

**Report of the  
Policy Conclave  
on  
Gender Equality and Child Rights:  
Sharing Knowledge & Developing an Agenda for  
Action**

**28-30 January 2016  
Lal Bahadur Shastri National Academy of  
Administration, Mussoorie**

**Organised by  
National Gender Centre  
Lal Bahadur Shastri National Academy of Administration (LBSNAA)  
Mussoorie**

**With the Support of  
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## **EXECUTIVE SUMMARY**

### **BACKGROUND OF THE CONCLAVE**

A Policy Conclave on “Gender Equality and Child Rights: Sharing Knowledge & Developing an Agenda for Action”, was held on 28-30 January 2016 at the Lal Bahadur Shastri National Academy of Administration (LBSNAA). Organized by the National Gender Centre, LBSNAA with the support of UN Women Office for India, Bhutan, Maldives & Sri Lanka and UNICEF India Country Office, the Conclave was attended by more than 120 participants, including representatives from Government of India (including Secretary, Ministry of Labour and Employment; Joint Secretaries of Ministry of Women and Child Development and Ministry of Panchayati Raj; Economic Advisor, Ministry of Human Resource Development; Deputy Commissioner, Ministry of Health and Family Welfare); representatives from 18 state governments (including Additional Chief Secretary, Principal Secretaries, Joint Secretaries, Directors and Head of Departments from Women and Child Development, Labour, Social Welfare, Health and Family Welfare, Panchayati Raj, Home, and Rural Development); members of National Commission for Protection of Child Rights, State Commissions for Women and State Commissions for Protection of Child Rights; Members of State Commissions for Women, academicians; representatives of civil society organisations; development practitioners and retired civil servants.

### **Objectives of the Conclave**

The broad objective of the Conclave was to impact on, and feed into gender and child-sensitive policies at the national and state level. This was to be achieved by first understanding the existing status of gender equality and child rights in India; and then, based on sharing of knowledge, and through mutual learning, the Conclave sought to contribute towards a review of the way policies and programmes are formulated and implemented, both from governance and social dimension-related perspectives.

### **Design of the Conclave**

The Keynote Address for the Conclave was delivered by Dr. Gita Sen, Distinguished Professor & Director, Ramalingaswami Centre on Equity & Social Determinants of Health, Public Health Foundation of India (PHFI). She spoke on “Economic Growth, Development and Gender Equality”. This was followed by plenary sessions on (i) Policy Approaches & Challenges in Realising Gender Equality and Child Rights (ii) Patriarchy, Masculinity and Intersecting Identities (iii) Learning from Good Practices and (iv) Delivering Gender and Child Sensitive Outcomes: A Governance Perspective. Specific thematic issues such as Violence Against Women and Children and Trafficking of Women & Children; Health & Nutrition; Gender and Employment; and Gender, Children and Social Protection, were also focused on in parallel sessions.

Based on group work in these thematic sessions, a roadmap document on the way forward was developed, in the form of Agendas for Action.

### **Outcomes of the Conclave**

The Conclave allowed for stock-taking on the progress of gender equality and child rights in India, and in relation to other countries; helped identify reasons for gaps in gender and child equitable outcomes; fostered improved understanding of issues in social and governance dimensions, institutional mechanisms, intersectorality and convergence, which impact programme design and implementation; facilitated exchange of knowledge and experiences from within India and the region; and enabled the drafting of key policy, programme and implementation recommendations on cross cutting and specific thematic issues.

The Conclave concluded with the adoption of **An Agenda for Action** on the four thematic areas of **Violence Against Women & Children and Trafficking of Women & Children; Health & Nutrition; Gender and Employment; and Gender, Children and Social Protection**, which shall be submitted as recommendations to the Government of India and state governments. These agendas for action seek to provide an outline to guide existing and future interventions for senior policy makers from central and state governments, civil society organisations and academicians. It is hoped that this will foster commitment towards the advancement of gender equality and child rights, in terms of policy formulation, programme design and implementation, both in the short and long-term.

### **CONTEXT**

Women and children constitute around 70 per cent of India's population and are critical to the social, economic and political fabric of the nation. No claims of growth and development can be either articulated or realized by any democratic, responsive and accountable government by ignoring the legitimate concerns of inclusion of this section of the society in the development process. For this to happen, it is imperative to break the intergenerational cycle of inequity, which is rooted in poverty, patriarchal norms, social exclusion, violence and invisibility of women's productive and reproductive role. It is imperative to ensure the (i) fulfillment of children's and women's right to survival, protection and a life free from violence and discrimination; and (ii) to promote the recognition and participation of women and children as equal partners in social, economic and political processes – as citizens and individual rights-holders.

The government's commitments towards gender equality and child rights are embodied in the Constitution of India as well as through several enabling legislations and rights based policies related to a wide gamut of subjects such as education, health and nutrition, employment and social protection, addressing the concerns of women and children. India has been a strong advocate and supporter of the recently

adopted inclusive and equity-driven Sustainable Development Goals (SDGs), which recognize a stand-alone goal on gender equality and women's empowerment, as well as cross-cutting references to gender equality and the well-being of children in other goals. Additionally, India has pledged allegiance to several international conventions and declarations, including the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the UN Convention on the Rights of the Child (CRC).

Nevertheless, it remains important to understand the current status and identify and address the barriers to achieving progress in gender equality and child rights. As per the Human Development Report 2015, India is placed 130 out of 188 countries in terms of the Human Development Index, with poor rankings for both the Gender Development Index (GDI) and Gender Inequality Index (GII). In the recent past, there have been significant legislations to deal with violence and exploitation against women and children<sup>1</sup>. Nevertheless, the statistics of violence remain staggering. From 1971 to 2008 there has been an increase of 763.2 per cent in reported cases of rapes in India. In 2014, 36,735 cases of rape were reported, with the rapist being a known person in 91 per cent of cases. Despite a large number of rape victims being minors less than 18 years, instances of child sexual abuse of adolescent and infant girls remains severely under-reported. Additionally, in 2014, 9224 murders of women and 8455 dowry deaths were reported. More than half the men and women respondents in the National Family Health Survey – III (2005-06) declared that it was okay for a man to beat his wife if she disrespected her in-laws, neglected her home or children (Agnes and D'Mello, 2016).

Further, women's share in the country's workforce has been declining at an alarming rate, and fell from close to 33 percent in 1993-94 to around 27 per cent in 2011-12, with the steepest fall being experienced by Scheduled Tribe women, followed by Scheduled Caste women and then OBCs. In fact, the female work participation rates dropped to their lowest ever in the history of independent India in 2011-12. Further, the female workforce was reduced by more than 19 million between 2004-05 and 2011-12 (Mazumdar, 2016). It was observed that there is inadequate attention given in policy to women's large burden of unpaid work, based on gendered assumptions of division of labour, as well as lack of visibility of their economic contribution, which remains largely underpaid. In the sector of health, neonatal mortality rates exhibit particularly poor trends, and of the 26 million births that occur each year in India, 570,000 children are born dead and 730,000 children die in the first month (Prabhakar, 2016). The child sex ratio has steadily declined from 962 girls per 1000 boys born in 1981, to 945 in 1991, 927 in 2001 and now, 918 in 2011. Discrimination against the girl child in access to food and nutrition is also evident in the low Body

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<sup>1</sup> Recent progressive legislations include: Protection of Women from Domestic Violence Act, 2005, Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Criminal Law (Amendment) Act, 2013 and Protection of Children from Sexual Offences Act (POCSO), 2012.

Mass Index<sup>2</sup> and high anaemia<sup>3</sup> of mothers, especially adolescent mothers, which in turn triggers a cycle of less healthy children, accentuated by neglect of mothers during pregnancy (Agnihotri, 2016).

Against this backdrop, it was realized that there was a need to focus on the intergenerational and intersectional issues affecting women and children, right from the stage of chronic underfinancing of gender equality and child rights. On the whole, the glaring absence of a life cycle approach for addressing violence and in the social protection of women and children were noted, besides the need for a comprehensive, integrated and crosscutting social protection system, with multi-sector co-ordination (Agnes and D' Mello, 2016; Lahiri, 2016).

A wide range of issues were discussed and reviewed at the Conclave, including: Concepts and Guiding Frameworks related to Gender equality and Child Rights; Social Dimensions, including Patriarchal Mindsets and Attitudes, Caste-Based Exclusion and Exclusion of Women and Children with Disabilities; and Governance Related Processes covering the areas of Budgeting, Planning, Convergence, Data Analysis, and Monitoring and Evaluation. The Conclave drew lessons from Community-Driven Approaches; and mapped the challenges and priorities in selected Thematic Areas: (A) Violence Against Women & Children and Trafficking of Women & Children; (B) Health & Nutrition; (C) Gender and Employment; and (D) Gender, Children and Social Protection. The Key Observations and Recommendations emanating from the Conclave are summarised below, including the four Agendas of Action that were outlined.

## **KEY OBSERVATIONS:**

### **(I) UNPACKING THE CONCEPTS: SOME GUIDING FRAMEWORKS**

#### **SUBSTANTIVE EQUALITY**

- Frame all policies and programmes using 'substantive equality' framework, ensuring equality of opportunities and equality of outcomes
- Adopt a gender-equality and child rights lens in all programmes, rather than only in programmes for women and children

#### **INTERSECTIONALITY**

- Inform policies and programmes with an intersectionality<sup>4</sup> framework, both at the conceptual level as well as in terms of metrics of measurement

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<sup>2</sup> Figures indicate that 46.8 per cent girls aged 15-19 years have BMI < 18.5 per cent (Agnihotri, 2016).

<sup>3</sup> Prevalence of anemia for ever-married women in 15-49 age group has gone up from 51.8 per cent in 1998-99 to 56.2 per cent in 2005-06 (Agnihotri, 2016).

<sup>4</sup> "Intersectionality is an analytical tool for studying, understanding and responding to the ways in which gender intersects with other identities and how these intersections contribute to unique

- Understand how gender identity intersects with other socio-economic identities to produce compounded vulnerabilities
- Acknowledge that different vulnerabilities are interconnected, and cannot be examined separately from one another

#### **A LIFE CYCLE APPROACH AND TRANSFORMATIVE SOCIAL PROTECTION**

- Shift towards designing programmes with a life cycle, flexible and multi-dimensional approach
- Address women's 'practical' needs (immediate basic needs) and 'strategic' needs<sup>5</sup> (e.g. addressing inequalities in the gender division of labour, ownership and control of resources, participation in decision-making or experiences of domestic and other sexual violence)
- Move from 'protectionist' approaches (providing relief from deprivation) to 'transformative' approaches in social protection, imparting women dignity, confidence and addressing gender-discrimination

#### **FUNCTIONS OF LAW AND PROCESS OF FRAMING OF LAWS**

- Law has an important normative role of setting standards and thresholds and defining what is acceptable
- Harmonisation of laws is necessary, both with each other and with international standards, rather than being limited by minimalism or socially accepted definitions
- Executive function of law remains compromised owing to operational aspects, lack of political will and co-ordination and/ or gender or child-discrimination
- States should devise provisions for interoperable court cases working across the systems of courts, jails, prosecutors and NGO

### **(II) SOCIAL DIMENSIONS**

#### **PATRIARCHAL MINDSETS AND ATTITUDES**

##### Challenges

- Acknowledge that institutions perpetuate gender biases (e.g. patriarchal mindsets and bureaucratic prejudices towards women limit the proper

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experiences of oppression and privilege ... it aims to address the manner in which racism, patriarchy, class oppression and other systems of discrimination create inequalities that structure the relative positions of women. It takes account of historical, social and political contexts and also recognizes unique individual experiences resulting from the coming together of different types of identity" (AWID, 2004).

<sup>5</sup> 'Practical' needs of women include for instance access to water, sanitation, health, safety and income-earning opportunities whereas 'Strategic' needs of women refer to those needs that challenge existing gender-discriminatory power structures of subordination and oppression (Moser, 1989).

implementation of right to property<sup>6</sup> and impact women's recognition as economic actors)

- Understand that gender intersects with other social hierarchies to produce cultural expectations of domination, superiority and 'masculinity' (e.g. caste, class, profession, sexual orientation, nationalism, parochialism, linguistic and religious majoritarianism, sexual morality, hetero-normativity)
- Manifestation and consequences of patriarchal attitudes are evident in numerous practices<sup>7</sup>
- Media plays a major role in constructing, dismantling and/ or reinforcing market-mediated gendered stereotypes and expectations, based on changes in time and sensibilities

#### Recommendations

- Conduct gender-sensitisation trainings for all key institutions (e.g. Panchayati Raj Institutions, police, judiciary)
- Create and nurture dedicated citizens' spaces for women and children to participate in and voice their concerns on local governance and community decision-making (e.g. Mahila Samakhya, Kudumbashree, BalSabhas)
- Promote women's interaction and networking with existing local institutions to bridge gender biases
- Engage men and boys as co-travellers in the journey towards gender equality, breaking notions of gendered privileges and entitlements
- Encourage greater sharing of domestic and care responsibilities and decision-making on children's education, health and nutrition by men
- Assess how decentralised channels of media can be tapped to advance awareness and advocacy on gender equality and child rights (e.g. social networks)
- Inculcate respect for diversity and mutuality, based on individual subjectivity and collective solidarities
- Recognise that horizontal, vertical and intersecting inequalities means each person enjoys multiple positions of advantage and disadvantage, and that this enables them to 'claim' certain spaces, but requires them to give up certain spaces

### **SOCIAL EXCLUSION**

#### **Caste-Based Exclusion**

##### Challenges

- Structural violence through institutional corruption and misdirecting of funds meant for welfare of Scheduled Castes (SC)

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<sup>6</sup> Right to women's property remains largely unimplemented, despite the passing of the Hindu Succession (Amendment) Act 2005.

<sup>7</sup> Manifestation and consequences of patriarchal attitudes evident in sex determination, declining sex ratios, restrictions in women's mobility, lack of access to and control of women's resources, domestic violence, sexual violence, dowry-related violence and violence against children and farmer suicides.

- Lack of comprehension of depth, devastation and consequences of social exclusion
- Internalization of long-suppressed emotions of humiliation by the marginalized and reluctance to challenge status quo
- Hesitation to openly talk about and analyse caste-based discrimination and violence
- Politicisation of caste as a constituency has created alienation and resentment from the general category

#### Recommendations

- Invest in public policy and budgets for Scheduled Castes and Scheduled Tribes, with focus on immediate benefits for their welfare
- Focus on implementation of selected schemes that have potential to address social exclusion, can be replicated and can increase the participation and agency of Scheduled Caste and Scheduled Tribe persons
- Talk, name and make visible caste-based violence and discrimination, accompanied by introspection on the part of perpetrators of exclusion
- Call for undertaking 'de layerisation' - unpeeling, exposing and addressing layers of intersectional identities such as gender, caste, age, sexual orientation

#### **Exclusion of Women and Children with Disabilities**

##### Challenges

- Understand how the concept of 'normativity' creates exclusion, especially what constitutes a 'normal body'
- Infrastructure and services cater to a 'normal body', remaining unmindful of use by persons with disabilities
- Disability is not a homogenous category and different types of vulnerabilities exist within disability (e.g. physically disabled, hearing impaired, visually challenged, mentally challenged and persons with multiple disabilities)
- Lack of visibility of issues of motherhood, mothering and care of the disabled, including unpaid care work of the disabled
- Violence, including sexual violence, is experienced more by disabled persons, sometimes even from the caregiver

##### Recommendations

- Push for the passing of The Right of Persons with Disabilities Bill, 2014 and increase budgetary allocations towards disability rights
- Provide support for forthcoming MWCD scheme on housing and care of disabled persons once primary caregivers pass away
- Increase resources for construction of disability-friendly, 'universal design' infrastructure, keeping in mind all types of disabilities
- Extend support systems for care of disabled mothers or children of disabled
- Allow for reservations for disabled persons at school-level

- Ensure ground-level support in terms of aids and technologies for ensuring a life of respect and dignity (e.g. special shoes or a wheelchair for the disabled)
- Discontinue practices of legitimised abuse of the disabled (e.g. disability selection, hysterectomy of mothers with disability)

### **(III) GOVERNANCE-RELATED PROCESSES**

#### **BUDGETING**

##### Challenges

- Chronic underinvestment in budgetary allocations for women and children
- Application of Gender Budgeting tools without deep analysis of gender-differentiated impacts of allocation of resources and revenue-raising policies
- A Budget for Children has not been adopted by any state, despite its introduction as part of the Expenditure Budget Vol. 1 every year since 2008-09 (Statement 22)
- Prevalence of steep cut in Central assistance to centrally sponsored schemes, state plans as well as spending on social sector programmes, including schemes for women and children as a result of fiscal federalism (in light of the Fourteenth Finance Commission)
- Lack of clarity on priority to be given by individual states on social sector spending, especially states with poor women and child indicators
- Inadequate funding towards social protection, especially spending on health
- Functionaries emphasis remains on clearing funds to receive next release, rather than ensuring meaningful gender and child-sensitive outcomes

##### Recommendations

- Establish a division in the Finance Ministry, under the Finance Minister, analysing implications of impact of changes in finance, tax or expenditure policy on women, children, health and education
- Increase tax-GDP ratio for ensuring sufficient financing for social protection
- Ensure strategic targeting and prioritisation of public expenditure/ resources to optimally achieve gender and child-equitable outcomes (e.g. strategies of preventive health and primary and secondary education for girls in Bangladesh)
- Adopt purposive planning to disaggregate budgets and make plans and policies gender and child-responsive (e.g. Gender Budgeting in Indonesia and Nepal)
- Engender budgets, analysing both expenditure and gender-differentiated outcomes
- Devise effective monitoring mechanisms to link budgeting with gender and child-equitable outcomes
- Undertake research and capacity building activities for institutionalizing gender budgeting processes in states (e.g. gender appraisals of select departments, independent assessments of state gender budgeting efforts; capacity building workshops on gender budgeting, manuals, brochures on Gender Budgeting in local languages)

- Recommend adoption of Budget for Children by states, detailing expenditure of schemes exclusively for children by various departments in a financial year
- Accompany fiscal decentralization with increased allocations for specific states and for national schemes
- Consider start-ups for development, where venture capitalists invest in under-invested and deprived communities (e.g. United Kingdom)

#### **GENDER AND CHILD RESPONSIVE PLANNING**

##### Challenges

- Lack of gendered understanding of implications of changes in economic/ fiscal policies, budget deficit and cost cutting on programmes for women and children
- Lack of an overarching, legal, social protection framework
- Gender and child-sensitive concerns not given priority at the stage of design and implementation of all policies and programmes, nor cross-cutting mechanisms provided for their convergence
- False assumption that programmes working with women and children will automatically have gender and child- responsive outcomes
- Failure to distinguish between household and women beneficiary in certain social protection schemes impacts access and quantum of benefits for women
- Lack of recognition of work done by lakhs of underpaid frontline workers in government programmes (e.g. ASHAs, Anganwadi workers and helpers, MDM workers)

##### Recommendations

- Inform macro-economic thinking and policies with a gender perspective, especially strategies for employment-led growth and gender-sensitive industrialization
- Screen all planning exercises for impact on gender equality and child rights
- Adopt a gender and child rights lens in the work of each department and ministry, and every policy and programme
- Impart centrality to gender equality in anti-poverty or social protection interventions
- Establish an overarching law on social protection and/or a law-based social protection authority, serving as an advisory body, providing convergence mechanism between existing Ministries and departments, and possessing consolidated database of expertise
- Focus on rights-based and universal/ unconditional approaches in extension of social protection, reaching the poorest and most marginalized and taking cognizance of specificities of caste, age, disability, social category or other vulnerabilities
- Consider design of family policies, incorporating family entitlements in an integrated manner
- Integrate voices of women and children in planning and implementation of programmes

- Undertake vulnerability mapping to establish at-risk populations and define the area of intervention
- Increase accommodation of gender<sup>8</sup> and child-specific features and provisions in social protection programmes
- Extend fixed remuneration/ social protection coverage (health and life insurance, maternity benefits)/ individual and team-based incentives for frontline workers
- Conduct training, awareness and gender sensitization at all levels of the government, especially rural development functionaries interacting with women on the ground

**LESSONS FROM COMMUNITY-DRIVEN APPROACHES (e.g. Mahila Samakhya, Kudumbashree)**

**Achievements**

- Provided forum for women from poorest and most marginalized groups to deliberate
- Empowered learners to demand - activities determined organically by context-specific needs articulated by women
- Absence of a rigid agenda and targets enabled flexibility in programme design
- Programme staff drawn from community, including single women and victims of abuse
- Investing time, building capacities and allowing for cultivation of processes for self-actualisation resulted in sense of ownership among women
- Enabled confidence, imparted dignity and built trust among community women
- Re-invention ensured through harnessing vulnerabilities, claiming rights, evolving campaigns and constant self-reflection
- Micro-credit and livelihoods interventions undertaken with positive externalities on social outcomes and building solidarities (addressing domestic violence, improving retention in secondary school, advancing age of marriage, providing social counseling and contesting elections as elected representatives)

**Challenges**

- Determining metrics for measuring and monitoring empowerment
- Maintaining autonomy from local governance institutions

**Learnings**

- Impart greater time and focus on ‘processes’ such as building capacities of women as leaders and trainers in community development

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<sup>8</sup> Examples of gender-specific features in social protection schemes include: using simple to use and easy to understand procedures; considering gender differences in literacy, mobility, access to public venues, labour-schedules; providing technical support and services compatible with women's reproductive and care givers role for e.g. crèche, mobile credit; employing both male and female service providers; setting quotas for women's participation and enforcing them; opening bank accounts in the name of women or jointly with male head.

