three separate postings, she had experience of how bureaucrats trivialize women's issues, and usually apply a welfare approach, not an empowering one. The *Zilla Parishads* have women on chairing committees, yet schemes for women are typical: sewing, *papad*-making, *atta chakki*, *masala*-making, uniform stitching, etc. They are not interested in training in DV, SH, protection, e.g., teaching judo or karate and there are very few budget allocations for this. They are only interested in purchases, and it is an on-going battle to push for better courses.

She felt that many schemes intended to benefit women and the girl child had failed due to the difficulty of implementation, such as *Balika Samriddhi Yojana*, and she analyzed the difficulties of tracking a child through 18 years, during which she may drop out, get married or records may be misplaced with too many departments

involved. Similarly, with insurance, huge premiums are paid to insurance companies without any benefit, and it would be better for govt. to pay directly. Promoting hostels, training, SHGs were useful schemes.

Regarding PNDT, she felt that not enough had been discussed on what could be done, and it was necessary to have a prior plan or strategy before one could go after doctors as suggested by the main speaker, Dr. Puneet Bedi.

Maharashtra had failed in implementing PNDT, and the experience should be used as a case study for training. The experience of Dr. Geetha, in closing down clinics in Madhya Pradesh was telling and if as an administrator she could not succeed, how much more difficult it would be for others. Her experience should also be made into a training material.

Some training was required in how to evaluate Form F; having complained, what would be the procedures to fight in court, especially as courts did not accept circumstantial evidence which was the only kind of evidence available in such cases and in most crimes against women. Evidence by inference was not recognized by law. Some training was needed for the law and judiciary.

Regarding other sessions, she felt that much had been learned from the sessions about the DVA, SH, about property and land rights, and forest policy. Regarding SH, she raised a query about whether a departmental enquiry needed to be conducted simultaneously, as that took years to complete. In the Bombay Municipal Corporation, it was not required. An issue which had not been touched upon was the age at marriage. Despite the legal provision of 18 years, girls were married at 14 and 15 years. Were these marriages legitimate, even if they were illegal? Another area that required looking into was the whole issue of moral policing.

Clarification was made by a participant that underage marriages were valid even if illegal. He also suggested that doctors could be charged under the PNDT even for not filling Form F properly. This could be used as basis for prosecution.

**Speaker: Dr. Amarinder Kaur**

Echoing the sentiments of Ms Vandana Krishna, Dr. Kaur said that the participants had benefited by the indepth analysis of laws and policies, and that we need to analysis why we fail in implementation.

She went on to describe her efforts at incorporating gender practices through the Forestry Department in Haryana. Apart from having been able to increase the forest cover from 3% to over 7% by using farm and common lands in a forest deficient state such as Haryana, she had involved women by forming 2,200 SHGs. The SHG programme was not new, and had not been too successful in many places, but in Haryana, they were active in afforestation, and 17 districts had been covered. The project had won an award from EU as one of the best.

As the first female Forest Officer in 1986, she had been given charge of the publicity division, with a meager budget of Rs. 50,000/-. With this, she had organized information workshops, and tried various strategies to encourage women's participation, such as reducing the number of days for training from two days to one. In view of the existing mistrust between officers and the community, it was essential to show one's commitment and sincerity in addressing their needs. Women's requirements for fuel and fodder had to be met, and since their priorities were never considered, it was essential to provide a platform from which they could articulate and identify their village problems and hold frequent meetings, enabling them to attend even if it meant paying them for their time. Skills needed to be identified, and training given as appropriate.

**Achievements:** Women were now addressing local issues, using RTI, maintaining plantations and fruit groves, and had increased fodder and fuel wood availability to 37% from their plantations. The production of firewood had increased availability to the extent that a large market had come up, even catering to neighbouring areas. Vermi-composting was another employment activity taken up successfully.

**Impact:** Women had become empowered and self-reliant, earning money from small businesses, and standing for local elections to panchayats and were ensuring that girls went to school. Their status and say in the family had increased to 93% and they now had economic security and self-employment. A women's empowerment cell had been set up in the Forest Department.

**Lessons:** Continuity of direction and guidance was important to nurture a project for at least 3-7 years, before results could be seen. Officers also had to prove their commitment initially to win the trust of the women. Enabling them to handle all activities themselves had made them self-reliant instead of creating dependence on the department, and allowed them to take up leadership roles.

### 3. VALEDICTORY

Speaker: Ms Rajni Sekri

Ms Sekri recalled her own time when she was in charge of the gender centre at the Academy, and shared her experiences and hope of gender equity being mainstreamed. In her personal life, she had never experienced discrimination in her family, and her first encounter had been in Ballabgarh, Haryana, where she seen it first hand. She hoped that the participants would go back with ideas and, having been sensitized, would as administrators, try to bring about change.

The programme ended with a vote of thanks for the speakers, and distribution of certificates and course materials to the participants.

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# **ANNEXES**

**ANNEXE - 1**

**Joint Training Programme on  
“Gender Issues”  
18<sup>th</sup> – 22<sup>nd</sup> July, 2011  
List of Participants**

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