- Keeping resources untied from targets creates less pressure to perform and enables innovation
- Flexibility in programme design and agendas allows for freedom to change, make mistakes and adapt
- Trigger discussions on issues such as violence against women within groups, even through existing SHGs in programmes such as NRLM

### **CONVERGENCE AND COORDINATION**

#### Challenges

- Intersectoral nature of gender equality and child rights issues demanding inter-departmental, multi-dimensional and cross-cutting approaches, across the life cycle
- Lack of streamlined mechanisms for efficient reporting and functioning of institutions and/ or deployment of funds (e.g. Delhi Police reports to Ministry of Home; Nirbhaya Fund set up in Ministry of Finance, then shifted to Ministry of Home and now Ministry of Women and Child Development)
- Different departments create the same institutions (e.g. crèches, SHGs), each having own distinct terms, personnel and salaries, working in silos, without meeting or coordinating functions

#### Recommendations

- Redefine the mode of functioning of national women's machineries keeping a gender mainstreaming focus
- Conduct audits for stocktaking of capacities and effectiveness of existing institutions - various National and State Commissions for Women, Children, Scheduled Castes, Scheduled Tribes and Backward Classes (e.g. extent of knowledge base, appointments and dispensation of functions)
- National Mission for Empowerment of Women (NMEW) could focus its mandate on one major issue (e.g. higher education)
- Establish linkages with Panchayati Raj Institutions for facilitating coordination (e.g. elected women representatives)

### **DATA, MONITORING AND EVALUATION**

#### Challenges

- Decadal Census data generated after long gaps fails to capture and address short-term trends
- Gaps in adequate measurement of paid and unpaid work done by women
- Some social protection programmes benefitting non poor more than poor
- Lack of data on impacts of social protection on the most vulnerable (e.g. disabled, migrants, children)
- Lack of gender expertise on teams undertaking evaluations
- Lack of incorporation of feedback from evaluations to tweak design of programme

## Recommendations

- Undertake frequent, focused and user-friendly data collection and review exercises
- Push for gender, age, social category and ability-disaggregated indicators in monitoring of schemes
- Undertake meta evaluations adopting a feminist lens<sup>9</sup>
- Establish an IT-enabled mechanism for monitoring access to nutrition for children from birth until 3 years, based on Aadhar data
- Use low-cost technology for information dissemination on health, nutrition and education

## **(IV) THEMATIC AREAS**

### **VIOLENCE AGAINST WOMEN AND CHILDREN AND TRAFFICKING OF WOMEN AND CHILDREN**

#### Challenges and Priorities

- Violence against women occurs in a continuum from birth till death
- Life cycle of violence exposes girls and women to numerous intersecting vulnerabilities in both public and private spheres
- A Victim-Centric Approach should be adopted, placing victim at the centre to ensure protection, dignity and fair trial
- Progressive legislations exist but concerns on quality and standard of implementation remain
- All-time high figure of reported incidents of rapes in 2014, including of adolescent and infant girls (rapist mostly a known person)
- Increasing number of cases of women's murders and dowry deaths
- Internalisation of normality of domestic violence, both physical and mental abuse, by women and men
- Various forms and dimensions of domestic and sexual violence overlooked – women engaged in commercial sex; violence against women who are from marginalized communities; abuse and exploitation during caste and communal conflicts and through state-inflicted violence; acid attacks; honour killings; witch hunting; and custodial violence against women and children
- Low conviction rate for offenders of violence against women and children
- Abysmal state of functioning of reform institutions (e.g. rehabilitation centres, shelter homes)
- Negative spiral of violence against children (e.g. street children, run-away children in viscous cycle of petty crimes, correctional schools, sexual abuse and violence, drug peddling and drug abuse, mental abuse and juvenile crime)
- Gender inequality in community a major vulnerability factor for trafficking
- Victims of human trafficking mostly start as children

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<sup>9</sup> Adopting a feminist lens during evaluations entails focusing on power relations, structural features, highlighting inequities, seeking substantive equality, appreciating that non-linear processes of change, diversity of perspectives and connections across sectors and programmes influence outcomes.

- Need for inter-departmental interventions to address trafficking
- Need for tracking the source-destination corridor to arrest trafficking networks
- Need for increased capacity building trainings for gender sensitisation of police and judiciary
- Need for replication of good practices to counter trafficking (e.g. Anti-Human Trafficking Units; Anti-Human Trafficking Clubs; Impulse model in Meghalaya; establishing One-Stop Crisis Centres in courtrooms, similar to those set up in public hospitals by Sehat, Mumbai)

### **HEALTH AND NUTRITION**

#### Challenges and Priorities

- Need for increase in budgetary allocation on health
- Consider a rights-based legislation on health
- Steadily declining child-sex ratio
- Lack of visibility and policy attention for low neo-natal mortality rates
- Poor and falling under-five mortality indicators
- Cyclic nature of risk and vulnerabilities impacting health of both mother and child (e.g. low birth weight, low immunity and stunting of babies of adolescent mothers with malnutrition and anemia)
- Discrimination against the girl child in access to food and nutrition – ‘nutrition violence’ of women and girls, who eat least and last
- Impact of open defecation on nutrition, stunting, mobility and mortality parameters
- Need for attention to hygiene behaviors to improve nutritional outcomes
- Existence of gap between the demand and supply of ICDS
- Need for improved access to skilled and quality care for mothers - before, during and after birth
- Need for engaging with communities during planning, implementation and monitoring of health initiatives

### **GENDER AND EMPLOYMENT**

#### Challenges and Priorities

- Lack of policy attention and visibility to dramatic fall in women’s workforce participation rates
- Widening gender gap in employment in rural and urban areas
- Need for enhancing women’s employability to changing growth paradigm and emerging employment opportunities
- Hyper visibility of women in certain kinds of high end jobs (e.g. services sector)
- Undercounting and lack of recognition of women’s paid, underpaid and unpaid work
- Women’s disproportionate (unpaid) burden of reproductive and care roles
- Young girls sharing their mother’s work burden, impacting schooling, health, nutrition and growth

- Preponderance of women in certain segments of informal sector with little protection, social security and benefits (e.g home-based work)
- Need to recognize the underpaid work of lakhs of frontline workers in running government schemes (e.g. ASHA, AWWs, AW helpers, MDM workers)

### **GENDER, CHILDREN AND SOCIAL PROTECTION**

#### Challenges and Priorities

- No legal statute currently present for social protection across the life cycle, aimed at breaking the inter-generational poverty cycle
- Need for a multi-sector and integrated social protection system in India (e.g. Inter-Ministerial Taskforce on Social Protection)
- Need for increased funding for social protection – increase tax-GDP ratio
- Need for costing of existing social protection schemes in India
- Lack of common understanding among stakeholders on social protection
- Inadequate linkages of social protection with other sectors (e.g. health, education)
- Need for examination of social protection and intersectionalities of SC/ST, the disabled, girl child, juvenile, the marginalized, and minorities
- Need for identification of at-risk and vulnerable families for social protection
- Need to be mindful of children outside the family and how to include them
- Delays in release of funds from Centre to State and State to district level
- Impacts of social protection not adequately measured
- Need for strengthening institutions and implementation of laws for vulnerable sections of society, especially for women and children
- Lack of effective tracking and monitoring mechanisms (input and output indicators)
- Need for supplementing cash transfers with complementary services

## **AGENDAS OF ACTION**

### **As Agreed on during Thematic Group Work Sessions**

#### **VIOLENCE AGAINST WOMEN & CHILDREN and TRAFFICKING OF WOMEN & CHILDREN:** **An Agenda for Action**

While India has relatively progressive legislative and policy frameworks, there are concerns about the quality and standard of implementation, declining investments in the social sector as well as lowering the minimum international standards (for e.g. Child Labour Act).

#### **(A) TRAFFICKING OF WOMEN AND CHILDREN**

##### Co-ordination Mechanism

- Need for concerted actions (prevention and response) at the national level to address the issue of domestic and trans-border trafficking. A National Coordination Body and an Anti-Human Trafficking and Missing Children Body need to be instituted, cutting across relevant Ministries, Departments and various agencies.
- Need for convergence across relevant policies, programmes, schemes and activities of the Government at the Centre and State in respect of human trafficking [Police, AHTU, Special Juvenile Police Unit (SJPU), Child Welfare Committee (CWC), Juvenile Justice Board (JJB) and others]. Government schemes like ICPS etc. need to be dovetailed into the function of AHTU and Police and other agencies.

##### Development of Standard Procedures

- Need to develop clear institutional Standard Operation Procedures (SOPs) for all activities related to rescue, post-rescue and care of all trafficked persons, formulated separately for children and for women; and in line with legal commitments. Clear role and function of various agencies to be outlined to ensure accountability.

##### Analysis of Policies and Gender Audits

- Need to undertake policy level analysis by senior level experts to advise necessary changes in policies and programmes and issue necessary guidelines and instructions
- Need for conducting audits from a gender and child rights perspective to gauge the impact of the AHTUs and capacity building programmes: This includes capacity building of Judicial Officers, Prosecutors, Police and other care providers.

##### Up Scaling Good Practices

- Need to upscale good practices across the country addressing human trafficking in a comprehensive mode e.g. replication of the Impulse Model of the Impulse NGO Network (Shillong)

##### Enhancing Accountability

- Need to earmark an exclusive court in each State to handle human trafficking crimes. If the situation demands, such exclusive courts can be set up in the districts.
- Need for greater degree of accountability of various statutory agencies, such as the National Commission for Women and National Commission for Child Rights across the country. Appropriate steps needed to undertake audits by independent expert agencies.

#### **(B) VIOLENCE AGAINST WOMEN AND CHILDREN**

There is a continuum of life cycle violence and this intersects across a whole range of vulnerabilities. A Victim Centric Approach, placing the victim at the centre, is essential to ensure protection, dignity and fair trial. The discussions centered on violence in the public and private spheres.

#### Understanding Violence in All its Dimensions

- Re-orientation/ capacity building of all sectors that work with women and children (education, health, social welfare, etc.) since often only physical violence and that too certain kinds of violence constitutes the understanding of violence. Despite laws, these perceptions guide the recording of cases of violence and access to a process of justice. All forms of violence need to be understood including, corporal punishment, economic and sexual exploitation, mental abuse, sexual abuse and exploitation, violence faced by children in conflict areas, institutional violence, caste violence, ethnic violence, child marriage, trafficking, communal violence, honour killings, digital violence etc.

#### Working Towards Harmonisation of Laws

- Given inconsistencies within laws, there is need to review and ensure harmonisation (For example: Exception 2 to Section 375 of the Indian Penal Code (provision on Rape), [as amended by Criminal Law (Amendment) Act, 2013] is violative of Articles 14, 15 and 21 of the Constitution to the extent that it permits intrusive sexual intercourse with a girl child aged between 15 to 18 years only on the ground that she has been married. The exception is contrary to the provisions of Protection of Children from Sexual Offences Act, 2012 (POCSO). Procedures for rape victims under CrPc to be made child sensitive, if the offenders are both juvenile and adults, so that the victim child does not have to depose repeatedly before different courts (i.e. Juvenile Justice Board and the Sessions Court) in the same case)

#### Strengthening Implementation and Accountability Mechanisms

- Women and child-sensitive governance mechanisms need to be understood and defined (and included in planning, programming phases)
- The government and other functionaries responsible to providing services at the district and lower levels need to be empowered with technical and other support and resources. At the same time, they need to be held accountable for their roles.
- Structures and institutions must be strengthened technically and with resources. There must be periodic social audits of their functioning
- It is critical to ensure creation of effective essential support facilities cutting across all people: persons with disability, trafficking victims, survivors of acid attacks, etc. There is need for psychosocial support capacities, services and facilities addressing all forms of violence.
- Review the functioning of all schemes (e.g. Integrated Child Protection Scheme)

#### Research, Evaluation and Impact Assessments

- Programmes should be based on a women and child sensitive results framework, with clear outcomes and monitoring indicators. Standard Operating Procedures and training programmes need to be aligned with the outcomes to be achieved.
- Need to build in rigorous impact evaluation, which highlights evidence based suggestions on what works and why
- Sex-disaggregated data collection is crucial across all socially excluded segments - women, children, minority, caste, disability. Gender Budget Cells and other designated agencies can play a key role here
- Need to review and upgrade NCRB data collection and compilation

#### Convergence and Coordination

- Need to ensure convergence across key institutions, departments, ministries, judiciary, and other structures that have been set up under various laws and schemes.
- Establish an inter-departmental convergence mechanism that enables flow of information and a coordinated response. Joint planning is needed to avoid overlaps and duplication. Lessons from best practices at state level can be scaled up

#### Gender & Child-Sensitive Planning, Programming & Budgeting

- There is need for adequate and committed financial, human and technical resources with the highest of political will for this issue
- The Cabinet Note on Introduction of any bill by any department should have a section on its

impact on women and children (like Environment Protection Act)

- Design interventions to focus on under-researched forms of violence like communal, geographical violence but also violence on single/unwed mothers, never married women, widows, victims of witch hunting, LGBTQI communities, and other marginalized groups and women and children in conflict situations
- Violence within institutions should be recognized and addressed urgently
- There is need to support collectives of women and children, as they are the primary constituency
- Engage men and boys in prevention, intervention and implementation programmes

#### Specific Suggestions on Promoting Gender Equality

- Upgrade the National Policy on Empowerment of Women (passed in 2001) based on Justice Verma Committee and High Level Committee Report findings
- Set up Women Welfare Committees (with similar powers as Child Welfare Committees), to be set up in every district to help women with social and legal needs

#### Specific Suggestions on Promoting Child-Rights

- Adopt a vetting and barring system as followed in the UK whereby anyone being appointed to work with children is screened thoroughly, instead of the proposed sex offenders registry (MHA and MWCD)
- Need for MEA and MHA to work out a coordinated response to travelling child sex offenders. This would require a review of the visa form so that travelling sex offenders can be tracked.
- Assess the Child Labour Bill being proposed for its impact on other rights of children such as right to education and caste discrimination, in the light of the equal opportunity and development of their full potential (as most family based occupations are caste based). It must also be assessed against the parliamentary standing committee recommendations.
- Make children's experience using digital technology safe and positive. Digital citizenship must be compulsorily introduced into the school curriculum.
- Unify and harmonise national and state child tracking system for missing children.
- Pay particular attention to the setting up of village level child protection committees (VLCPC) drawing on good practices/ processes such as Kudambashree, Mahila Samakhya and others.

### **HEALTH AND NUTRITION: An Agenda for Action**

#### Funds and Resources

- Health budget should be 3 percent of the GDP – should not be lapsable
- Flexibility to states to utilize the budgets
- For marginalized communities/ locations there should be a greater emphasis on human resources

#### Recognition to Front Line Workers

- Opinion 1: Fixed remuneration
- Opinion 2: Incentive-based but also addition of the component of team based incentives e.g. ASHA, Auxiliary Nurse-Midwife (ANM), AWW together being given incentives if 100 per cent Open Defecation Free (ODF)/ immunization/ institutional delivery is achieved

#### Decentralization & Communitisation of Planning, Implementation and Monitoring

- Active participation of the community
- School Management Committees and Village Health Sanitation & Nutrition Committee (VHSNCs) following up on girl children
- Differential Planning
- Analysis of data at the Gram Panchayat level/lowest level possible

#### Capacity Development and Facilitation

- Component of practical demonstration of the processes and protocols during training of the front line workers
- The facilitation of the process of capacity building should be on a continuous basis
- Protocols and SOPs should be established

#### Social/ Geographical Inclusion

- Social exclusion needs to be identified and mapped
- Social inclusion should be a constant cross cutting theme
- Day care facilities for children, in work places e.g. making it mandatory in tender documents to provide crèches

#### Functional Convergence of Line departments

- Education Department, Women and Child Department, Rural Department, Health Department Drinking Water and Sanitation e.g., focused emphasis on Immunization and Deworming in an ODF gram panchayat would give faster results in addressing malnourishment

#### Improvement in Nutrition

- Deworming of the entire population
- Vitamin A supplementation
- Real time IT-enabled monitoring of each and every child through UID
- Backyard poultry and kitchen garden
- Janani Suraksha Yojana (JSY) to be integrated with The Indira Gandhi Matritva Sahyog Yojana (IGMSY)
- SABLA should be made pan India
- Compulsory calcium should be given to all pregnant women

### **GENDER AND EMPLOYMENT: An Agenda for Action**

#### Priorities for Action

- Identify and address barriers to women's workforce participation
- Provide an enabling environment for work, including through legislation and enforcement
- Improve data tools for appropriately capturing women's paid and unpaid work – e.g. women as 'farmers', women working at home, women migrants
- Invest in women's education and skill development
- Incentivise employers to encourage employment of women in their establishments
- Explore the possibilities of increased women's employment opportunities in the upcoming national flagship programmes e.g. Make in India, Digital India, Smart Cities, Skill Mission

#### Institutional and Programmatic Entry-Points

- Creches
  - Increase coverage to all working women
  - Dovetail with ICDS/ state programmes
  - Adjust to women's working hours rather than school timings
- MGNREGS
  - Diversify from asset-based works to public services (e.g. creches)
  - Extend to urban areas
- Strengthening SHGs under NRLM and NULM from thrift and credit to economic activities:
  - Women's access and control over economic resources (e.g. size of revolving fund, seed money)
  - Training and capacity building towards wage employment and self employment
  - Developing women's leadership skills and enabling their participation in community

decision-making

- Skilling from secondary-school level on the lines of Rashtriya Madhyamik Shiksha Abhiyan (RMSA) – needs scaling
- Incentives for employing women (e.g. tax incentives)
- Legislative changes to permit night shift for women (e.g. MP Factories Act Amendment)

#### Cross-Cutting Issues

- Providing transport, safety and security, public toilets, spaces for women's work (e.g. vendors)
- Considering part-time work/ flexible working hours with social security benefits
- Extending social protection coverage (health and life insurance, maternity benefits) for frontline workers/ unorganised sector
- Addressing portability of benefits for migrant workers
- Utilising CSR funds for training and placement of women, as per local industry needs
- Integrating gender-sensitisation in all training curriculum
- Correcting gender gaps through refined data collection tools
- Developing gender-responsive M & E parameters enabling mid term corrections to programme design
- Establishing an Expert Group on how to engender and enhance women's employment in Make in India, Digital India, Start Ups, Skill Development Mission and Smart Cities

### **GENDER, CHILDREN AND SOCIAL PROTECTION: An Agenda for Action**

#### Cross- Cutting

- Orientation, participation and capacity building of stakeholders
- Monitoring mechanism to be put in place

#### Short-Term

- Overarching National Social Protection Authority required to develop strategy and guidelines - Inter-ministerial/departmental/agency wide convergence and synergy in efforts especially the Finance Ministry for costing of social protection
- Vulnerability mapping and participation of the community in all states
- Using technology and UID for building single database of social protection beneficiaries
- Involving the private sector through innovative financing for SPs

#### Medium Term

- Ranking of States based on their needs for social protection and not their performance
- Availability of one window system for delivery of services at community level

#### Long Term

- National Law/ Policy/ Statute on Social Protection required to cover life cycle approach

# DETAILED PROCEEDINGS OF THE CONCLAVE

## DAY 1

### INAUGURAL SESSION

**Ms. Roli Singh**, IAS, welcomed all the participants on behalf of the Academy. She expressed hope that the Conclave would produce excellent discussion on the issue of gender equality and child rights in the coming two-and-a-half days.

**Mr. Rajeev Kapoor**, Director, Lal Bahadur Shastri National Academy of Administration (LBSNAA) began his address by saying it was a privilege to welcome such a wide variety of eminent panelists and participants, including representatives from the Government of India, state and central commissions and departments, academicians, civil society and development organisations. He highlighted that India had undergone transition from a welfare orientation to a rights-based orientation, and that progress had been made in primary school enrolment, maternal health and child nutrition, as well as in the form of some progressive legislations in the last few decades. Nevertheless, he pointed out that significant challenges remain, such as ensuring a safe and secure environment for women and tackling restrictive social and cultural norms. Emphasizing that gender equality and child rights constitute an important area of public policy that cut across boundaries of both government and non-government, he congratulated the National Gender Centre (NGC), LBSNAA, UN Women and UNICEF for taking the initiative to organise the conclave. Mr. Kapoor stated that the Academy was uniquely placed to host the conclave because it was the seat of trainings (induction and mid-career) for civil servants, and it has always tried to have broad perspectives on issues rather than be guided by narrow agendas. He stressed that the Academy had set up research centres such as the NGC primarily to provide an outlet for the creativity of individuals. In a similar vein, he encouraged participants to consider the conclave as an unbiased space where contrarian opinions and views of multiple stakeholders should be aired and accommodated, for the furtherance of knowledge.

### KEYNOTE ADDRESS: “ECONOMIC GROWTH, DEVELOPMENT AND GENDER EQUALITY”

**Dr. Gita Sen**, Distinguished Professor & Director, Ramalingaswami Centre on Equity & Social Determinants of Health, Public Health Foundation of India (PHFI), began by appreciating the call for contrarian views during the conclave. She concurred that it was important to bring together the issues of gender equality and child rights, but underlined that conversations should not address mothers and children alone, and leave fathers out of the discussion. She stated that her address would provide the

bigger picture and highlight some background issues, which could be taken forward in the in-depth discussions. She identified the following set of connections between gender equality and the rights of children:

1. **Low neonatal mortality rates:** Within falling child mortality, an area that has been inadequately addressed by policy is that of neonatal mortality rates, which have been refusing to progress at the desired pace. The close links between malnutrition and stunting of adolescent girls and women, and the low birth-weight of newborn children exhibits the impact that poor nutritional status of mothers has on child bearing.
2. **Women's disproportionate burden of reproductive and care roles:** Women face time poverty as a result of their work of taking care of children, the elderly and sick and also managing the day-to-day survival of their families. This work remains unpaid and mostly unshared.
3. **Young girls sharing their mother's work burden:** Daughters provide the only source of reprieve, bearing their mother's multiple work burdens at the cost of their own schooling, health and nutrition and growth. This symbiotic relationship between mothers and children, while relieving mothers, places an unconscionable burden on the girl child.
4. **Gender differentials taking hold during adolescence:** Increased differentials develop between adolescent girls and boys during the age 10-14 years. This is when the gender roles and systems are most severely reinforced, resulting in girls dropping out and being unable to continue beyond elementary levels of education.

Dr. Sen said it was alarming to observe that investment in women constitutes only three per cent of the budget of the Ministry of Women and Child Department. She explained that gender equality plays a larger developmental role, and described how the efforts of UN Women, along with civil society organisations, had resulted in the adoption of the stand-alone goal on Gender Equality and Women's Empowerment among the Sustainable Development Goals (with recognition of unpaid work as a sub-goal), besides cross cutting gender targets across all other goals as well. While praising this landmark achievement, she cautioned that there was need for improvement in the following broad areas:

1. **Inform macro-economic thinking and policies with a gender perspective**

Both in developed and developing countries, there is lack of a gendered understanding of the implications of changes in fiscal policy, budget deficit and cost cutting on women and child programmes. This bears even greater significance in India given the drop in budget for women and child development, health and education by the Centre, combined with greater financial devolution to the States, as per the recommendations of the Fourteenth Finance Commission. It remains to be seen if the states will in fact spend more on social sector budgets, especially states with poor women and child indicators. The implication of the Goods and Services Tax (GST) for taxation and spending on

women is also not entirely known. Further, Dr. Sen said that there was often just a mechanical application of Gender Budgeting that was undertaken, as a mere statistical exercise, which was not what feminist economists had envisaged. She proposed that there be division in the Finance Ministry, under the Finance Minister, that undertake analysis on the impact of changes in finance, tax or expenditure policy and their implications for gender, child rights, health and education.

## **2. Locate gender in the debates on human development and economic growth**

Dr. Sen elaborated on the debate of growth-mediated versus support-led development (Sen, 1989). While a growth-mediated path is based on capital growth that would trickle down through the income system, the support-led path focuses on investment in people's capabilities. Citing a study providing cross-country evidence of 22 developing countries, she revealed that while growth is important for developing countries, the type of growth is most important (Anand and Ravallion, 1993)<sup>10</sup>. Thus rather than incorrectly framing the debate as growth versus human development, it would be important to consider the tensions one would run into in following the different paths<sup>11</sup>. Both paths would face constraints, which could be neutralized by changing taxation and public investment and expenditure patterns. She used data to illustrate how unlike India, most South-East Asian countries such as South Korea, Hong Kong, Thailand and China all had achieved high levels of literacy prior to the rapid expansion of their economies. In the 1990s when India underwent economic liberalization, the adult literacy rate was only 50 per cent, and this figure too was gender-skewed. Dr. Sen thus demonstrated that even before India's economic expansion began, we faced a severe backlog in terms of human development. She highlighted that this backlog meant that India's shift from the growth-led to the support mediated strategy would be more difficult, but also more critical to ensure that it does not leave behind large sections of society. She underlined that gender equality must be central to any anti-poverty or social protection interventions.

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<sup>10</sup> On the link between growth and human development, "... the main channels by which growth promotes human development are through its impact on income poverty and the public provisioning of health services. Average income matters, but only insofar as it reduces poverty and finances key social services" (Anand and Ravallion, pp. 143-4).

<sup>11</sup> A support-led path would mean increasing investment in human development, but if unaccompanied by increased employment opportunities, it would result in investment constraints for physical capital and other fiscal problems. These could be mitigated through out-migration and remittances or Foreign Direct Investment (FDI). Similarly, if a growth-mediated path were followed, it would lead to rising social and economic inequality, political tension and societal fragmentation. Without sufficient investment in capabilities, growth would become an end in itself and unemployability would present itself as a problem, to be mitigated by strong anti-poverty and employment generation programmes and social protection.

### 3. Increased inequalities, technological development and impact on women's workforce participation

Painting a picture of the stark global inequalities, Dr. Sen referred to the Oxfam study (2016), which shows that the combined riches of 62 of the world's richest individuals in 2015 equaled the wealth of 3.6 billion people constituting the bottom half of humanity<sup>12</sup>. She also raised questions on The Fourth Industrial Revolution, driven by artificial intelligence and robotics, which was a major point of discussion at The World Economic Forum at Davos, 2016. She mentioned that future dystopias of machines displacing labour in both informal sector jobs as well as high-end skilled jobs could be a not-so-distant reality in India, especially given the falling employment elasticity of growth<sup>13</sup> and worker agitation struggles such as in the Maruti Suzuki factory at Manesar, Haryana. Against this backdrop, she provided a powerful metaphor - likening the dramatic fall in women's workforce participation rates in India to 'a canary in the cage'<sup>14</sup> - in the face of the changing growth paradigm. Raising questions on the nature of jobs and employment that would accompany the 'Make in India' campaign, Dr. Sen said it would be critical to see what kind of jobs would be generated and how, whom they would benefit and where they would be located. Key questions would be the centrality given to women in this framework, whether income would translate into reduction of poverty and whether taxation would enable greater spending on social sectors.

**Ms. Roli Singh** said that the points raised in the Keynote Address would certainly illuminate the future discussions.

**Ms. Aswathy S**, Executive Director, National Gender Centre, offered the Vote of Thanks, duly acknowledging the participants and extending appreciation to the team behind organizing the conclave at the Academy, UN Women and UNICEF.

### **SESSION II: REALIZING GENDER EQUALITY & CHILD RIGHTS: POLICY APPROACHES & CHALLENGES - International & National Experiences**

**Mr. Rajeev Kapoor** Director, Lal Bahadur Shastri National Academy of Administration (LBSNAA) flagged off the session in his role as Chair by reminding the audience that gender equality and child rights were intersectoral issues, and could not be closeted into any one domain without having them overlap with other domains. He urged that each department and ministry should adopt a gender and child rights lens in its work.

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<sup>12</sup> Previous data published by Oxfam in 2010 showed that 388 of the world's wealthiest individuals matched the collective income of the bottom half of the world's population (Oxfam, 2016).

<sup>13</sup> Dr. Sen reported that the employment elasticity of growth (per cent jobs created for 1 per cent growth in GDP) had fallen from 0.3 per cent in 199-97 to 0.15 per cent in 2008-14, which indicated that even less jobs were being created in the private sector.

<sup>14</sup> This is an allusion to caged canary birds that miners would carry down into the mine tunnels with them. If dangerous gases such as carbon monoxide collected in the mine, the gases would kill the canary before killing the miners, thus providing a warning to exit the tunnels immediately.

## **PROGRESS ON GENDER EQUALITY: AN INTERNATIONAL PERSPECTIVE**

**Dr. Rebecca Tavares**, Representative, UN Women Office for India, Bhutan, Maldives & Sri Lanka, remarked that it was a privilege to be hosted by the Academy and to have in attendance senior government representatives. She said it was a matter of pride that India was one of the first countries to establish a centre dedicated to gender equality within the training academy for civil service officers. Dr. Tavares defined “engendering development” as ensuring that institutional reforms, economic and social policies, and development schemes take into account the specific needs of women. She described how past studies have shown that the status of women and economic development go hand-in-hand and that they are mutually reinforcing. Setting the international context, Dr. Tavares referred to the global roadmap for a sustainable future agreed upon by UN Member States in September 2015 in the form of the 17 Sustainable Development Goals (SDGs), including a stand-alone goal on gender equality and women’s empowerment, besides gender-sensitive targets across all the other goals. Further, she said while recognizing the chronic underfinancing of gender equality and women’s empowerment at the Conference on Financing for Development (FfD) held in Addis Ababa, Ethiopia, it was pledged to mainstream gender equality and women’s empowerment through increased investments in all financial, economic, environmental and social policies. Elaborating on the political will India had demonstrated at the highest level in strongly supporting the Sustainable Development Goals, Dr. Tavares said that the need of the hour was to focus on implementation at the domestic level.

Detailing the advances in women’s legal rights to access employment, own and inherit property, their participation as elected representatives and increased enrolment of girls in schools, Dr. Tavares cautioned that challenges still remain, as that close to half of the world’s women are still in paid wage and salary employment and continue to earn less than men for the same work. One in three women still experience physical or sexual violence, mostly by an intimate partner, and many women and girls continue to experience multiple forms of discrimination throughout their lives. Costing of selected national action plans shows financing deficits as high as 90 per cent.

Describing their work in India, Dr. Tavares said UN Women was working directly, or through NGO partners, with the Ministries of Women and Child Development (MWCD), Rural Development (MoRD) and Urban Development (MoUD), as well as the National Mission for Empowerment of Women (NMEW)<sup>15</sup>. She extended an

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<sup>15</sup> UN Women’s work in India includes providing technical support on schemes such as Beti Bachao Beti Padhao, the Mahatma Gandhi National Rural Employment Guarantee scheme (MGNREGS), and the 100 Smart Cities Project; providing technical support on ‘Gender Responsive Budgeting’ to the MWCD and providing inputs to state governments such as Madhya Pradesh to ensure that sectoral plans and policies include a gender perspective; supporting MWCD and the National Mission for Empowerment

invitation to the National Gender Centre at LBSNAA - enlisting the support of new entrants, senior officers and retired officers' associations - in taking forward UN Women's *HeForShe* campaign, that engages men and boys to stand up for equality for women and girls.

### **PROGRESS ON GENDER EQUALITY: A NATIONAL PERSPECTIVE**

**Ms. Sarojini G Thakur**, IAS (Retd.), Chairperson, HP Pvt. Educational Institutions Regulatory Commission, mentioned that there had been some progress in gender equality in terms enabling legislative framework and certain indicators: improvement of life expectancy, decline in fertility rates, infant mortality rates and maternal mortality ratio and improvements in literacy levels, besides greater awareness and sensitization to women's issues across judiciary, bureaucracy and media. Nevertheless, persistent gaps remained in the following: 'missing' women and the daughter deficit, declining child sex ratio, lack of security and safety in public and private spheres and violence against women, declining female workforce participation rates, lack of implementation of property rights, gaps in access to secondary and tertiary education and health and inadequate political representation at the national and state level.

As per the Human Development Report 2015, in terms of ranking of Gender Inequality Index (GII)<sup>16</sup>, India places 130 out of 188 countries. Additionally, with a ranking of 0.795, India fares poorly in the Gender Development Index (GDI)<sup>17</sup>, even though all other countries in the region have progressed — Sri Lanka, Nepal, Bhutan, Bangladesh and Pakistan. Ms. Thakur elaborated that the extent of gender disparities varies across states in India, and could be attributed to kinship and marriage practices, patrilocal residence, village exogamy/ endogamy norms and patrilineal descent systems. For instance, female seclusion and purdah impact women's behavior and use of space, as in North India. Similarly, women's access and control of resources (material, economic, social, information and inputs) as well as relationship with markets oftentimes remain mediated through men. Other axes of inequality that exacerbate gender discrimination include belonging to Scheduled Caste or Scheduled Tribe households or being in poverty.

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of Women (NMEW) on the design of One Stop Crisis Centres for the prevention of, and response to, violence against women; and UN Women's Safe Cities Global Initiative in New Delhi (undertaking initiatives using information technology to conduct safety audits in low income neighbourhoods) and Bhopal (preventing violence in urban public spaces through alliances with communities to empower women and girls).

<sup>16</sup> The Gender Inequality Index (GII) is a composite measure reflecting inequality in achievements between women and men in three dimensions: reproductive health, empowerment and the labour market.

<sup>17</sup> The Gender Development Index (GDI) measures gender gaps in human development achievements by accounting for disparities between women and men in development—health, knowledge and a decent standard of living.

Drawing attention to the need for substantive equality (equality of opportunities accompanied by equality of outcomes), Ms. Thakur said there continued to be lack of state acknowledgement of the barriers that prevent women's equal participation. She outlined the shift in policy approaches towards women: from welfare-oriented (women as mothers and caregivers) to efficiency-oriented (women as producers, agents and beneficiaries) to the most recent entitlement-based approaches (women as rights holders). She suggested that even successful programmes such as (MGNREGS) had succeeded in providing protection against risks and vulnerabilities, rather than ensuring empowerment of women. On the other hand, for programmes such as Mahila Samakhya (MS) that had succeeded in enabling awareness and consciousness-raising of groups of women, the state was now suggesting convergence with NRLM, reflecting its preference for protectionist rather than transformative approaches. She submitted that the term 'empowerment'<sup>18</sup> was being loosely referred to as a consequence of all programmes with women, without understanding if it had achieved changes in the 'strategic needs'<sup>19</sup> of women.

Ms. Thakur said the role and mode of functioning of national women's machineries needed to be redefined, keeping in mind gender mainstreaming and the need for convergence and coordinated action. Applauding changes in legislation, she pointed out that attitudes have not changed, as demonstrated by the declining sex ratios, low conviction rates in cases of sexual violence and patriarchal attitudes of the judiciary, none of which have necessarily been impacted by increased education or affluence. The declining women's workforce participation rate was highlighted as an area of concern, along with the invisible and unpaid work of aanganwadi workers (AWWs) and ASHAs, on whose shoulders delivery of important government programmes depends. Despite the Hindu Succession (Amendment Act) 2005, bureaucratic biases and patriarchal mindsets limit the proper implementation of right to property for women. She suggested that perhaps the NMEW could consider focusing its mandate on one major issue such as, for instance, higher education.

It was recommended that greater focus should be given to engendering planning and budgets, looking at not only expenditure but also outcomes. Emphasis on 'processes' such as leadership building, training and awareness and gender sensitization at all levels of the government, especially the rural development functionaries interacting with women on the ground, was suggested.

### **ADVANCING CHILD RIGHTS: AN INTERNATIONAL PERSPECTIVE**

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<sup>18</sup> Empowerment is related to women's capacity to exercise choice, control over resources and determine their own future.

<sup>19</sup> Practical needs of women include for instance access to water, sanitation, health, safety and income-earning opportunities whereas strategic needs of women refer to those needs that challenge existing gender-discriminatory power structures of subordination and oppression (Moser, 1989).

**Mr. Louis-Georges Arsenault**, UNICEF Representative, India shared that from the UN perspective, there were two main conventions that provide a guiding framework for child rights and gender equality: the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The CRC in particular codifies the optimal vision for the well being of children from a rights perspective. Explaining the difference between the Sustainable Development Goals (SDGs) and the Millennium Development Goals (MDGs), he said that while the MDGs were an outcome-driven agenda of the Millennium Declaration, the SDGs had greater focus on inclusive and equity driven-goals, including for gender equality and the well being of children. He reiterated that the Government of India had been active and vocal, both in the formulation of the SDGs and in the fleshing out of the indicators. Mr. Arsenault shared that India is placed 130 out of 188 countries in terms of the Human Development Index, but inequality remains rife, with the top 1 per cent controlling 53 per cent of India's wealth, and the top 10 per cent controlling 76 per cent of India's wealth (Credit Suisse, 2014). Recognising India as a model country in terms of legislations, he said it was important to see how these legislations translate into results and outcomes.

Referencing the very low per capita investment in health, he said at least 6-7 per cent of GDP spending should be directed to health. As per the findings of UNICEF's Rapid Survey on Children (RSOC) 2013-14,<sup>20</sup> conducted in association with the Ministry of Women and Child Development, the under-five mortality indicators have been falling, and 50 per cent of this fall could be attributed to neonatal mortality rates, for which the role and empowerment of women was critical. Stressing on access to quality services, before, during and after birth, he said that stunting of babies had a close link with malnutrition and anemia of young pregnant women. Similarly, open defecation contributed to mortality and stunting, and was linked with mobility parameters. He also pointed to the alarming rate at which girls began dropping out at higher levels of education. He said that study findings showed there was a gap between the demand and supply of ICDS, based on what the AWW reported and mothers affirmed regarding receipt of benefits. He further said that 14 lakh aanganwadi workers (AWW) were a force to be reckoned with, especially since 84 per cent AWWs had completed education until class X or higher, and could be better trained and formally mobilized. Finally, Mr. Arsenault appealed to the audience, comprising of what he called the 'crème de la crème' of society, to take up the individual and collective responsibility to address these challenges.

### **ADVANCING CHILD RIGHTS: A NATIONAL PERSPECTIVE**

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<sup>20</sup> UNICEF's Rapid Survey on Children (RSOC) 2013-14, conducted in collaboration with the Union Ministry of Women and Child Development, is a nationwide household cum facility survey, covering 1,05,483 households, 5630 Anganwadi centres (AWC) in 28 states and Delhi, based on 210,000 interviews.

**Ms. Nina Nayak**, Child Rights Advocate, brought attention to the fact that there exist a slew of schemes for child wellbeing such as Integrated Child Development Scheme and Integrated Child Protection Scheme. There exist 10-12 departments handling children's issues with 5-6 departments running crèches, each with their own terms, personnel and salaries, yet they never end up meeting or coordinating. She echoed the sentiment that though India had produced a lot of innovative ideas with well meaning intent, execution was severely lacking. Providing the example of utilization certificates, she stated that the focus was more on clearing money, rather than ensuring meaningful outcomes. Such lapses in implementation were causing extreme violence by disaffecting the 160-170 million children in poverty, who remain voiceless. Calling for reform of the public school system along the lines of the excellent work being done by Kendriya Vidyalayas and Navodaya schools, Ms. Nayak stressed that there was also a need for enhancing budgetary allocations towards children. Ms. Nayak said there should be domain expertise for law enforcement, especially new legislations on prohibition of child labour, early childhood care and protection and surrogacy. The idea of having start-ups for development as in the United Kingdom where venture capitalists invest in under-invested and deprived communities was mooted. She suggested the need for having family policies and incorporating all family entitlements, subsidies and compensations of individual members in an integrated manner, rather than have fragmented interventions for the HIV-affected child or the disabled child. Information technology could be fast-tracked by using Aadhaar as a tool to universalize identity for children, rather than having over-reliance on the National Informatics Centre (NIC). To achieve greater impact towards child rights and gender equality, there is a need to break silos; for ministries, departments, municipalities and Panchayati Raj Institutions (PRIs) to collaborate and coordinate; focus on local planning with community engagement and integrate voices of children in planning and implementation.

## **DISCUSSION**

It was noted that while violence against women and violence against children had been discussed, violence against the girl child was really the link between both the categories since it was the same girl child who was facing violence across the board – right from discrimination at school, lack of education, teenage pregnancy to domestic violence. The question that needed to be asked is how that child moves across and negotiates this spectrum of vulnerabilities.

The decadal gaps in data collection were at odds with the five-year term of elected representatives, and it was suggested that more frequent, focused and user-friendly data collection exercises be carried out so that national and state government could be held accountable. The need for giving recognition to the work done by lakhs of women, who constitute aanganwadi and other frontline workers, was strongly felt. Regarding codification of customary laws, this was seen to have met with greater success when it was initiated as a bottom up movement, rather than being imposed from above. There was some debate on the Juvenile Justice (Care and Protection of

Children) Amendment Bill 2015, with some expressing the opinion that treating juveniles like adults was not in line with global standards, and that the systemic failures of rehabilitation centres also need to be taken into consideration. As with environmental impact assessments, it was suggested that a mechanism could be developed wherein all planning exercises be screened for impact on gender equality, before being adopted. The lack of adoption of an intersectionality framework was recognized, both at the conceptual level as well as in terms of metrics of measurement.

### **SESSION III: OUT OF THE CLOSET: PATRIARCHY, MASCULINITY AND INTERSECTING IDENTITIES**

**Ms. Flavia Agnes**, Director, Majlis, Mumbai, acting as Chair of the discussion opened the session by hailing it as an interesting panel comprising three male speakers and one female speaker, which was an encouraging departure from the norm. In her introductory remarks, she brought attention to the plight of transgendered persons, and the fact that there are unfathomable realities of gender stereotyping and power hierarchies that intersect to produce different parameters of vulnerabilities and marginalisations.

#### **PATRIARCHY AND MASCULINITY**

**Dr. Abhijit Das**, Director, Centre for Health & Social Justice, New Delhi began by observing that in a large number of cases of violence against women, the perpetrators are men. Yet, when discussions of this type happen, men are usually not present. He stressed it was important to reach out and address men to engage in this dialogue as co-travellers in the journey towards gender equality, while looking at the processes and different social axes that interact and lead to the social creation of masculinity. The aim should be to create a script where there is equal opportunity, position and space amongst and between all genders. The current social script is such that men tend to take a lot of gendered privileges accompanied by a sense of 'entitlement'. He said it was important to unpack patriarchy and understand why it creates the ideal of 'hegemonic masculinity', where men irrespective of where they are in the social axes, try to dominate not only women, but also other men. In addition, India as a society is riven with social hierarchies such as those of patriarchy, caste, class, profession, nationalism, parochialism, linguistic and religious majoritarianism, sexual morality and hetero-normativity. All these factors produce cultural expectations of who and what should dominate. Thus, when these positions of superiority assumed over generations are challenged, it leads to strong socio-economic 'dislocations', owing to strongly embedded concepts of self-identification. Customary practices have discrimination embedded in them too, and this leads to clashes when there is an aspiration for change and new social norms.

Manifestation of ‘masculinities’ among the poor may be seen in the form of farmer suicides, but this does not remain understood in public policy. Other examples of consequences include sex determination and declining sex ratios, restrictions in women’s mobility, lack of access to and control over resources, domestic violence, sexual violence, dowry-related violence and violence against children. Dr. Das narrated how by working with men at the personal and larger discourse level, actionable changes can be brought about in the development paradigm - with men taking up greater responsibilities at home, care giving roles and making decisions on children’s education, health and nutrition, which in turn free up women’s time. At the community level, these men have served as role models, both for men, owing to their greater interaction with women, and also for women, who ask their male relatives to emulate and espouse this new social norm. Describing work undertaken in 100 villages in Maharashtra, acknowledging that local level institutions continue to be gendered spaces, he noted how the addition of male gender animator had resulted in subtle changes in their advocacy for gender equality.

### **FROM MARGINS TO THE CENTRE: A DALIT HUMAN RIGHTS PERSPECTIVE**

**Mr. Paul Divakar**, General Secretary, National Campaign on Dalit Human Rights, New Delhi made an impassioned speech to the audience to convey the depth of what ‘social exclusion’ actually means and the trail of devastation it leaves in its wake. He shared how people who experience exclusion have internalized it to such an extent that once they become aware of it, they prefer to continue without challenging it. He said there was a need to shake up communities, and for perpetrators of dominant castes to introspect and see how they have perpetuated exclusion. Explaining the structural nature of violence and institutional corruption in utilizing government outlays, Mr. Divakar exposed that out of Rs. 1,087 crores that University Grants Commission (UGC) allots for Scheduled Caste students, only 87 crores is designated to categories such as women post doctoral scholar hostels and fellowships, while over Rs. 850 crores is spent towards creation of capital assets or goes as grants-in-aid to institutions. Referring to the death of Rohith Vemula, Mr. Divakar explained how talented students were being pushed to suicide while such colossal amounts of resources were being misdirected and siphoned. Mr. Divakar added that scholars from Scheduled Caste backgrounds face massive humiliation in schools and colleges, including instances of PhD scholars who have been pushed to attempt suicide since they were not assigned a guide.

Similarly, though there exist 353 schemes for the benefit of Scheduled Castes, this money has been grossly misused across all the states. Rather than focusing on setting up institutions or funneling money into multiple schemes, it was suggested that the focus should remain on implementation of selected schemes, that actually have potential to address social exclusion, can be replicated and can increase the participation and agency of Scheduled Caste persons.

In the face of such structural and legitimized violence, discrimination and neglect, investing in budgets and public policy can be the only vehicle to address social exclusion. Mr. Divakar called for the need of a new science – ‘de-layerisation’ – where one would unpeel, expose and address layer after layer of intersectional identities such as gender, caste, age, and sexual orientation. He offered that just as men were needed as co-travellers in the journey towards gender equality, the dominant castes needed to talk, name and visibilise caste-based violence and discrimination.

### **MAINSTREAMING THE RIGHTS OF WOMEN AND CHILDREN WITH DISABILITIES**

**Dr. Anita Ghai**, Professor, School of Human Studies, Ambedkar University, New Delhi broadened the parameters of the debate by adding the role the concept of ‘normativity’ plays in creating exclusion, especially what constitutes a ‘normal body’. She compared disability to caste in how it is treated as a concessional category. She expressed her frustration at how there are hierarchies created for different types of vulnerabilities and how one cannot expect to ‘tackle’ and eliminate these in a sequential manner, since often vulnerabilities are intersecting and cannot be categorized according to some priority. Dr. Ghai also pointed out how most infrastructure is constructed keeping in mind accessibility to ‘normal’ people, rather than a ‘universal design’<sup>21</sup> that can include and accommodate the needs of persons with disabilities (e.g. ramps in hospitals don’t cater to the disabilities of the deaf or visibly impaired).

While three per cent reservation exists for persons with disabilities in colleges, amounting to 1100 seats, only 400-500 seats are filled since similar reservations are not provided at the school level. She exposed the double standards associated with wanting an end to sex-selection, but simultaneously allowing for disability selection (allowing abortion of a disabled foetus). Similarly, suggesting actions such as the hysterectomy of a mother with disability legitimizes abuse, by failing to extend support systems for the care of disabled mothers or to children of disabled. Issues of motherhood, mothering and care for the disabled, along with the large quantum of unpaid work that it entails, are not addressed by public policy. The Rights of Persons with Disabilities Bill, 2014 has not seen the light of day, on the pretext that it would entail financial implications, even though only Rs. 500 is promised for looking after a disabled child. Dr. Ghai also flagged that violence experienced by disabled persons, sometimes even at the hands of a caregiver, remains unaddressed since disabled persons cannot defend themselves. She reminded the audience that disability does not respect class, caste or gender and in that sense everyone is temporary-abled.

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<sup>21</sup> Universal design is useful for people with diverse abilities and accommodates a wide range of individual preferences and abilities.

## **MAKING AND BREAKING OF GENDER STEREOTYPES – A MEDIA PERSPECTIVE**

**Mr. Santosh Desai**, MD & CEO, Future Brands India Ltd., Mumbai, began by asserting that the media had in present times become more central to our lives, and the way we act as a society is in fact derived from the media, attributed to the phenomenon of ‘cultural contiguity’. The media has become integrated with the market, and is seen to be driving an agenda to which everybody responds and reacts, acting almost like a media business. He decoded the role of the media in setting individuals off an elusive quest from their ‘frozen collective past’ to the ‘malleable personal present’, replete with highly gendered expectations, fostering new inadequacies and self-doubt and an overall dispossession of their bodies. Mr. Desai explained how like in advertising, the news today is being framed in a particular way: selectively highlighting facts, catering to a particular constituency and speaking to its consumers. This in turn was giving rise to a whole new set of market-mediated stereotypes. Thus, while in the past, women were depicted as nurturers and child bearers, now; women are being portrayed in new avatars in advertisements (e.g. a woman working late at night as a boss to her male co-worker husband, but going home and being the one cooking food for both of them). Using this example to explain how new representations can help dismantle or reinforce stereotypes; Mr. Desai revealed that the media is constantly playing a tug-of-war game between upholding the purity of change and remaining plausible to the current reality. Though some portrayals may offer concessions to the traditional stereotypes, often in the end, they balance out thereby making the scenario ‘believable’ to negate the effect of the anticipated ‘shift’. Citing more examples, he illustrated how concepts such as traditional rituals and female-male friendships were also being depicted with twists to reflect the change in times and sensibilities. Further, Mr. Desai challenged the centralized notion of the media and said that decentralized local movements were being enabled through the pipelines of communication of digital media (e.g. You Tube), which held a key to understanding new types of social consciousness.

### **DISCUSSION**

#### ***Unwrapping Caste and Patriarchy Using an Intersectional Lens***

Various thought-provoking questions were raised during the discussion, for instance, how could the current momentum generated against institutional caste-based violence be channeled to determine a way forward, as had been done with the Nirbhaya incident. It was recognized that society had reached a tipping point, and was now being forced to take cognisance of caste, but that this was throwing up a dirty underbelly of long-suppressed emotions of humiliation, degradation and resentment, both in the public sphere and private sphere (e.g. disgruntled attitudes

of the general category towards reservations)<sup>22</sup>. Besides having to confront a lot of skeletons of our past such as masculinities, caste and disability, other dimensions to consider were the reluctance of the oppressed to challenge the status quo, and also the politicization of caste-based issues. Unlearning these would require peeling of layers and layers of internalized constructs to transcend biases. Similarly, on working with men, the way forward was recognized to be deconstructing the norm, moving from individual subjectivity or collective solidarity to a position of respect for diversity and mutuality. This shift towards espousing equality could be brought about using a curriculum with a particular pedagogy, based on intersectionality. It would recognize that each person enjoys multiple positions of advantage and disadvantage, and this enables them to claim certain spaces, but simultaneously means they have to give up certain spaces.

#### *Vulnerabilities within Disabilities*

It was exposed how even within the field of disabilities, there is a 'normative' disability, namely physical disability, while other disabled persons, such as the mentally challenged, find it hardest to speak for themselves and are marginalized in the public imagination. Issues of whether to pursue integrated or specialised education of the disabled were also raised. A study in Mumbai had shown that majority of survivors of sexual violence and rape cases were disabled or belong to backward castes. It was suggested that while issues of self-identity, policy and perspectives were important, by making small changes in nitty-gritties, minimum respect and dignity could be demonstrated (e.g. providing special shoes or a wheelchair for the disabled). It was pointed out that MWCD was in the process of conceptualizing a scheme for the housing and care of disabled persons once their primary caregivers pass away.

#### *Media as Change-Makers and Need for Nuanced Depictions of Gender Roles*

There were apprehensions expressed as to how the media and journalists had begun to see themselves as 'conscience keepers' of society, heralding themselves as 'change-makers', especially during recent episodes such as during the discussions on the Juvenile Justice Bill. Concerns were raised on contesting notions of objectification of women, and that what seemingly used to constitute patriarchy of yesteryears was being touted as 'informed choice' today. Unrealistic depictions of gender relations and women as either scheming or subservient in the entertainment media were noted to be worrying. It was agreed that there are far more nuanced stories in reality.

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<sup>22</sup> Mr. Divakar said studies had shown that reservations for Scheduled Castes (SCs) would take 280 years to bring about the envisaged effect of enabling Scheduled Castes to 'catch up' with the rest of society.

## SESSION IV: LEARNING FROM GOOD PRACTICES (I)

**Ms. Dheera Khandelwal**, Additional Chief Secretary, Government of Haryana as Chair of the session introduced the panelists and indicated that the audience would learn much from the successful development experiences of the speakers.

### **EXPERIENCE FROM BANGLADESH**

**Dr. Binayak Sen**, Research Director, Bangladesh Institute of Development Studies, Dhaka, whilst comparing India and Bangladesh, attested that Bangladesh fared better than India in several gender indicators, both in terms of absolute attainment as well as intermediate and output level indicators (e.g. female workforce participation rates, female-male ratio, female-male death rates, literacy rates, school enrolment, total fertility rate etc.). He explained that Bangladesh's relative success should be seen in terms of five main drivers:

- 1. Role of public policy:** With a modest public expenditure of 14-16% from the 1990s till date, Bangladesh defied the notion that for ensuring social outcomes, there is need for high spending ratios. This was seen to be true particularly for health, where despite spending less than one per cent of Gross Domestic Product (GDP); interventions were better targeted, keeping in mind gender-sensitive realities and indicators.
- 2. Access to and the role of low-cost technology:** Rather than going in for a 'systems approach' in health and education that would have called for radical, institutional reform, focus was retained on preventive health strategies such as immunisation, low cost sanitary latrines, tube well technology and cash stipend schemes promoting higher female participation in primary and secondary education. Additionally, owing to the high population density in Bangladesh, the media was able to undertake successful information dissemination of health messages using low-cost technology.
- 3. Secular social movements emphasizing on gender rights:** As in South India, secular, women's movements in the 1950s and 1960s in Bangladesh laid the foundations for better understanding of the gender-specific lessons of development (e.g. reduction in total fertility rates is important for the quality of children and education is a vehicle for better health outcomes.)
- 4. Role of NGOs:** The experience of the microcredit movement revealed that while Self-Help Groups (SHGs) did have an economic impact, their real contribution was their social impact, where through community-level social mobilization and interaction, better social outcomes were achieved.
- 5. Role of gender-sensitive industrialization:** Understanding the centrality of creating remunerative work for women, opportunities were created for women's economic participation in the ready-made garment industry, for which Bangladesh was the second largest exporter in the world. This had positive externalities since it encouraged women's education (e.g. through reading stitching guidelines etc.), thus triggering important social changes.

Nevertheless, Dr. Sen cautioned that as Bangladesh evolves into a middle-income country and as its middle class expands, the demand for quality education and healthcare would necessitate institutional reform.

### **EXPERIENCE OF SICK NEW BORN CARE UNITS**

**Dr. P. K. Prabhakar**, Deputy Commissioner - Child Health Division, Ministry of Health & Family Welfare, Government of India began by defining Sick New Born Care Units (SNCUs)<sup>23</sup> as units where all sick newborns less than 28 days of life are admitted. Providing some statistics on the phenomenon, he said 26 million births occur each year in India, but 570,000 children are born dead<sup>24</sup> and 730,000 children die in the first month<sup>25</sup>. Prematurity was explained to be the underlying cause for these deaths; followed by neonatal infections such as pneumonia, diarrhoea and sepsis; and also intra-partum causes (injuries during birth) such as birth asphyxia. He reasoned that improved access of skilled and quality care at birth will save majority of preventable neonatal deaths.

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Explaining the **cyclical nature of risk and vulnerabilities**, Dr. Prabhakar discussed how social determinants impact the health of both mother and child - starting from poor adolescent and maternal nutrition; lack of focus on hygiene behaviors including open defecation; early age at marriage and early conception; poor contraceptive use; unplanned pregnancies among adolescents and lack of family planning and spacing between births, resulting in premature births, low immunity and low-birth weight of the new born. It was stressed that adolescent pregnancies result in double rate of neonatal mortality. Factors such as how and where the delivery takes place and lack of post partum care all contribute towards high rates of unsafe deliveries and infections, including HIV. Moreover, it was narrated that since 40 per cent of neonatal deaths occur on the day of birth, and 72% of deaths occur in the first week of birth, measures relating to care for the mother in delivery room such as hand washing in SNCU, breastfeeding/ Kangaroo Mother Care in SNCU and SNCU online monitoring were critical.

Pointing to some positive trends, Dr. Prabhakar mentioned that the rate of delivery of institutional births has gone up, with eight out of ten women now delivering in a health facility. There has been a significant decline in childhood stunting since 2005. In terms of strategic actions to improve newborn survival, India has been one of the

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<sup>23</sup> Currently, there are 602 functional SNCUs across the country.

<sup>24</sup> Still Birth Rate is 22 per 1000 births.

<sup>25</sup> Neonatal Mortality rate is 28 per 1000 live births. Further, under-five deaths stand at 57 per cent, higher than the global average of 44 per cent. There are up to 44,000 maternal deaths. Maternal Mortality Rate is 167 per 1 lakh mothers.

first countries to develop a comprehensive India Newborn Action Plan (INAP)<sup>26</sup>, the largest community based program for newborn. There has been a thrust towards strengthening of health systems through the integration of reproductive, maternal, newborn, child and adolescent health (RMNCH+A), as well as by reaching geographies and populations with highest burden of mortality. A host of other initiatives were also mentioned<sup>27</sup>.

### **EXPERIENCE OF MAHILA SAMAKHYA**

**Ms. Kameshwari Jandhyala**, Director, ERU Consultants Pvt. Ltd., Hyderabad, recounted the experience of the Mahila Samakhya (MS) programme for women's education and empowerment, which has been ongoing under the Department of School Education and Literacy, Ministry of Human Resource Development since the 7<sup>th</sup> Plan Period (1987-88). She described its key features as follows:

- 1. Empowering learners to demand:** Conceived against the backdrop of the New Education Policy of 1986 that sought to address the low status of women and girls' education after independence, MS concerned itself with looking at education beyond literacy (reading, writing and mathematics). The objective was to ensure articulation of women's voices, and this determined the programme design. The demands were organically arrived at, from the bottom-up, based on needs of women and girls at that point of time and in that context.
- 2. Absence of a rigid agenda and blueprint:** The programme design of MS was not tied to any targets or agendas (e.g. literacy outcomes to be achieved). The methodology entailed going into the field and talking to women and understanding the pressing local issues at the time<sup>28</sup>. Ms. Jandhyala admitted that though this sounds like an amorphous way to move forward, it worked for over 25 years and survived many Plan periods.
- 3. Rewards from investing in processes and time:** Context-specific issues were thrown up and solutions arrived at only after grappling with women on local level issues over a period of time, and with the enabling support of the programme staff. Thus, while the local women felt that it was their concerns that were being addressed, the programme staff too felt a sense of ownership for facilitating the process. Over the course of time, the scheme encountered some problems (e.g. programme staff remained unorganised with no protection; and pressure began

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<sup>26</sup> Intervention packages under INAP include: pre-conception and antenatal care, care during labour and child birth, immediate newborn care, care of healthy newborn, care of small and sick newborn and care beyond newborn survival.

<sup>27</sup> For instance: strengthening Facility Based Newborn Care (FBNC) including essential newborn care; home visitation by ASHA (Home-Based Newborn Care); child screening and early intervention services (Rashtriya Bal Swasthya Karyakram (RBSK) and District Early Intervention Centre); empowering primary health care workers for detecting and management of preterm labour, sepsis in young infants and asphyxia in newborn; free treatment through drugs, diagnostics, treatment and transport during sickness up to one year of age (Janani Shishu Suraksha Karyakram).

<sup>28</sup> For example, an issue that was addressed based on women's demands was that of arresting gastroenteritis, since 12 children had died in the locality from it.

to build to demonstrate and quantify outcomes). This created new challenges in terms of how to monitor and measure empowering processes.

4. **Outcomes:** MS spans 11 states, 130 districts and close to 45,000 villages. While it was a programme of no targets, and did not provide any measurable service, it made a number of economic interventions through microcredit, finance, subsidy and aid.
- It mobilized 14.5 lakh women through Sanghas, which were further federated at the block level.
  - Ninety per cent of the women belonged to marginalized groups and many of the leaders were Scheduled Castes and Schedule Tribes. The nature of the programme was such that a Dalit woman could sit in the middle of the village and express her demands.
  - Programme staff of MS included single women and victims of abuse, which demonstrated that the programme tried to live by the principles it was espousing.
  - The premise on which MS worked was the voluntary contribution of time by women on issues concerning them. A recent study revealed that women voluntarily contribute two-and-a-half days a month to keep the activities of the Sangha going (IIM Ahmedabad, 2014).
  - In terms of social outcomes, women began raising their voice against domestic violence through *Nari Adalats*; in Karnataka and Andhra Pradesh where there was a high concentration of *devadasis*, daughter's retention in secondary school improved; age of marriage advanced and women on the whole became a more visible force in their communities. MS also influenced the Kasturba Gandhi Balika Vidyalaya Scheme (KGBVS).

Ms. Jandhyala used a quote by Robert Chambers to explain what MS had tried to achieve – “enabling the imagination that changes the possible”. She reported that Mahila Samakhya was slated to close on 1 April 2016, though the Kerala and Uttar Pradesh governments had expressed their support to continue it.

## **DISCUSSION**

### *Autonomy in Functioning of Collectives*

The strong role of communities in achieving their own self-actualisation was acknowledged. Nevertheless, it was exposed that there is reluctance of health processes to engage with communities during planning, implementation and monitoring of initiatives. Citing the example of MS, it was pointed out that when women were left to pursue their agendas, they succeeded. Contrary to this flexibility, it was seen that in recent times there has been a shift to provide institutional and financial support only to ‘schemes’. These schemes, in turn, function with the help of cheap female labour, employing them in the capacity of volunteers but underpaying them, denying them any benefits or autonomy and expecting them to retire after a certain age.

### Prioritising Social Drivers for Ensuring Better Gender Outcomes

Re-iterating the experience of Bangladesh, it was mentioned that the strategy of intra-sectoral allocation better targeted to the needs of the poor could help in achieving better social outcomes (e.g. preventive health and primary and secondary education for girls). It was highlighted that social drivers such as education and health interventions, NGOs, institutions, high density and faster information dissemination had impacted bio-medical results, rather than fiscal channels of percolation. Further, it was shared that studies have identified that having certain minimum physical infrastructure (e.g. road connectivity) is a necessary condition to impact maternal and child health outcomes and schooling. Thus in terms of priorities for public spending, the first was identified as physical infrastructure, followed by education largely for its higher social externalities, and then core preventive health programmes<sup>29</sup>.

## **DAY 2**

### **SESSION V: LEARNING FROM GOOD PRACTICES (II)**

**Mr. Shankar Aggarwal**, Secretary, Ministry of Labour & Employment, Government of India in his comments as Chair commented that at the time of independence, India made two choices on its form of governance: (i) democracy and (ii) secularism. Despite the traditional wisdom that democracies flourish where there is greater literacy and more prosperity, today, India was the largest and most vibrant democracy, characterised by its plurality, multi-ethnic and multi-lingual identity. Though initially, India's growth rate was stagnant at 2 – 2.5 per cent, now with rapid economic progress, the growth rate had increased from 7 – 8 per cent to even 9 per cent. Mr. Aggarwal warned, however, that this growth is meaningless if it is not inclusive and sustainable, and if one-third of the people cannot partake in its benefits. He stressed that it was imperative to bring women, Scheduled Castes, Scheduled Tribes and Other Backward Classes (OBCs) into the mainstream and he wished the deliberations would help chalk out a roadmap on how to take this forward.

### **EXPERIENCE OF KUDUMBASHREE**

**Ms. Sarada Muraleedharan**, Joint Secretary, Ministry of Panchayati Raj, New Delhi, while describing the Kudumbashree said that at the time of its inception, it was a unique model comprising a federated structure of SHGs networked with the local governance actors. Its novelty lay in the fact that it was embedded with the Panchayati Raj Institutions (PRIs), and that it worked in tandem with the Panchayat. Its most basic unit was the Neighbourhood Group (NHG), which was created as a

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<sup>29</sup> Dr. Binayak Sen said that cross-country studies had shown that it is not the size of the public social spending per capita but mostly governance indicators and inefficient government spending which impacts health outcome differentials.

separate and dedicated space for women to deliberate, based on the realization that women were not coming out and participating in the Gram Sabhas. In the beginning, Kudumbashree began with a microcredit plus focus, but it constantly re-invented itself through innovative livelihood interventions. Soon it transformed into a rights' institution that leveraged and claimed rights for women, the poor and destitute and children with mental disabilities. Its orientation ranged from demanding women's rights, to accessing resources, to entitlements and opportunities and problem resolution and social counseling. It concerned itself not only with economic poverty, but became a space for harnessing vulnerabilities.

Kudumbashree was able to build itself up based on the belief in the power of federations, and it became a space for women to self-actualise. It came to account for more than 50 percent of families in Kerala and currently comprises about 42-43 lakh women.

Some of the achievements and challenges which Kudumbashree faced in its functioning were:

- 1. Creating a citizen's space with the buy-in from the Panchayats:** Having large groups of women closely connected with local governance machineries meant that there was always the danger of being over run by very powerful Panchayats. The need was felt to define Kudumbashree not as an agency of the Panchayat but as a separate, democratic, citizen's space. This too was wrought with tensions since the women had grown accustomed to and dependent on the Panchayats, carrying on mostly an implementation role. However, as time progressed, it became a tough balancing act to both celebrate women as champions, and ensure Panchayats were given credit and attribution.
- 2. Evolving campaigns, self-learning and expanding areas of work:** As part of its mandate, Kudumbashree conducted many campaigns – on ICDS, MGNREGS, agriculture livelihoods as well as the gender-self learning programme. Through the course of these engagements, the organisation learnt to reflect on its own gaps, and realized the need to address and trigger discussions on larger issues such as caste and incidents of violence and dowry, rather than maintain emphasis only on thrift and credit.
- 3. Adopting a gender lens:** Against the backdrop of the MGNREGS, with its rights framework and centrality given to women and work, an opportunity was provided for members within Kudumbashree to discuss gender concerns. Gender-oriented, simple and localised narratives (poems and stories) were developed, which NHG members used to read out while discussing concerns of equal wages and safe worksite facilities. In the course of these deliberations, issues of violence and alcoholism emerged, and the focus shifted to counseling. There were even instances of women becoming vigilant to the extent that they alerted police of suspicious conduct and helped bust a trafficking racket.
- 4. Investing in communities and enabling capacity building:** Kudumbashree acted as a catalyst in helping women talk about themselves and develop self-belief and

dignity. Having women from the communities become trainers built a level of trust. It provided motivation for women to learn from their neighbours and better themselves. Today, the women take pride at having created their own space, and Kudumbashree is on the verge of becoming a movement.

Some of the lessons learned included:

1. **Lesser funds, less pressure to perform:** In the absence of flooding of funds, and because there was no pressure to fudge results to sustain funding, time was given to allow 'processes' to cultivate.
2. **Flexibility in programme design and freedom to be self-critical:** Having untied resources, no agenda, no targets and not being accountable for expenditure meant there was more room to grow, change, adapt all the while making mistakes and re-tracking, without being under minute scrutiny. The programme was able to take on criticism, and grow as a result of it.
3. **Unsettling programme officers from patriarchal mindsets:** The delivery mechanism of the programme comprised motivated officials, yet many remained restricted by their patrilineal outlook. Over time, they learnt to become gender-sensitive by asking different questions (e.g. if a women was late, why was she coming late?)

#### **ADDRESSING THE ISSUE OF TRAFFICKING OF WOMEN & CHILDREN**

**Dr. P M Nair**, IPS (Retd.), Chair Professor, Tata Institute of Social Sciences, Mumbai, defined trafficking victims to include those engaged in commercial sexual exploitation, exploitative labour and organ trade, and said women and children are an inherent part of human trafficking. Though India has signed and ratified several international and national conventions and laws against trafficking, there continues to be a demand for it. Sharing the findings of a NHRC, UNIFEM and ISS study (2004), he revealed that 85% victims of human trafficking start as children, 80% have been subjected to incest and the gender inequality in community is one of the major vulnerability factors. He said that there was a high demand for children, with the highest demand being expressed for girl children. Exposing that while the crime data of many states claims that there exists no trafficking, this is not true.

Regarding trafficking, Dr. Nair mentioned that initially, the state of response systems such as the judiciary and prosecutors was very poor, with neglect and prejudice existing at all levels. Very few police personnel and prosecutors had been trained on anti-human trafficking work, and there was no inter-departmental attempt to address trafficking. Moreover, the response had been even more problematic - 93% convicted in trafficking crimes in 2004 were the women themselves. Describing good practices, Dr. Nair shared how under a United Nations Office on Drugs and Crime (UNODC) project; the first anti human-trafficking unit (AHTU) was set up in 2007. Though started off as an experiment, with time, AHTUs moved from being

administrative bodies to receiving legal sanction to be institutionalized. The Government of India then took up their replication in 270 districts.

This marked the beginning of the transformation of the response systems on the ground. There has since been a concerted response by different stakeholders, including for instance capacity building of law enforcement agencies; training of judicial officers and corporate involvement in rehabilitation of survivors. In terms of curtailing trafficking, it was realized that rather than focusing at the destination end, it was important to track the source-destination corridor, so as to bring the entire criminal network to book prevent demand for trafficking from at-risk areas. At the policy and programme level, national and state level policies have been devised to tackle anti human trafficking and now, including in places such as Bihar and Odisha where a plan of action has been developed. MWCD has also started many schemes like Swadhar, Ujjwala, Integrated Child Protection Scheme. Public Interest Litigations (PILs) and Judgments of Supreme Court for were also cited<sup>30</sup>.

Following these interventions, rescue numbers have increased. Approaches to the victim have also changed, with improved victim support and protection mechanisms being provided, and fewer incidents of harassment, persecution, conviction and victimization of the victim being reported. Other good examples cited were: Anti-Human Trafficking Clubs (where youth have started awareness-raising initiatives focusing on boys); and the Impulse model in Meghalaya to counter Human Trafficking. Mentioning some of the gaps and challenges that remain, Dr. Nair said there was a need to address the mindsets and attitudes of officials and agencies. He also suggested that audits be conducted of the various Commissions for women, children, Scheduled Castes, Scheduled Tribes and Backward Classes to see if they were fulfilling their mandated roles and responsibilities.<sup>31</sup>

## **GLOBAL PRACTICES ON SOCIAL PROTECTION**

**Ms. Usha Mishra**, Chief of Policy, Planning, Monitoring & Evaluation, UNICEF, Kabul, in her presentation said UNICEF defines Social Protection as “a set of public and private policies and programmes aimed at preventing, reducing and eliminating economic and social vulnerabilities to poverty and deprivation”. Social Protection has been recognised as a key strategy for poverty reduction globally, and also in the Sustainable Development Goals (SDGs)<sup>31</sup>. Social protection can be protective (providing relief from deprivation), preventative (averting deprivation) or promotive

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<sup>30</sup> Several cases were mentioned, such as the Bachpan Bachao Andolan Vs. Union of India Writ Petition (C) No.75 of 2012 where in case a missing child is not recovered within four months, the matter is to be forwarded to the state AHTU.

<sup>31</sup> In the Sustainable Development Goals, social protection has been explicitly mentioned in Goal 1: End poverty in all its forms everywhere under Target 1.3: Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable.

(enhancing incomes and capabilities). Social protection also contributes to growth and macro-stabilization, with impacts on human capital, livelihoods, risk management, economic resilience, mobilisation, social cohesion and economic reform. Past studies indicate that social protection has positive effects, including for instance increase in productive and agriculture investments and reduction of child stunting.

Ms. Mishra mentioned that the landscape of social security and social protection has also been changing. In recent times, following the triple F crisis (food, finance and fuel), many countries have expanded their social protection measures, and women and child programmes have also become more popular. Investing in children gives the highest rates of return, and in particular, child benefit programmes are shown to have the greatest impact in the first 1000 days, which co-incides with the time when the maximum intellectual, cognitive and emotional development of a child occurs.

It was highlighted that India's social protection system was undergoing a transformation towards a rights-based orientation, and it was an opportune moment for developing an overarching policy or legislation and a social protection system. Further, a number of costing tools<sup>32</sup> exist that can help budget for social protection and help develop a framework for sustainable financing, but for which tax-GDP ratio in India would need scaling up. It was argued that a basic social protection package for all could be provided with 6-8% of GDP, but currently improved targeting was necessary since some estimates indicated that the non-poor were receiving more social protection benefits than the poor. Good practices of gender-sensitive features of social protection programmes were also shared, for instance: Using simple to use and easy to understand procedures; ensuring women have access to payment systems, convenient hours and place; considering gender differences in literacy, mobility, access to public venues, labour-schedules; employing both male and female service providers; setting quotas for women's participation and enforcing them; opening bank accounts in the name of women or jointly with male head; providing technical support and services compatible with women's reproductive and care givers role for e.g. crèche, mobile credit etc.

## **DISCUSSION**

### ***Universal but not Uniform Social Protection***

The point was made about the need to bring diversity in social protection programmes, which usually have a homogenous understanding of women and children, without understanding the specificities of caste, disability or other vulnerabilities. The demand for a rights-based legislation on health was recognized to be climbing up the agenda in India, and the experience of providing universal health

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<sup>32</sup> For instance, Social Protection Expenditure and Performance Reviews and Social Budgets (SPERs), Rapid Assessment Protocols (RAPs), ILO-UNICEF Costing Tools, Social Employment and Social Protection Expenditure and Impact Assessments.

in Thailand was cited as a good case study. Rather than focusing on narrow and better-targeted systems of social protection, it was maintained that focus remain on universal social protection.

#### *Dynamics of Collective Mobilisation Strategies*

Regarding strategies for individual rights-based empowerment and/ or social mobilization into women's institutions such as Kudumbashree, it was explained that a nuanced understanding was needed. The collective was important since it provided women a dedicated space where they could speak freely, and take their time to build up confidence. After establishing a connection with every member of the collective, then only were nuanced and individual issues taken up. On the other hand, in some instances, through working with individuals, a community project was developed, such as on Anti Human Trafficking. The broad learning, however, was to build the collective space before the individual, nuanced space. It was admitted that maintaining the balance of power between the Panchayat, and the increasingly articulate women who began claiming their rights, did get tricky. The experience of Kudumbashree also demonstrated that universal social protection was preferred since it helped in reaching the poorest of the poor. The contribution of Kudumbashree towards getting women into politics was acknowledged, with almost two-thirds of elected representatives in Panchayats being women.

### **SESSION VII: DELIVERING GENDER AND CHILD SENSITIVE OUTCOMES: GOVERNANCE PERSPECTIVE**

**Dr. Gyanendra Badgaiyan**, Director General, National Centre for Good Governance, Government of India, in his role as Chair set the tone by saying that in India, while there is a strong legislative framework and political will, problems remain in execution, which is impacted both by capacity of state apparatuses and social prejudices of actors. He mentioned that laws have to confront society, which means taking cognizance of horizontal, vertical and intersecting inequalities. According to Dr. Badgaiyan, one of the gravest injustices was being done at the level of primary education, where children's skill and aptitude levels remain very poor, even after several years of schooling. He particularly stressed on governance challenges, as well as the need for paying attention to financing, budgeting, and monitoring.

### **IMPLICATIONS FOR GENDER EQUALITY AND CHILD RIGHTS: A MACROECONOMIC PERSPECTIVE**

**Mr. Subrat Das**, Executive Director, Centre for Budget & Governance Accountability, New Delhi, in his presentation gave an overview of contemporary issues in development financing, while discussing the inadequacy of resources for women and children in the coming years. As per the recommendations of the Fourteenth Finance Commission, the Union government has undertaken that it will no longer dictate to

states by providing specific-purpose grants, with the intention of ensuring greater fiscal flexibility and autonomy to states. Mr. Das pointed out, however, that the tax GDP ratio had remained fixed, and the only shift was that the quantum of resources devolved to the states would now be untied and unrestricted. He revealed that the Union government had in fact cut down spending in few sectors, both in terms of central assistance for state plans as well as through reduction of union budget outlays for certain national programmes. Among the social sectors, programmes of the MWCD had been particularly hit.

Stressing that while fiscal decentralization had been enabled to a greater extent, the onus of generating and mobilizing revenue had also been now been put on states, with lesser dependence on Central transfers. It has been left to the discretion of the state to determine its own prioritisation, allocation, how to increase its resource envelope, as well as how much to allocate to different sectors, including social sector programmes<sup>33</sup>. Thus, a competition for resources among sectors was observed to be building, and the first priority was being given to energy and public works, rather than to social sectors. Mr. Das explained that it was important to ensure that central schemes continue, and that higher allocations be made for specific states and specific schemes.

### **CAN EXISTING INSTITUTIONAL MECHANISMS DELIVER GENDER AND CHILD SENSITIVE OUTCOMES?**

**Ms. Swati Maliwal**, Chairperson, Delhi Commission for Women (DCW), New Delhi, began by narrating several instances of how minor girls had been sexually abused in the National Capital Territory of Delhi in the last six months. She shared that though 11,000 First Information Report (FIRs) had been registered in the last year, only nine people had been convicted. She explained that having investigated the reasons for low conviction rate, she had found that this was due to poor investigation of police, delay in submission of charge sheets<sup>34</sup> and because of instances of pending or expired forensic lab samples<sup>35</sup>. Ms. Maliwal claimed that fast tracks courts and special courts under the Protection of Children from Sexual Offences (POCSO) Act have not been functioning properly, and re-iterated that despite campaigns such as Beti Bachao, Beti Padhao, whenever women tried to raise their voice against violence and injustice, it was silenced. It was asserted that there was severe lack of

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<sup>33</sup> For instance, in the state budgets of Tamil Nadu and Maharashtra, sectors whose priority had gone up were energy and public works, whereas the sectors that had been neglected were rural development, panchayati raj and women and child development, especially programmes such as ICDS, SABLA, National Rural Drinking Water Programme. On the other hand, Swatchh Bharat Abhiyaan, Sarva Shiksha Abhiyan (SSA) and National Health Mission (NHM) had received an increase in resources.

<sup>34</sup> Charge sheets ordinarily have to be submitted within a period of three months.

<sup>35</sup> It was shared that there is only one forensic lab in Delhi and there exist 7700 samples here that are pending, of which 1500 samples have expired.

coordination on account of the fact that the Central government governs Delhi Police, and often case succumb to ‘rape politics’ and blame games in trying to liaise between the Lieutenant Governor’s Office and the Home Ministry.

Highlighting the large-scale prevalence of sexual atrocities and violence in Delhi, Ms. Maliwal said that she had worked with National Aids Control Organisation (NACO) to ensure the distribution of condoms in one of Delhi’s red light areas, which was freely functioning right in the centre of the city without any corrective action being taken. Furthermore, she said she discovered that the state level anti-trafficking committee in Delhi had not met even once since it was formed in 2012. Describing a visit to a rescue home (Nari Niketans) in Delhi, she reported their abysmal state of functioning, housing scores of women with mental illnesses and with the in-house psychiatrist prescribing the same medications to all patients year after year. As a result of the DCW exposé, few officers were suspended and regular monitoring visits were now being made to the Nari Niketans. Another aspect of institutional neglect and sheer apathy that was highlighted was the (illegal) denial of treatment by a well-respected hospital to an acid attack victim from Bihar, who had come to Delhi on medical referral basis.

### **MAKING LEGISLATION WORK FOR WOMEN**

**Ms. Indira Jaising**, Director, Women’s Rights Initiative, Lawyers Collective, New Delhi, in her presentation focused on the dual aspects of the role of law and the limitations of law. Distinguishing between these two features, she said on the one hand, law has an important normative role in that it sets standards and thresholds, and sets out what is acceptable or not acceptable. On the other hand, there is the executive function of law, relating to its operational aspects, which legislators as far as possible try to foresee at the time of drafting of laws. Elaborating the difficulties of straddling and reconciling these two aspects, Ms. Jaising gave the example of the Sexual Harassment at the Workplace Act, which though envisioned as a women’s issue, was relegated to the Ministry of Labour in its implementation.

She highlighted attention to the fact that since Law is a state subject, the manner in which the state implements laws is differential, and often individual states wash their hands off national policy decisions. Thus, Centre enjoys only a very limited role in ensuring the extent of implementation of laws. Ms. Jaising also explained how subsequent to the Nirbhaya case, a number of Ministries were to be held accountable, but this had not happened until she, as an Amicus Curiae<sup>36</sup>, called an Inter-Ministerial Meeting of the Ministries of Transport, Home, Women and Child Development, Labour and others to follow up on the steps each of them had taken. She described how she had questioned why the Nirbhaya Fund had been set up

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<sup>36</sup> An amicus curiae (friend of the court) is someone who is not a party to a case and offers information that bears on the case, but who has not been solicited by any of the parties to assist a court.

within the Ministry of Finance, after which it was transferred to the Ministry of Home and has now been transferred to the MWCD. Ms. Jaising pointed out that there had been progress in laws for victims, such as having the right to be represented by a public prosecutor. Upholding the example of the One-Stop Crisis Centres as introduced by Sehat in many public hospitals in Mumbai, she said she had been working with the Delhi Legal Services Authority to convince courts to set up one-stop crisis centres within the courtroom<sup>37</sup>. This would help in providing women a space of their own, where they could be counseled and advised. She said there was the need for the state to come up with its own infrastructure for having interoperable court cases working across the systems of courts, jails, prosecutors and NGOs. Ms. Jaising concluded by praising the consistent work of the women's movement for much of the progressive legislation that has come about in the field of gender equality.

### **FINANCING GENDER EQUALITY: PROGRESS & CHALLENGES**

**Ms. Yamini Mishra**, GRB Specialist, Regional Office for Asia & Pacific, UN Women, New Delhi provided the context by reminding the audience that chronic underinvestment has been a persistent obstacle to achieving gender equality. There is an estimated global gender funding gap to the tune of USD\$ 73.2 - 83.2 billion a year in low-income countries in the context of the MDGs (Elson and Grown, 2015). Discussing the commitments made on the global stage towards financing for gender equality, she said there was consensus on the critical need for increasing investment to close the global funding gap for gender equality<sup>38</sup>.

Describing Gender-Responsive Budgeting, she said this is a method of planning, programming and budgeting that advances gender equality and women's rights and serves as an indicator of governments' commitment to gender equality. The Government of India adopted gender responsive budgeting in 2005. The Ministry of Finance introduced the Gender Budget Statement in 2005-06, highlighting the quantum of funds allocated for plans and schemes for women and girls. In 2007, the Ministry of Finance, Government of India put out a Charter prescribing the Composition and Roles & Responsibilities of 'Gender Budget Cells' (GBCs). Subsequently and till date, 57 Union Governments Ministries & Departments have constituted GBCs. Ms. Mishra referred to the Expenditure Finance Committee (EFC)<sup>39</sup>, where information is requested on specific objectives of programmes relating to women, on gender components in programmes and total expenditure on those components.

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<sup>37</sup> It was clarified that the proposed one-stop crisis centres within the courtroom would supplement, and not replace, the existing centres at the hospitals.

<sup>38</sup> Global commitments towards funding for gender equality have been referenced in the Beijing Platform for Action, the Sustainable Development Goals and in the Conference on Financing for Development (FfD) held on 13-16 July 2015 at Addis Ababa, Ethiopia.

<sup>39</sup> Schemes and programmes that have a fund allocation beyond 25 crores go to the Expenditure Finance Committee (EFC), chaired by Secretary, Ministry of Finance.

Remarking on the financial devolution to states following the recommendations of the Fourteenth Finance Commission, concern was raised on whether these untied resources would in fact be used for spending on women. It was noted that the total magnitude of the Gender Budget (GB) has not increased significantly over the years. At the sub-national level, 19 States & Union Territories have adopted gender budgeting. Nodal agencies for GB are usually WCD, Department of Social Welfare and the Department of Finance. That gender budgeting processes have been insitutionalised<sup>40</sup> is evident in some states, besides through other research and capacity building strategies<sup>41</sup>. The Gender Budget Statement has been the most commonly used tool, and has been produced as part of the state budget every year for 11 States. The framework of the Union Government is followed by most states such as Madhya Pradesh, Karnataka, Bihar, Chhattisgarh, wherein Part A pertains to schemes in which 100% allocations are for women and Part B pertains to schemes in which at least 30% allocations are for women. GB interventions are fundamental at every stage of the budget cycle – budget formation, enactment, implementation and audit.

Suggestions for moving forward were to: adopt purposive gender planning<sup>42</sup>; expand efforts from state to district and local levels and to undertake more effective monitoring of GB and link with gender equality outcomes.

## **INSTITUTIONS AND STRATEGIES FOR ADVANCING CHILD RIGHTS**

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<sup>40</sup> For instance, state level committees have been constituted (MP, Rajasthan, Nagaland); Gender Budget Cells have been formed in line departments (Himachal Pradesh: 52 Departments, Tripura: 18 Departments, Madhya Pradesh); gender desks in every department (Rajasthan); nodal officers designated for gender budgeting (Gujarat); no formal mechanism: Uttar Pradesh, Jharkhand, Manipur, Lakshadweep, Sikkim.

<sup>41</sup> Research and capacity building strategies include: Gender appraisals of select departments (Rajasthan); gender analysis of budgets (Gujarat); independent assessments of gender budgeting efforts at the state level (Centre for Budget and Governance Accountability, UN agencies); capacity building workshops by MWCD on gender budgeting. Some states have also produced manuals, brochures etc., on Gender Budgeting, in local languages.

<sup>42</sup> Best practices of how to disaggregate budgets and make plans and policies gender-responsive were showcased from Indonesia and Nepal. For Indonesia, the Gender Budget Statement of the Directorate General of Land Transportation, Ministry of Transportation was shared, which demonstrated how purposive planning had been incorporated with a gender lens – using a Situation Analysis, Action Plan, Budgetary Allocation and Impact/ Results. In Nepal, Gender-Responsive Budgeting (GRB) was formally introduced in Nepal in the fiscal year 2007/2008, under the leadership of the Ministry of Finance. A Gender Responsive Budget Committee has been established within the Ministry of Finance, with the mandate to design a GRB methodology that can be applied at the sectoral level. A GRB classification has been devised comprising of the categories - Directly Gender Responsive, Indirectly Gender Responsive or Neutral - based on scoring on five indicators – (i) Women’s participation in formulation and implementation of the program (ii) Women’s capacity development (iii) Women’s share in the benefit (iv) Promoting employment and income generation for women and (v) Qualitative improvement of women's time use or reduced workload. ☐

**Ms. Enakshi Ganguly Thukral**, Co-Director, HAQ: Centre for Child Rights, New Delhi opened by saying that children's rights are often dwarfed by society and lack visibility in major policy discussions. She mentioned HAQ's work with child victims of abuse and exploitation and juvenile justice offenders. Describing the meaning of child-sensitive governance, she said it means giving recognition to children as citizens, ensuring that there are safe environments wherever they are, in families, schools, communities, child care institutions, so that they can voice their opinions and concerns in an age appropriate manner. She explained it entailed not just setting up commissions for children, and was not confined to only those actions directed specifically at children. It spans every act of omission and commission that affects children. She said there was a tendency to think in silos, and that there is no common understanding on what constitutes child rights, whose voice should be heard and whose interests are foremost. Thus, she made the link between child rights and sectors such as agricultural policy, mining, tourism, IT and forest policy (e.g. when farmer suicides occur, children drop out of schools to get into work; when mines close, children employed in them are trafficked).

Ms. Thukral stated that technically there exist 86 schemes for children and 21 ministries that deal with children. Further, some of the important institutions<sup>43</sup> dealing with child rights are: National Commission for the Protection of Child Rights (NCPCR)/ State Commissions for the Protection of Child Rights (SCPCR); Juvenile Justice Boards (JJB) / Child Welfare Committees (CWC); Child Protection Units at the State and District levels and Village level Child Protection Committees (under the Integrated Child Protection Scheme); and Children's Courts (set up under the NCPCR Act).

Raising the Juvenile Justice (Care and Protection of Children) Amendment Bill 2015, Ms. Thukral re-iterated the message of an earlier presentation that the standard setting role of law is paramount, and that laws should not be passed as knee-jerk reactions to emotional lobbying. Mentioning models of child participation such as BalSabhas or children's assemblies<sup>44</sup> in panchayats in Kudumbashree in Kerala, she demonstrated how spaces had been created for children to express their opinion and voice their concerns, and how these spaces could be replicated.

She expressed anguish that sufficient resources are not being put into child rights, both financial and human. Further, despite the introduction of a Budget for Children as a separate document in 2008-09 in the Expenditure Budget, Volume 1, namely

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<sup>43</sup> Besides abovementioned institutions, there are other childcare institutions: observation homes; schools, early childhood care centres / crèches etc. run by government, NGOs or other private entities.

<sup>44</sup> In these Balasabhas or children's assemblies, children between the ages of 5 and 15 years get an opportunity to socialise and develop their talents through different artistic, cultural and social activities.

“Budget Provisions for Schemes for the Welfare of Children (Statement 22)”<sup>45</sup>, a Budget for Children has not been adopted by any state. Ms. Thukral mentioned that the net funding to the Integrated Child Protection Scheme (ICPS) would be also be impacted, both by the recent recommendations of the Fourteenth Finance Commission as well as its role in implementing the Juvenile Justice Act.

It was also suggested that ICPS, through its Village Level Child Protection Committees, be implemented based on consultation with the community and without a results-based framework, as had been done in Mahila Samakhya and Kudumbashree. She shared that the implementation of ICPS had suffered as a result of lack of co-ordination between different verticals that operate in silos.

### **EVALUATING POLICY/ PROGRAMME OUTCOMES: USING A GENDER LENS**

**Ms. Ratna Sudarshan**, Trustee and former Director, Institute of Social Studies Trust, New Delhi addressed the importance of adopting a gender-responsive or feminist lens in evaluation. Evaluation was defined as an intrinsic part of the ‘policy cycle’<sup>46</sup>, especially for enabling continuous tweaking of the design of a programme, promoting accountability and better outcomes (e.g. as had been done in the case of Kudumbashree). She elaborated on a 4-year programme on feminist evaluation that had been conducted by the Institute of Social Studies Trust (ISST) in collaboration with the NITI Aayog, comprising activities relating to capacity building, research and an online community. NITI Aayog had recognized the relevance and importance of gender equality, but maintained that they face challenges in trying to capture and address this – thus the strong focus on methods.

Providing a backdrop on the ambit of monitoring and evaluation and its relevance, different categories<sup>47</sup> and approaches<sup>48</sup> to evaluation were mentioned. It was stressed that a feminist lens can inform any approach, but the difference was that it

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<sup>45</sup> This document contains all the programmes/schemes related exclusively for children being floated by various Ministries/departments in a particular financial year. However this initiative has remained confined to the Union Budget and has not yet been adopted by the States.

<sup>46</sup> The policy cycle was described as: Problem Identification → Policy and Programme Formulation → Implementation, Impact, Outcome → Evaluation → Modifying/ Re-designing the Intervention → Problem Identification.

<sup>47</sup> Evaluation can be categorized into: Formative (to improve strengths and weaknesses) and summative (whether to terminate, expand, replace); Process Evaluation – how the programme operates, what has happened to produce what result; Outcomes focused - change: in circumstances, status, behaviour, functioning, attitude, knowledge, skills; Impact evaluation – did the programme have desired impact and are the effects attributable to the intervention and Mid-project and end of project evaluation.

<sup>48</sup> Different approaches to evaluation include: Theory based; Randomized Control Trial based; Quasi-Experimental; Participatory Approaches/ Appreciative Inquiry/ Strength based approaches and Utilisation-Focused Evaluation.

centers on power relations and structural features, highlighting inequities due to gender, class, caste and location. It seeks substantive equality rather than formal equality, recognising that when there are differences in the starting position, equal treatment can enhance inequality or leave it unchanged. It takes cognisance of the complexity with which change occurs, i.e. that change is rarely linear and there may be reversals; and connections across sectors and programmes influence outcomes. It also appreciates a diversity of perspectives, including how different stakeholders define a programme to be a 'success'.

Snapshots of three evaluations were provided – (i) Meta Evaluation Analysis of MGNREGA by Ranjani Murthy (ii) Analysis of National Rural Health Mission (NRHM) and Reproductive Child Health (RCH) II Evaluations by Renu Khanna and Priya John and STEP Evaluations by the ISST team. Across the evaluations, some of the limitations exposed were: failure to distinguish between the household and women beneficiary in certain schemes; shortage of gender expertise on the evaluation team; need for inclusion of better gender equality and women's empowerment indicators; systems for disaggregated data collection, analysis and use in planning; assumption that if a programme is aimed at women it is gender-responsive; failing to consider gendered needs of service providers; not employing strategies addressing gender stereotypes; not acknowledging wide-ranging dimensions of gender implications and failure to incorporate feedback regarding changing design of services. Pointing out the need to build an evaluation culture in India, it was stated that evaluation findings would more likely be taken seriously when there is willingness to learn from evidence, including from non-government actors, and encourage experimentation.

## **DISCUSSION**

### *Upholding the Normative Role of Law and Process of Law Making*

That there can be no compromise on the normative role of the law was reiterated. Law cannot be reduced to socially acceptable definitions, nor should it allow for minimalism<sup>49</sup> (e.g. as with child labour). There was heated debate on the Juvenile Justice (Care and Protection of Children) Amendment Bill 2015, with opinions being expressed for and against it. On the one hand, it was maintained that the Bill was nuanced and had originally been mooted because there was apprehension on the extent of reformation that a juvenile could undergo in a period of three years, before he was released back into society. In its current form too, it was stated, the Bill has sufficient opportunities to recall, observe and re-assess the juvenile until 21 years of age. On the other hand, some participants countered that who are children, what age do they stop being children, and tomorrow what will stop us from imposing the same

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<sup>49</sup> (Judicial) Minimalism refers to a type of constitutional interpretation tantamount to lowering of the minimum international or national standards, characterized by case-specific interpretations of the law. The rulings are considered to be narrow, in the sense that they govern only the circumstances of the particular case, and also shallow, in the sense that they do not accept a deep theory of the legal provision at hand.

indictment on a 10 or 14 year old, rather than a 16 year old<sup>50</sup>. Children should not have to pay if the reformation system had failed, or for the systemic failures of having received quality education and health. It was also argued that speedy trials of accused to address low conviction rate, in itself, would not limit sexual violence and crimes, which occur to to a host of factors (e.g. victims turning hostile). The distinction between minimum age for criminal responsibility<sup>51</sup> and minimum age for juvenility<sup>52</sup> was brought up. The question was also raised that strict implementation of some laws pertaining to children were ignored (e.g. relating to child labour and child marriage), but others were pushed to the forefront. Clearing ambiguity on the overlapping mandates and jurisdiction of the State Commissions for Women and the State Commissions for Child Rights, it was clarified that no two Commissions could arbitrate over the same case.

#### Implications of Fiscal Federalism

Explaining the implications of the pending Goods and Services Tax (GST) Bill on stepping up the tax-GDP ratio, it was stated that the GST Bill would increase indirect taxes, resulting in more revenue. However, for stepping up the tax GDP ratio, there is need to make direct taxes more progressive. On the questions of how state governments would be responsible for the generation of their finances, it was suggested that this would be related to the capacity of state institutions to plan. Imposing higher direct taxes on corporate income tax and capital gains tax was suggested as one way for states to increase their revenue.

Day 2 concluded with the screening of the documentary film, “The Invisibles”, featuring adult survivors of child sexual abuse in India.

### **DAY 3**

#### **SESSION VI and VIII: THEMATIC GROUP WORK (Parallel Sessions)<sup>53</sup>**

##### **Paper Presentation, Highlighting Critical Issues and Group Work**

In these sessions, participants were divided into groups based on their areas of interest and expertise, focusing on four thematic areas – (1) (a) Violence Against

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<sup>50</sup> As per the current Juvenile Justice (Care and Protection of Children) Amendment Bill 2015, in case a heinous crime has been committed by a person in the age group of 16-18 years it will be examined by the Juvenile Justice Board to assess if the crime was committed as a ‘child’ or as an ‘adult’. The trial of the case will accordingly take place as a juvenile or as an adult on the basis of this assessment. The proposed amendment disallows the protection from disqualification in cases where a juvenile is tried and convicted under the adult system.

<sup>51</sup> Concerning the capacity of a person to engage in criminal conduct.

<sup>52</sup> Process whereby a person is held answerable for criminal conduct.

<sup>53</sup> Thematic Group Work occurred during two sessions: Session VI during the afternoon of 29 January 2016 and Session VIII held on the morning of 30 January 2016. For purposes of convenience, these two sessions have been clubbed together.

Women and Children and (b) Trafficking of Women and Children (2) Health and Nutrition (3) Gender and Employment and (4) Gender, Children and Social Protection. The group work began with a paper presentation on the topic by experts in those fields, which provided the backdrop to the issue and guided the group discussions. In addition to the chair, each group selected a facilitator and a rapporteur/ presenter, who helped in moderating the group discussion and presenting the key issues, debates and recommendations around the subject.

At the end of the thematic session, each group arrived at an Agenda for Action for the thematic area, based on challenges and issues identified for both women and children. This action plan was to include at least five priorities for action; institutional and cross cutting issues; programmatic entry points for implementation; suggestions for adapting existing programmes/ new initiatives as well as modalities of convergence, with measures being broadly categorized as immediate, medium term and long term. The details of the sessions are provided below, and the participants comprising each thematic group are provided in Annexure 4.

**(1) (a) VIOLENCE AGAINST WOMEN & CHILDREN (b) TRAFFICKING OF WOMEN & CHILDREN**

**Paper presentation:** Ms. Flavia Agnes & Ms. Audrey D' Mello, Majlis, Mumbai

**Chair:** Ms. B Bhamati, IAS (Retd.)

**Facilitator:** Ms. Suneeta Dhar, Advisor, Jagori, New Delhi

**Rapporteur:** Dr. P.M. Nair, IPS (Retd.), Chair Professor, Tata Institute of Social Sciences, Mumbai and Ms. Audrey D' Mello, Programme Director, Mumbai with inputs from Ms. Tenzing Choesang, Director (Technical), Lawyers Collective; Ms. Enakshi Ganguly, Co-Director, HAQ: Centre for Child Rights and Ms. Karuna Bishnoi, Ex – UNICEF & Child Rights Specialist

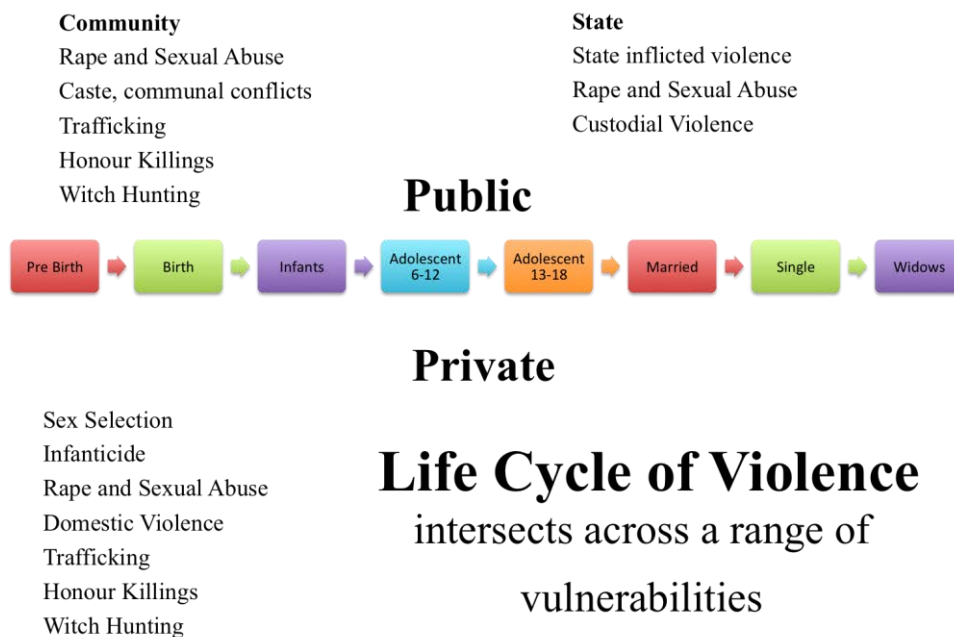
**In their paper presentation, Ms. Flavia Agnes & Ms. Audrey D' Mello highlighted the Constitutional framework of rights as well as the UN Conventions and Treaty obligations, while foregrounding substantive equality, protective legislations and the right to life and liberty. It was mentioned that though India has recently developed progressive legislations on violence against women and children, there are concerns about the quality and standard of implementation. As per data of the National Crime Records Bureau (NCRB), from 1971 to 2008 there has been an increase of 763.2 per cent in reported cases of rapes in India. In 2014, 36,735 cases of rape were reported, with the rapist being a known person in 91 per cent of cases. Despite a large number of rape victims being minors under 18 years, instances of child sexual abuse of adolescent and infant girls, remains severely under-reported. Additionally, in 2014, it was reported that there were 9224 murders of women (IPC 302) and 8455 dowry deaths (IPC 304B). On domestic violence, it was observed that more half of all men and women respondents in the National Family Health Survey – III (2005-06) declared that it was okay for a man to beat his wife if she disrespected her in-laws, neglected her home or children. Additionally, 31 per cent of married**

women stated they were physically abused, 10 per cent stating they were subjected to ‘severe domestic violence’ and 14 per cent stating they had experienced emotional abuse. Other dimensions of domestic and sexual violence were discussed - women in the sex work industry; violence against women from marginalized communities; during caste and communal conflicts and through state-inflicted violence. There were also deliberations on prevalence and incidence of acid attacks; honour killings; witch hunting and custodial violence against women and children.

It was demonstrated how violence against women occurs in a continuum from birth till death, and that this life cycle of violence that exists within patriarchal structures exposes girls and women to numerous intersecting vulnerabilities in both the public and private spheres (see Figure 1 below). It was recommended that a Victim-Centric Approach be adopted, placing the victim at the centre to ensure protection, dignity and fair trial. An analysis was also provided on why there has been a failure to effectively implement the Protection of Women from Domestic Violence Act, 2005. Causes, consequences, costs and data gaps on violence against women and children were revealed, besides sharing interventions that can address the phenomenon. Mr. P.M. Nair additionally made some key recommendations on Anti-Trafficking. Given the range of issues concerning violence against women and children, discussions were held in three sub groups – Violence against Women; Violence against Children and Anti-Trafficking.

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**Figure 1: Violence against Women and Children**



## **(2) HEALTH & NUTRITION**

**Paper presentation:** Dr. Satish Agnihotri, IAS (Retd.)

**Chair:** Dr. Rajesh Kumar, IAS, Joint Secretary, Ministry of Women and Child Development

**Facilitator:** Dr. Abhijit Das and Dr. Vandana Prasad, Public Health Resource Network, New Delhi

In his paper presentation, Dr. Satish Agnihotri provided a set of indicators to measure gender-responsive governance, spanning different aspects of women's well being in terms of – survival, quality of survival, skill acquisition, workforce participation, control over resources, participation in public sphere and security. Declining sex ratios, lesser coverage of girls during immunization, gender gaps in nutritional status, low Body Mass Index (BMI) among adolescent girls, anemia among girls and pregnant women and poor menstrual hygiene were other concerns that were flagged. Discussing how girl children face unequal access to care, nutrition and health, it was pointed out that this has inter-generational repercussions given that mothers who experience low BMI, high anemia and neglect during pregnancy give birth to of malnourished children with low immunity, low birth weight and stunting. Providing some data on the phenomenon, it was shared that child sex ratio has steadily declined from 962 girls per 1000 boys born in 1981, to 945 in 1991, 927 in 2001 and now, 918 in 2011. Discrimination against the girl child in access to food and nutrition is also evident - 46.8 per cent girls aged 15-19 years have BMI < 18.5 per cent and prevalence of anemia for ever-married women in the 15-49 age group has gone up from 51.8 per cent in 1998-99 to 56.2 per cent in 2005-06. An innovative way of removing child malnutrition using the 'Lagaan' approach, was described (likening this phenomenon to chasing a runs total in a cricket match) with relevant targets being reduction in underweight<sup>54</sup>, increase in weighing efficiency and complete coverage of the target population using a host of parameters<sup>55</sup>.

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<sup>54</sup> Underweight indicated by low weight-for-age is composite indicator that measures both wasting and stunting. Wasting refers to low weight-for-height (marker of acute undernutrition with short term implications) stunting refers to low height-for-age (marker of chronic undernutrition with long-term implications).

<sup>55</sup> The following parameters were indicated for tracking the removal of child malnutrition: Body Mass Index (BMI) % among girls below 18; mothers at risk %; Ante Natal Care (ANC) coverage to pregnant mothers; weight gain during pregnancy; low birth-weight children born %; BCG coverage %; measles coverage %; early breast feeding %; exclusive breast feeding %; children enrolled as % of 0-6 population; weighing efficiency; severe underweight % in 6-12 months and 12-36 months and moderate underweight % in 6-12 months and 12-36 months.

### **(3) GENDER AND EMPLOYMENT**

**Paper presentation:** Ms. Indrani Mazumdar, Centre for Women Development Studies, New Delhi

**Chair:** Mr. Shankar Aggarwal, Secretary, Ministry of Labour & Employment, Government of India

**Facilitator:** Dr. Preet Rustagi, Institute of Human Development, New Delhi

In her paper presentation, Ms. Indrani Mazumdar highlighted the sharply declining female workforce participation rates, which had have fallen from close to 33 percent in 1993-94 to around 27 per cent in 2011-12. This was observed to be true especially of the rural areas, with the steepest fall being experienced by Scheduled Tribe women, followed by Scheduled Caste women and then OBCs. It was shared that 2011-12 had seen the lowest female work participation rates in independent India. Further, the female workforce was reduced by more than 19 million between 2004-05 and 2011-12. Despite hyper visibility of women in certain kinds of high-end jobs (e.g. services sector), and assumptions that feminization of labour would accompany globalization, there have been widening gender gaps in employment in both rural and urban areas. A number of themes central to the debate were raised: gendered trends in employment patterns and the need for enhancing women's employability to the emerging employment opportunities; undercounting issues in measuring women's work; lack of recognition of women's unpaid work; theories put forward on girls and women opting out of the workforce as a result of education or rising prosperity. The preponderance of women in certain segments of the informal sector, having intersectional vulnerabilities, enjoying no social security, low pay and poor work conditions (e.g. home-based work), was also discussed. The need to recognize the work of lakhs of frontline workers (e.g. ASHA, AWWs, helpers, MDM workers) was acutely felt, given the large amounts of underpaid work they undertake in running numerous government schemes. The contribution of women's studies in highlighting the marginalization of women in employment was acknowledged.

### **(4) GENDER, CHILDREN AND SOCIAL PROTECTION**

**Paper presentation:** Ms. Antara Lahiri, Social Policy Specialist, UNICEF India

**Chair: Shri.** Arun Mathur, IAS (Rtd.), Chairperson, Delhi Commission for Protection of Child Rights, Govt. of NCT of Delhi

**Facilitator:** Ms. Gouri Choudhury, ActionIndia

In her paper presentation, Ms. Antara Lahiri began by providing the definition and types of instruments of social protection. The need for a multi-sector and integrated social protection system in India was suggested, especially given the multiple and compounding vulnerabilities faced by children and families and the existence of both structural and shock-related vulnerabilities. Different models of social protection having a positive impact on children and women at the international level were

illustrated<sup>56</sup>. Cash transfers were described as being a growing component of the present social protection system in India, taking the form of either scholarships, cash transfers for the girl child or cash transfers for maternal and child nutrition, attempting to address major concerns including female foeticide, school drop-out, child marriage and early motherhood. Existing models of state-initiated, conditional cash transfer schemes for girl children<sup>57</sup> were discussed, while acknowledging the need for supplementing cash transfers with complementary services.

The discussion covered some of the following issues: comparisons between universal and targeted social protection; identification of at-risk and vulnerable families to access social protection; lack of common understanding among all stakeholders on social protection; no legal statute present currently for social protection across the life cycle; inadequate linkages of social protection with other sectors such as health and education; inadequate measurement of impact of social protection and delays in release of funds from Centre to State and district level. The need for proper costing and effective monitoring of existing social protection schemes in India was felt. Bringing in Corporate Social Responsibility (CSR) financing from private sector for public service delivery was also suggested. The adoption of the lens of the life cycle approach was observed to be a good framework to guide social protection, in order to cover age groups from antenatal to the elderly with their age-specific requirements. It was emphasized that it is important to recognise intersectionalities in the delivery of social protection for Scheduled Castes/ Scheduled Tribes, the disabled, girl child, juvenile, the marginalized, and minorities, and also remain mindful of children outside the family and how to include them in this system.

## **SESSION IX: PRESENTATION ON RECOMMENDATIONS**

### **GENDER, CHILDREN AND SOCIAL PROTECTION: An Agenda for Action**

**Presenter: Dr. Vijay Kumar**, IAS, Principal Secretary, Social Welfare Department, Govt. of Andhra Pradesh

#### Cross-Cutting

- Orientation, participation and capacity building of stakeholders
- Monitoring mechanism to be put in place

#### Short-Term

- Overarching National Social Protection Authority required to develop strategy and guidelines - Inter-ministerial/departmental/agency wide convergence and synergy in efforts especially the Finance Ministry for costing of social protection

<sup>56</sup> International best practices in social protection included the Bangladesh National Social Protection Strategy, South Africa's Unconditional Child Support Grant and Oportunidades of Mexico.

<sup>57</sup> The models of state-initiated, conditional cash transfer schemes for girl children discussed included: Girl Child Protection Scheme (Tamil Nadu), Bhagyalakshmi (Karnataka), Ladli Laxmi Yojana (Jharkhand) and Kanyashree Prakalpa (West Bengal).

- Vulnerability mapping and participation of the community in all states
- Using technology and UID for building single database of social protection beneficiaries
- Involving the private sector through innovative financing for SPs

#### Medium Term

- Ranking of States based on their needs for social protection and not their performance
- Availability of one window system for delivery of services at community level

#### Long Term

- National Law/ Policy/ Statute on Social Protection required to cover life cycle approach

### **GENDER AND EMPLOYMENT: An Agenda for Action**

**Presenter: Mr. Ajeet Kumar**, IAS, Department of Social Justice & Additional Project Director, RUSA/WB, Government of Madhya Pradesh

#### Priorities for Action

- Identify and address barriers to women's workforce participation
- Provide an enabling environment for work, including through legislation and enforcement
- Improve data tools for appropriately capturing women's paid and unpaid work – e.g. women as 'farmers', women working at home, women migrants
- Invest in women's education and skill development
- Incentivise employers' to encourage women's employment in their establishments
- Explore the possibilities of increased women's employment opportunities in the upcoming national flagship programmes e.g. Make in India, Digital India, Smart Cities, Skill Mission

#### Institutional and Programmatic Entry-Points

- Creches
  - Increase coverage to all working women
  - Dovetail with ICDS/ state programmes
  - Adjust to women's working hours rather than school timings
- MGNREGS
  - Diversify from asset-based works to public services (e.g. creches)
  - Extend to urban areas
- Strengthening SHGs under NRLM and NULM from thrift and credit to economic activities:
  - Women's access and control over economic resources (e.g. size of revolving

- fund, seed money)
- Training and capacity building towards wage employment and self employment
  - Developing women’s leadership skills and enabling their participation in community decision-making
  - Skilling from secondary-school level on the lines of Rashtriya Madhyamik Shiksha Abhiyan (RMSA) – needs scaling
  - Incentives for employing women (e.g. tax incentives)
  - Legislative changes to permit night shift for women (e.g. MP Factories Act Amendment)

#### Cross-Cutting Issues

- Providing transport, safety and security, public toilets, spaces for women’s work (e.g. vendors)
- Considering part-time work/ flexible working hours with social security benefits
- Extending social protection coverage (health and life insurance, maternity benefits) for frontline workers/ unorganised sector
- Addressing portability of benefits for migrant workers
- Utilising CSR funds for training and placement of women, as per local industry needs
- Integrating gender-sensitisation in all training curriculum
- Correcting gender gaps through refined data collection tools
- Developing gender-responsive M & E parameters enabling mid term corrections to programme design
- Establishing an Expert Group on how to engender and enhance women’s employment in Make in India, Digital India, Start Ups, Skill Development Mission and Smart Cities

#### **HEALTH AND NUTRITION: An Agenda for Action**

**Presenter: Ms. Sowjanya**, Mission Director, National Health Mission, Health and Family Welfare Department, Government of Karnataka

#### Funds and Resources

- Health budget should be 3 percent of the GDP – should not be lapsable
- Flexibility to states to utilize the budgets
- For marginalized communities/ locations there should be a greater emphasis on human resources

#### Recognition to Front Line Workers

- Opinion 1: Fixed remuneration
- Opinion 2: Incentive-based but also addition of the component of team based incentives e.g. ASHA, Auxiliary Nurse-Midwife (ANM), AWW together being given incentives if 100 per cent Open Defecation Free (ODF)/ immunization/ institutional delivery is achieved

#### Decentralization & Communitisation of Planning, Implementation and Monitoring

- Active participation of the community
- School Management Committees and Village Health Sanitation & Nutrition Committee (VHSNCs) following up on girl children
- Differential Planning
- Analysis of data at the Gram Panchayat level/lowest level possible

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#### Capacity Development and Facilitation

- Component of practical demonstration of the processes and protocols during training of the front line workers
- The facilitation of the process of capacity building should be on a continuous basis
- Protocols and SOPs should be established

#### Social/ Geographical Inclusion

- Social exclusion needs to be identified and mapped
- Social inclusion should be a constant cross cutting theme
- Day care facilities for children, in work places e.g. making it mandatory in tender documents to provide crèches

#### Functional Convergence of Line departments

- Education Department
- Women and Child Department
- Rural Department
- Health Department
- Drinking Water and Sanitation
- E.g., focused emphasis of Immunization and Deworming in an ODF gram panchayat would give faster results in addressing malnourishment

#### Improvement in Nutrition

- Deworming of the entire population
- Vitamin A supplementation
- Real time IT-enabled monitoring of each and every child through UID
- Backyard poultry and kitchen garden
- Janani Suraksha Yojana (JSY) to be integrated with The Indira Gandhi Matritva Sahyog Yojana (IGMSY)
- SABLA should be made pan India
- Compulsory calcium should be given to all pregnant women

## **VIOLENCE AGAINST WOMEN & CHILDREN and TRAFFICKING OF WOMEN & CHILDREN: An Agenda for Action**

**Presenter: Ms. Audrey D' Mello, Programme Director, Majlis, Mumbai**

While India has relatively progressive legislative and policy frameworks, there are concerns about the quality and standard of implementation, declining investments in the social sector as well as lowering the minimum international standards (for e.g. Child Labour Act).

### **(A) TRAFFICKING OF WOMEN AND CHILDREN**

#### Co-ordination Mechanism

- Need for concerted actions (prevention and response) at the national level to address the issue of domestic and trans-border trafficking. A National Coordination Body and an Anti-Human Trafficking and Missing Children Body need to be instituted, cutting across relevant Ministries, Departments and various agencies.
- Need for convergence across relevant policies, programmes, schemes and activities of the Government at the Centre and State in respect of human trafficking [Police, AHTU, Special Juvenile Police Unit (SJPU), Child Welfare Committee (CWC), Juvenile Justice Board (JJB) and others]. Government schemes like ICPS etc. need to be dovetailed into the function of AHTU and Police and other agencies.

#### Development of Standard Procedures

- Need to develop clear institutional Standard Operation Procedures (SOPs) for all activities related to rescue, post-rescue and care of all trafficked persons, formulated separately for children and for women; and in line with legal commitments. Clear role and function of various agencies to be outlined to ensure accountability.

#### Analysis of Policies and Gender Audits

- Need to undertake policy level analysis by senior level experts to advise necessary changes in policies and programmes and issue necessary guidelines and instructions
- Need for conducting audits from a gender and child rights perspective to gauge the impact of the AHTUs and capacity building programmes: This includes capacity building of Judicial Officers, Prosecutors, Police and other care providers.

#### Up Scaling Good Practices

- Need to upscale good practices across the country addressing human trafficking in a comprehensive mode e.g. replication of the Impulse Model of the Impulse NGO Network (Shillong)

#### Enhancing Accountability

- Need to earmark an exclusive court in each State to handle human trafficking crimes. If the situation demands, such exclusive courts can be set up in the districts.
- Need for greater degree of accountability of various statutory agencies, such as

the National Commission for Women and National Commission for Child Rights across the country. Appropriate steps needed to undertake audits by independent expert agencies.

### **(B) VIOLENCE AGAINST WOMEN AND CHILDREN**

There is a continuum of life cycle violence and this intersects across a whole range of vulnerabilities. A Victim Centric Approach, placing the victim at the centre, is essential to ensure protection, dignity and fair trial. The discussions centered on violence in the public and private spheres.

#### Understanding Violence in All its Dimensions

- Re-orientation/ capacity building of all sectors that work with women and children (education, health, social welfare, etc.) since often only physical violence and that too certain kinds of violence constitutes the understanding of violence. Despite laws, these perceptions guide the recording of cases of violence and access to a process of justice. All forms of violence need to be understood including, corporal punishment, economic and sexual exploitation, mental abuse, sexual abuse and exploitation, violence faced by children in conflict areas, institutional violence, caste violence, ethnic violence, child marriage, trafficking, communal violence, honour killings, digital violence etc.❏❏

#### Working Towards Harmonisation of Laws

- Given inconsistencies within laws, there is need to review and ensure harmonisation  
(For example: Exception 2 to Section 375 of the Indian Penal Code (provision on Rape), [as amended by Criminal Law (Amendment) Act, 2013] is violative of Articles 14, 15 and 21 of the Constitution to the extent that it permits intrusive sexual intercourse with a girl child aged between 15 to 18 years only on the ground that she has been married. The exception is contrary to the provisions of Protection of Children from Sexual Offences Act, 2012 (POCSO). Procedures for rape victims under CrPc to be made child sensitive, if the offenders are both juvenile and adults, so that the victim child does not have to depose repeatedly before different courts (i.e. Juvenile Justice Board and the Sessions Court) in the same case).

#### Strengthening Implementation and Accountability Mechanisms

- Women and child-sensitive governance mechanisms need to be understood and defined (and included in planning, programming phases)
- The government and other functionaries responsible to providing services at the district and lower levels need to be empowered with technical and other support and resources. At the same time, they need to be held accountable for their roles.
- Structures and institutions must be strengthened technically and with resources. There must be periodic social audits of their functioning
- It is critical to ensure creation of effective essential support facilities cutting across all people – persons with disability, trafficking victims, survivors of acid attacks, etc. There is need for psychosocial support capacities, services and facilities addressing all forms of violence.

▪ Review the functioning of all schemes (e.g. Integrated Child Protection Scheme)  
Research, Evaluation and Impact Assessments

- Programmes should be based on a women and child sensitive results framework, with clear outcomes and monitoring indicators. Standard Operating Procedures and training programmes need to be aligned with the outcomes to be achieved.
- Need to build in rigorous impact evaluation, which highlights data on what works.
- Sex-disaggregated data collection is crucial across all socially excluded segments - women, children, minority, caste, disability and Gender Budget Cells and other designated agencies can play a key role here
- Need to review and upgrade NCRB data collection and compilation

Convergence and Coordination

- Need to ensure convergence across key institutions, departments, ministries, judiciary, and other structures that have been set up under various laws and schemes.
- Establish an inter-departmental convergence mechanism that enables flow of information and a coordinated response. Joint planning is needed to avoid overlaps and duplication. Lessons from best practices at state level can be scaled up.

Gender & Child-Sensitive Planning, Programming & Budgeting

- There is need for adequate and committed financial, human and technical resources with the highest of political will for this issue
- The Cabinet Note on Introduction of any bill by any department should have a section on its impact on women and children (like Environment Protection Act)
- Design interventions to focus on under-researched forms of violence like communal, geographical violence but also violence on single/unwed mothers, never married women, widows, victims of witch hunting, LGBTQI communities, and other marginalized groups and women and children in conflict situations
- Violence within institutions should be recognized and addressed urgently
- There is need to support collectives of women and children, as they are the primary constituency
- Engage men and boys in prevention, intervention and implementation programmes

Specific Suggestions on Promoting Gender Equality

- Upgrade the National Policy on Empowerment of Women (passed in 2001) based on Justice Verma Committee and High Level Committee Report findings
- Set up Women Welfare Committees (with similar powers as Child Welfare Committees), to be set up in every district to help women with social and legal needs

Specific Suggestions on Promoting Child-Rights

- Adopt a vetting and barring system as followed in the UK whereby anyone being appointed to work with children is screened thoroughly, instead of the proposed sex offenders registry (MHA and MWCD)
- Need for MEA and MHA to work out a coordinated response to travelling child sex offenders. This would require a review of the visa form so that travelling sex

offenders can be tracked.

- Assess the Child Labour Bill being proposed for its impact on other rights of children such as right to education and caste discrimination, in the light of the equal opportunity and development of their full potential (as most family based occupations are caste based). It must also be assessed against the parliamentary standing committee recommendations.
- Make children's experience using digital technology safe and positive. Digital citizenship must be compulsorily introduced into the school curriculum.
- Unify and harmonise national and state child tracking system for missing children.
- Pay particular attention to the setting up of village level child protection committees (VLCPC) drawing on good practices/ processes such as Kudambashree, Mahila Samakhya and others.

## CONCLUDING SESSION

**Ms. Sarojini Ganju Thakur**, IAS (Retd.), Chairperson, HP Pvt. Educational Institutions Regulatory Commission, lauded the presentations for being comprehensive. With reference to the National Policy for the Empowerment of Women (2001), she shared that there was some thinking that there should be a new policy. It was noted that there is no overarching law on social protection. Responding to some of the broader, crosscutting issues, she identified the need for:

- Data availability and vulnerability mapping. It was especially important to see whether social protection programmes were in fact reaching the most marginalized, and which demographics were falling through the cracks, since some of the presentations had revealed greater numbers of non-poor rather than poor beneficiaries.
- Planning with a gender lens and undertaking gender reviews. This was recognized as being critical in the initial stages of the design of the programme itself. The point was highlighted in the context of the skills sector, where though initiatives may be catering to women, the sensitivities or capabilities of women were not necessarily being addressed.
- According priority to how resources can optimally address gender-sensitive realities. Thus, even amongst the multitude of life cycle risks and vulnerabilities, by keying in on one dimension (e.g. crèches), the modalities and functioning of this at least should be assured.
- Developing spaces for women for leadership training and triggering discussions on violence against women within existing programmes such as NRLM, through the unit of the Self-Help Group (SHG).
- Considering the extension of education opportunities under the Kasturba Gandhi Balika Vidyalaya (KGBVS) scheme. Currently catering to girl students of marginalised communities in remote areas,
- Recognising underpaid work of women as an important area of concern within paid work. This was especially stressed in the context of frontline workers such as

ASHAs and AWWs who earned honorariums but were not given the status or recognition of women workers.

- Moving away from working in silos. It was re-iterated that both for accessing social protection and for prevention, rescue and rehabilitation from violence, the same woman had to interface with multiple agencies.
- Converging with existing institutions and structures rather than proposing new societies or committees. Establishing linkages with Panchayati Raj Institutions (PRIs) as has been done in Kerala was suggested as an under-explored alternative.
- Bringing in a 'transformative' approach into the implementation of programmes, by improving quality of services and moreover, imparting women dignity and confidence to face the world, rather than providing only ameliorate skills and support services.

**Ms. Stuti Kacker**, Chairperson, National Commission for Protection of Child Rights in her summary comments suggested that the Academy could focus on a programme exclusively for Child Rights the next time around, since there had been fewer conversations on children at this forum. Reacting to the presentations, she too outlined some key observations, including the need for:

- A law-based social protection authority. Suggesting an agency named the 'National Institute for Social Development', Ms. Kacker offered that it could serve as an advisory body, providing a convergence mechanism between existing departments and Ministries and possessing a consolidated database of expertise.
- An IT-enabled mechanism for monitoring access to nutrition for children from birth until 3 years, based on Unique Identification Authority of India (UIDAI)/Aadhar data.
- Understanding the linkages between health, nutrition and social protection and how it results in 'nutrition violence' of women and girls, who eat least and last, and remain deprived of food and proper nutrition.
- Considering the plight of street children and run-away children who often resort to petty crimes for economic subsistence, thus giving birth to a downward spiral of correctional schools, sexual abuse and violence, drug peddling, drug abuse, mental abuse and juvenile crime. This vicious cycle could be seen to start with the lack of food for their survival, with each stage having a debilitating impact on the nutrition of the child.
- Recognising the vulnerabilities of children, the violent structures and conditions in which they grow up, keeping in mind that the children society is incubating will impact the kind of citizens they grow up to be.

**Dr. Gyanendra Badgaiyan**, Director General, National Centre for Good Governance, Government of India, reacted to the presentations and themes of the conclave with the following suggestions:

- Economic policy, depending on context and point in time, is always a policy-mix of trickle-down and distribution-led strategies, rather than being either/ or in practice.
- More strategic allocation of expenditure, rather than increased expenditure at higher levels, is needed as the case study of Bangladesh had shown (e.g. focus on preventive rather than curative health).
- Employment-led growth would need to be a key strategy for India in the coming years, especially given India's low employment elasticity, and the current (but eventually closing) window of demographic dividend.
- Though Panchayati Raj Institutions are elected bodies operating on the principle of 'subsidiarity'<sup>58</sup>, it is important to acknowledge their impaired functioning, due to issues of elite capture, corruption and caste bias.
- Stocktaking of capacities and effectiveness of existing institutions was deemed necessary, especially given the multitude of commissions that have been created. This would include checking on the extent of their knowledge base, appointments and dispensation of functions.
- The role of corporations, institutions and civil society organisations in hijacking India's development agenda was dismissed on the grounds that in the past as well, programmes had been adopted and continued largely based on evidence-based research and their ability to produce favourable development outcomes.
- On the process of framing of laws, it was submitted that it was not a reflection of a mature democracy that laws were being driven by mass hysteria rather than prioritising issues in a non-crisis situation.
- It was cautioned that the primary school system with its poor educational outcomes would have crisis-like consequences in terms of the nature of the citizenry of the future.

**Mr. Rajeev Kapoor**, Director, Lal Bahadur Shastri National Academy of Administration (LBSNAA) in his closing remarks explained that the rationale behind holding the conclave on gender equality and child rights was to enable discussion on the intersections of women and children together. He noted that the conclave had succeeded in bringing forward different viewpoints and opinions. He congratulated the healthy exchange of ideas and said that the dialogue was particularly enriched by the presence of multiple actors.

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<sup>58</sup> Subsidiarity is an organizing principle according to which it is believed that matters ought to be handled by the smallest, lowest or least centralized competent authority. Political decisions should be taken at a local level if possible, rather than by a central authority.

**Ms. Aswathi Sivas**, Executive Director, National Gender Centre, gave the Vote of Thanks, commending the participation of the numerous stakeholders - representatives from the Government of India, state and central commissions and departments, academicians, civil society and development organisations - and valuing the hard work that had gone into its preparation by the National Gender Centre, LBSNAA, UN Women and UNICEF teams.

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# **ANNEXURES**

## **Annexure 1: Concept Note**

### **CONCLAVE**

**on**

### **GENDER EQUALITY and CHILD RIGHTS;**

**Sharing knowledge and developing an agenda for action**

28- 30, January, 2016

National Gender Centre

Lal Bahadur Shastri National Academy of Administration,

Mussoorie

## **BACKGROUND**

Women and children constitute around 70% of India's population and are critical to the social, economic and political fabric of the nation. No claims of growth and development can be either articulated or realized by any democratic, responsive and accountable government by ignoring the legitimate concerns of inclusion of this section of the society in the development process. For this to happen it is imperative to break the intergenerational cycle of inequity and multiple deprivations faced by them, which is rooted in poverty, patriarchal norms, social exclusion, violence and invisibility of reproductive role. In the Indian context this is reflected in low achievements on international standards measured through HDI and the Gender Inequality Index.

While there has been significant improvement on some indicators like IMR, MMR, education and literacy levels, the progress has been slow, and in some cases lower than neighboring countries such as Sri Lanka and Bangladesh, where economic growth has not been of the same level as in India. Critical development imperatives for India at this juncture are one the one hand fulfillment of children's and women's right to survival and protection and on the other participation and recognition of women as equal partners in social, economic and political processes, free from fear of violence and discrimination.

The government's commitments towards gender equality are embodied in the Constitution and it has taken several steps through variously enabling legislations and rights based policies related to a wide gamut of subject like education, health, employment and social protection to specifically address the concerns of women and children. Additionally the government has specific policies for women and children the National Policy for the Empowerment of Women 2001 and National Policy for Children 2013. In the recent past there have been significant interventions to deal with the violence and exploitation against women and children such as the Protection of Women from Domestic Violence Act, 2005, Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Amendments in the Cr PC, and Protection of Children from Sexual Offences Act, 2013. In India "Juvenile Justice" is undergoing an important transitional shift with JJ system of the country undergoing sweeping changes once again. The XII Five Year Plan has defined ending of gender based inequities, discrimination and violence as an overriding priority. Key

monitorable targets include improvement in the adverse and steeply declining child sex ratio and reduction in the levels of child under-nutrition by half.

However, several challenges continue to belie the considerable progress made on the legislative front in India. The gaps between conceptualization, execution and outcomes of policies may be attributed to differential understanding of the policy itself at various levels, poor implementation, and lack of inter-sectoral linkages. Policies based on data that is aggregate in nature, or not properly analysed also tends to distort the premises on which policies are formulated. In addition, while policies may exist for women and children they do not necessarily lead to greater equality or realisation of rights. Further the issues concerning women and children, though interlinked are often conflated which distorts the focus of policymakers, as each need to be addressed separately.

The way policies and programmes are planned and implemented determine whether it is “business as usual” without any change in gender roles and responsibilities or whether they result in greater gender equality and women’s empowerment. Understanding policy approaches to gender and conceptual clarity on the larger issue of „women empowerment“ is important as it is a word that has begun to be used loosely with any intervention for women. Empowerment implies that the intervention is transformative and goes beyond dealing with „practical needs“ of women - such as access to water, fuel wood- to dealing with „strategic needs“ related to enhancing, voice, recognition and representation (and in overall terms improving women’s position vis a vis men).

Similarly, a child’s right to be safe from violence, abuse and neglect at all times is undeniable and is the responsibility of the immediate family, the wider community and the institutions. Ensuring rights of all children in all these spheres ultimately becomes the responsibility of the State but calls for greater cooperation and coordination among all actors both state and non- state.

## **CONCLAVE ON GENDER EQUALITY AND CHILD RIGHTS**

### **Rationale**

As highlighted above, there is an urgency for accelerating the pace of change with regard to the realization of gender equality and protection of child rights. The need of the hour for all those engaged in the process of framing of policies, as well as advocacy and

execution is to understand the nature of the progress made, share knowledge and through mutual learning, review the way policies and programmes are formulated and implemented both from a governance and social dimension perspective. This would create the basis to develop an agenda for effective action keeping these goals in mind for existing and future interventions.

The National Gender Centre, LBSNAA, proposes to organise a conclave from 28 -30 January 2016, at the Lal Bahadur Shastri National Academy of Administration, Mussoorie, for senior policy makers from the central and the state governments, civil society organisations and academicians. This would create the necessary platform to facilitate dialogue and help create an environment which will facilitate meaningful dialogue towards the realization of child rights and greater and equal participation of women in the progress of the country.

### **Aim and Objectives of the Conclave**

The broad aim of the conclave is to impact on, and feed into policy at the national and state level through a structured analysis of the processes of policy formulation, programme design and implementation. The focus would be on certain specific themes. The deliberations would focus on short term as well as the long term strategies to deal both with the aspects of governance and social dimensions.

In order to achieve this Conclave would seek to -

1. Take stock of the progress on Gender equality and Child Rights both within India and in relation to other countries;
2. Deepen understanding of the governance and social dimension related issues which impact the policy, programme design and execution;
3. Knowledge sharing through sharing good practices from within India and the region and exchange;
4. Develop key policy, programme and implementations recommendations on cross cutting issues and specific thematic issues.

## Conclave Design

The conclave is designed around four aspects:

- **Assessment of progress made** within India and in relation to other countries on various parameters related to gender equality and child rights
- **Challenges in producing gender and child equitable outcomes-** This would include governance related processes that influence policy and programme outcomes such as planning, budgeting, monitoring, nature of convergence and coordination between departments and resource constraints – material, human capacity but also social aspects that impact on progress – patriarchal mindsets, social norms, inclusion/ exclusion issues and unpacking some of the assumptions that underlie policy approaches and understanding of empowerment. During these sessions - good practices from the country and South Asia Region would also be showcased.
- **Thematic discussions** -The four themes selected for focus during the conclave are -
  - a. Violence Against Women & Children (through DV Act, PCPNDT Act and POCSO, J J Act and ICPS, amended Cr. P.C- gaps and good practices).
  - b. Health and Nutrition (malnutrition, access to health by the women and children- challenges and good practices; looking beyond reproductive & child health to mental health of both women and men including victims of violence and calamities, and coordination between departments dealing with policies and programmes on violence and department of health).
  - c. Gender and employment (vulnerabilities, work opportunities, livelihoods and skill development (through MNREGS, and NRLM), labour force participation especially in the informal sector- challenges and intersectorality).

- d. Gender, Children and Social Protection (vulnerabilities, protection – Food Security Act, Insurance schemes, conditional/unconditional cash transfers).

The thematic discussions of the different groups would be centered around:-

- a. Status of the policy/ scheme- overall approach
  - b. (i) Gaps - does it address critical gender issues, implementation process related issues – monitoring adequacy of resources;  
(ii) How and where addressed.
  - c. Issues of institutional mechanisms, intersectorality, coordination and convergence- whether addressed or require strengthening.
  - d. Outcomes- Whether the programme has led to greater voice, accountability, Empowerment (Livelihoods, Land Titles/Resources, Labour).
- **Developing an agenda for action** – The conclave would end with set of recommendations on what are the policy and programme recommendations and what needs to be done to effect the changes they propose ( on HR, Data gaps, engendering planning, improving women’s agency and participation in processes) and what can they do in their own areas of work.

Each group work session would be presented and will have two parts:-

- a) Way forward on the theme itself – i.e. what can be learnt and adapted in India in varied contexts.
- b) Learning’s on cross cutting issues of human resources, planning, monitoring & evaluation and way forward in engendering the planning and budgeting process.

The presentation would also include how the various participants of the group propose to

carry forward this learning’s from the Conclave in their work.

**Participants** would include senior officers of the level of Jt. Secretary and above from key ministries from the Central government and Secretaries/ HODs from State governments such as the Women and Child Development, Labour, Social Welfare, Health and Family Welfare, Panchayati Raj, Local Self Government, Rural Development, Finance and Home. Senior officials from statutory bodies like the Niti Aayog, National and State Commissions for Women, National and State Commission for Protection of Child Rights, as well as apex training institutions, academicians and representatives of eminent Civil Society Organizations would be the important invitees.

The partner agencies for this conclave are UNICEF and UN-Women.

**Date and Duration:** 28-30, January, 2016 (Two and a half days).

**Venue:** Lal Bahadur Shastri National Academy of Administration, Mussoorie.

## Annexure 2: Agenda



### **Policy Conclave on Gender Equality and Child Rights: Sharing knowledge & developing an agenda for action**

**28-30 January, 2016**

**Nehru Auditorium, LBSNAA, Mussoorie**

### **Agenda**

#### **Aim and Objectives of the Conclave**

The broad aim of the conclave is to impact on, and feed into policy at the national and state level through a structured analysis of the processes of policy formulation, programme design and implementation. The focus would be on certain specific themes. The deliberations would focus on short term as well as the long term strategies to deal both with the aspects of governance and social dimensions. In order to achieve this, the Conclave would seek to -

- Take stock of the progress on Gender equality and Child Rights both within India and in relation to other countries;
- Deepen understanding of the governance and social dimension related issues which impact the policy, programme design and execution;
- Knowledge sharing through sharing good practices from within India and the region and exchange;
- Develop key policy, programme and implementations recommendations on cross cutting issues and specific thematic issues.

**Day I: 28 January, 2016**

**1000 hrs – 1730 hrs**

**1000 hrs– 1045hrs**

#### **Session I: Inaugural Session**

- |                      |   |
|----------------------|---|
| 1.1. Welcome Address | Mr. Rajeev Kapoor, Director, LBSNAA                                   |
| 1.2. Keynote Address | Dr. Gita Sen, Director, Public Health Foundation of India             |
| 1.3. Vote of Thanks  | Ms. AswathiSivdas, Executive Director, National Gender Centre, LBSNAA |
| 1.4. Moderated by:   | Ms. Roli Singh, IAS   |

**1045 hrs – 1115hrs - Group Photo & Tea Break**

**1115 hrs – 1310hrs**

**Session II: Realizing Gender Equality & Child Rights: Policy Approaches & Challenges**

**Chair:**Mr. Rajeev Kapoor, Director, LBSNAA

2.1. Progress on Gender Equality: An International Perspective	Dr. Rebecca Tavares, Representative, UN Women Office for India, Bhutan, Maldives & Sri Lanka
2.2. Progress on Gender Equality: National perspective	Ms. Sarojini Ganju Thakur, IAS (Retd.), Chairperson, Himachal Pradesh Private Educational Institutions Regulatory Commission
2.3. Advancing Child Rights: An International Perspective	Mr. Louis-Georges Arsenaault UNICEF Representative, India
2.4. Advancing Child Rights: National Perspective	Ms. Nina Nayak, Child Rights Activist
2.5. Open Discussion	Moderated by the Chair

**1300 hrs – 1400 hrs – Lunch**

**1400 hrs – 1530 hrs**

**Session III: Out of the closet: Patriarchy, Masculinity and Intersecting Identities**

**Chair:**Ms. Flavia Agnes, Director, Majlis, Mumbai

3.1. Patriarchy and Masculinity	Dr. Abhijit Das, Director, Centre for Health & Social Justice, New Delhi
3.2. From Margins to the Centre: A Dalit Human Rights Perspective	Mr. Paul Divakar, General Secretary, National Campaign on Dalit Human Rights, New Delhi
3.3. Mainstreaming the Rights of Women and Children with Disabilities	Dr. Anita Ghai, Professor, School of Human Studies, Ambedkar University, New Delhi
3.4. Making and Breaking of Gender Stereotypes – A Media Perspective	Mr. Santosh Desai, MD & CEO, Future Brands India Ltd., Mumbai
3.5. Open Discussion	Moderated by the Chair

**1530 hrs – 1600 hrs – Tea Break**

**1600 hrs – 1730 hrs**

**Session IV: Learning from Good Practices (I)**

**Chair :**Ms. Dheera Khandelwal, Additional Chief Secretary, Government of Haryana

4.1. Experience of Mahila Samakhya	Ms. Kameshwari Jandhyala, Director, ERU Consultants Pvt. Ltd., Hyderabad
4.2. Experience of Sick New Born Care Units	Dr. P. K. Prabhakar, Deputy Commissioner - Child Health Division, Ministry of Health & Family Welfare, Government of India
4.3. Experience from Bangladesh	Dr. Binayak Sen, Research Director, Bangladesh Institute of Development Studies, Dhaka (V C)
4.4. Open Discussion	Moderated by the Chair

**Day II: 29 January, 2016**

**0930 hrs – 1730 hrs**

**0930 hrs – 1100 hrs**

**Session V: Learning from Good Practices (II)**

**Chair:**Mr. Shankar Agarwal, Secretary, Ministry of Labour & Employment, Government of India

5.1. Experience of Kudumbashree	Ms. Sarada Muraleedharan, Joint Secretary, Ministry of Panchayati Raj, New Delhi
5.2. Addressing the issue of Trafficking of	Dr. P. M. Nair, IPS (Retd.)

Women & Children	Chair Professor, Tata Institute of Social Sciences, Mumbai
5.3. Global Practices on Social Protection	Ms. Usha Mishra, Chief of Policy, Planning, Monitoring & Evaluation, UNICEF, Kabul
5.4. Open Discussion	Moderated by the Chair

**1100 hrs – 1530 hrs**

**Session VI: Thematic group work (parallel sessions)**

Setting the context (1100 hrs – 1130 hrs)

a. Paper Presentation & Highlighting Critical Issues: 30 minutes

Group work (1130 hrs onwards), Working tea, Lunch: 1330 hrs – 1430 hrs

6.1. (a) Violence Against Women & Children	Paper presentation- Ms. Flavia Agnes & Ms. Audrey D Mello, Majlis, Mumbai
(b) Trafficking of Women & Children	Facilitator – Ms. Sunita Dhar, Advisor, Jagori, New Delhi Facilitator – Ms. B Bhamati, IAS (Retd.)
6.2. Health & Nutrition	Paper presentation - Dr. Satish Agnihotri, IAS (Retd.) Facilitator – Dr. Abhijit Das & Dr Vandana Prasad, Public Health Resource Network, New Delhi
6.3. Gender and Employment	Paper presentation – Ms. Indrani Mazumdar, Centre for Women Development Studies, New Delhi Facilitator- Dr. Preet Rustagi, Institute of Human Development, New Delhi
6.4. Gender, Children and Social Protection	Paper presentation - Antara Lahiri, Social Policy Specialist, UNICEF Facilitator – Ms. Usha Mishra

**1530 hrs – 1730 hrs**

**Session VII: Delivering Gender and Child Sensitive Outcomes: Governance perspective**

**Chair:** Dr. Gyanendra Badgaiyan, Director General, National Centre for Good Governance, Government of India

7.1. Implications for Gender Equality and Child Rights: A macroeconomic perspective	Mr. Subrat Das, Executive Director, Centre for Budget & Governance Accountability, New Delhi
7.2. Can existing institutional mechanisms deliver Gender and Child Sensitive outcomes?	Ms. Swati Maliwal, Chairperson, Delhi Commission for Women, New Delhi
7.3. Making Legislation Work for Women	Ms. Indira Jaising, Director, Women's Rights Initiative, Lawyers Collective, New Delhi
7.4. Financing Gender Equality: Progress & Challenges	Ms. Yamini Mishra, GRB Specialist, Regional Office for Asia & Pacific, UN Women, New Delhi
7.5. Institutions and Strategies for Advancing Child Rights	Ms. Enakshi Ganguly Thukral, Co-Director, HAQ: Centre for Child Rights, New Delhi
7.6. Evaluating Policy/Programme Outcomes: Using a Gender Lens	Ms. Ratna Sudarshan, Institute of Social Studies Trust, New Delhi
7.7. Open Discussion	Moderated by the Chair

**Day III: 30 January, 2016**

**0930 hrs– 1330 hrs**

0930 hrs – 1030 hrs

**Session VIII: Group Work -Finalisation**

*1030 hrs – 1100 hrs – Tea Break*

1100 hrs – 1230 hrs

**Session IX: Presentation on Recommendations**

**Panel :**Mr. Shankar Agarwal, Secretary, Ministry of Labour& Employment, Government of India  
Ms. StutiKacker, Chairperson, National Commission for Protection of Child Rights

1230 hrs – 1330 hrs

**Session X: Concluding Session**

10.1. Summing up	Ms.SarojiniGanju Thakur Ms. Roli Singh
10.2. Closing Remarks	Mr. Shankar Agarwal Ms. StutiKacker Mr. Rajeev Kapoor
10.3. Vote of Thanks	Ms. AswathiSivdas

***Lunch***

## **Annexure 3: List of Participants (Thematic Group Work)**



### **Policy Conclave**

**on**

### **Gender Equality and Child Rights:**

**Sharing knowledge & developing an agenda for action**

**28-30 January, 2016**

**LBSNAA, Mussoorie**

### **THEMATIC GROUP WORK SESSION**

- The group work will focus on the what and the how and suggest a time frame
- will begin with a paper presentation. Each presenter will speak for 10 – 15 minutes, highlighting key issues.
- The group discussion should not be limited to the paper presented.
- Each group is required to choose a rapporteur/presenter from amongst themselves.
- Chair shall moderate the discussion and keep it focused on objectives and recommendations which are to be presented.
- If any group feels that a sub-group is required, they may form one. However, final recommendations must be presented jointly.
- Groups must have a discussion on issues and recommendations relating to both women and children.
- The facilitator is requested to steer the group discussion by raising/highlighting issues, citing the evidence and the current debates around the subject.
- The chair is required to summarise key issues at the end of the session.
- There is dedicated time during the conclave for group work. However, discussion and work can continue outside formal sessions.
- Outer limit for time for final presentation to the plenary is 15 minutes.
- These recommendations will also be shared with Government of India / State Governments.

## **Group Work Template**

The groups may focus on the following for developing an agenda for action in relation to the thematic area:

1. Based on the challenges and issues identified in the discussions, please recommend atleast 5 priorities for action;
  - a. Please also suggest existing institutional and programmatic entry points that would facilitate their implementation including looking at modalities of convergence (if necessary) for effective gender and child sensitive delivery;
  - b. Please note that these priorities for action should emanate from adapting existing programmes and/or suggesting new initiatives.
2. Recommendations should also take note of institutional framework and cross cutting issues and suggest measures that may be categorized as immediate, medium term and long term

### **GROUP MEMBERS**

#### **Violence Against Women & Children Venue: SR-1**

**Paper Presenter:** Ms Flavia Agnes and Ms Audrey D' Mello

**Chair:** Ms. B. Bhamati

**Facilitator:** Ms Suneeta Dhar

1. Shri J R Katwal
2. Dr R K Choubisa
3. Dr Soumya Mishra
4. Dr Mini Nair
5. Prof. Ashokendu Sengupta
6. Shri Manav Jyoti Gagoi
7. Ms T Jeyanthi Rani
8. Shri Ravi Kumar Verma
9. Ms Sonali Khan
10. Ms Leena Prasad
11. Ms Vidya Reddy
12. Ms Emarine Kharbhih
13. Ms Tenzing Choesang
14. Ms Gargi Mishra
15. Ms Swati Maliwal

16. Ms Leelaben B Ankoliya
17. Ms Sony Kutty Geaorge
18. Dr P.M Nair
19. Ms Shashi Prabha Dwivedi
20. Mr Joachim Theis
21. Ms Mononita Kundu Das

**Gender, Children & Social Protection**  
**Venue: SR-6**

**Paper Presenter:** Ms Antara Lahiri

**Chair:** Mr Arun Mathur

**Facilitator:** Ms Gauri Choudhary

1. Ms Stuti Kacker
2. Ms Dheera Khandelwal
3. Ms Misaki Akaseka Ueda
4. Thiru V.M Xavier Chrisso
5. Dr Vijay Kumar
6. Ms B.L Mundhe
7. Ms Kamla Singh
8. Mr. Imamudin Ahmad
9. Mr Manoj Kumar Tripathy
10. Ms Shoba Koshy
11. Mr Achyuta
12. Mr. Arun Kumar Verma
13. Ms Runumi Gogoi
14. Mr. Satoshi Sahoo
15. Ms Karuna Bishnoi
16. Ms Rita Panicker
17. Ms Mohua Nigudkar
18. Ms Amrita Singh
19. Ms Rajeshwari Chandrasekar
20. Ms Nina Nayak
21. Ms Meena Kuruvilla
22. L. Nabakishwar Singh
23. Dr Minal Naravane
24. Mr Manoj Chandran
25. Ms Ratna Sudarshan
26. Ms Enakshi Ganguly.
27. Mr Foroogh Foyouzat

**Health & Nutrition**  
**Venue: SR-4**

**Paper Presenter:** Mr. Satish B Agnihotri

**Chair:** Dr Rajesh Kumar

**Facilitator:** Dr Abhijit Das and Dr Vandana Prasad

1. Mr K.R B H N Chakravarthy
2. Ms Poonam Malakondaiah
3. Dr Usha Bansal
4. Dr Avneet Kaur
5. Ms Sowjanya
6. Ms Archana Rana
7. Ms Sandhya J
8. Ms Purnima Roy
9. Ms Jyotiben Patel
10. Mr Rajiv Kumar Jha
11. Dr A.D Revathy
12. Dr Rajesh Kumar
13. Ms Charu Anand
14. Dr Sabu M George
15. Ms Nina Badgiyan
16. Mr Manish Mathur
17. Dr Abhijit Das
18. Dr Vandana Prasad.
19. Mr. Augustine Veliate
20. Mr Vikash sheel

**Gender & Employment**  
**Venue: SR-5**

**Paper Presenter:** Ms Indrani Mazumdar

**Chair:** Mr Shankar Aggrawal

**Facilitator:** Ms Preet Rustogi

1. Mr S.S Sandhu
2. Mr. Tejinder Singh
3. Ms. Roli Singh
4. Ms. Ratna Sudarshan
5. Ms. Shrin Lokhande
6. Mr Ajeet Kumar
7. Mr K.C Gupta
8. Ms. Kiran Kaushal
9. Mr Pramatha Ranjan

10. Ms.Suman Sharma
11. Ms. Manika Datta Roy
12. Mr. B.K Pandey
13. Ms.Kameshwari Jandhyala
14. Mr P.R Bhattacharya
15. Mr Gyanendra Badigaiyan
16. Ms. Rukmini Tankha
17. Ms Tulsi Debbarma
18. Ms Mamta Riba
19. Ms Kamla
20. Dr. A.S Ramachandra
21. Dr Sachiv Kumar

## **Annexure 4: Bio-Profile of Participants**

### **Bio- Profile of the Chairs/Speakers/Panelists/Facilitators Policy Conclave on Gender Equality & Child Rights: Sharing knowledge & developing an agenda for action 28-30 January, 2016 LBSNAA, Mussoorie**



**Dr. Abhijit Das** is Director of Centre for Health and Social Justice (CHSJ), a policy research and advocacy institution around health and human rights and men and gender equality in India. He is also a Clinical Assistant Professor at the Department of Global Health, at the University of Washington in Seattle USA. He has been actively advocating engaging men within a gender equality framework and working extensively with men in different states of India. He has been involved in setting up MASVAW (Men's Action for Stopping Violence Against Women), a network of men working on gender equality and responding to the issue of violence against women in India as well as a founder of FEM (Forum to Engage Men) and at present co- chair of MenEngage Global Alliance.



**Dr. Anita Ghai** is currently a professor of Disability Studies in School of Human Studies, Ambedkar University. Prior to this, Anita has taught Psychology in Jesus and Mary College, University of Delhi. Her interests lie in the intersection of disability, Psychology and gender. As a Former Fellow at the Nehru Memorial Museum Library, Teen Murti Bhawan, Anita has researched on issues of care of disabled women recipients i.e., their daughters and providers of care i.e. the mothers with leanings towards feminist and disability theory . Anita has been the former President of the Indian Association for Women's Studies. She has authored *Re thinking disability in India*, Routledge, New Delhi (2015) *(Dis)Embodied Form: Issues of Disabled Women* (2003) and co-authored *The Mentally Handicapped - Prediction of the Work Performance* with Anima Sen.



**Ms. Antara Lahiri** is the Social Policy Specialist for UNICEF India, based in Delhi. She focuses on social policy issues with special emphasis on social protection measures for children. She is a Fulbright-Nehru Scholar, with a degree in Master of Public Administration from Harvard University's Kennedy School of Government, and has previously worked as a lawyer. Her work has been focused on social policy analysis and research, with a special emphasis on child and gender policy. She has had extensive professional experience across a range of national and international organisations, including UNICEF Indonesia, World Bank, (Washington DC), and Ashoka: Innovators for the Public.



**Ms. Audrey D'Mello** joined Majlis in 2007 as its programme director. She has a degree in law from the Bombay University and a post graduate degree in management (specialisation in Governance and Accountability) from Narsee Monjee Institute of Management Studies (NMIMS). Apart from streamlining the existing programmes of Majlis around access to justice, her main contribution has been to evolve Majlis' collaborations with the Department of Women and Child Development, Government of Maharashtra in two important areas MOHIM a Cell for monitoring the implementation of the Protection of Women from Domestic Violence Act and RAHAT a pilot project in Mumbai for providing support to survivors of sexual violence and bringing in systems for state accountability towards victim.



**Ms. B Bhamathi** is a retired IAS. Ms. Bhamathi is currently serving as Administrative Member of Central Administrative Tribunal, Mumbai Bench. She belonged to the 1979 batch of the IAS of Bihar Cadre. Hailing from Tamil Nadu, she holds Master's Degree in English Literature and in Rural Development, M.Phil in women studies & MBA in Disaster Management. She has served in the Ministry of Home Affairs (2006-2012) as Joint Secretary and Additional Secretary. She has also served in the Ministry of Women and Child Development Department. She was absorbed as General Administrator with bilateral and multilateral bodies such as UNICEF, DANIDA, UNFPA and UNDP Regional Office of South and South East Asia. Besides Government and UN bodies, she has worked closely with NGOs and other civil society

partners. She has worked with Hon'ble Chief Justices of various High Courts in organizing Judicial Colloquia on anti-human Trafficking. She has written and published materials in her area of expertise.



**Dr. Binayak Sen** is currently a Research Director of the Bangladesh Institute of Development Studies (BIDS)—the premier public think-tank of the country. He did his MA in Economics from the Moscow State University and his PhD in Economics from the Institute of Oriental Studies of the Russian Academy of Sciences. He has been a Senior Economist in the South Asia Region of the World Bank as a regular staff member, and a Visiting Research Fellow at the Research Administration Department of the World Bank. He has served as a consultant for the Asian Development Bank, UN-ESCAP, UNDP and the WHO. Binayak has played an active role in various high-level national committees and commissions for the government of Bangladesh during the last two decades. He has been a Member of the Panel of Economists of the Sixth Five Year Plan of Bangladesh (2010-11), Member of the Public Expenditure Review Commission (2002-04), and Lead Consultant for the preparation of the Interim PRSP (2001-03). He was a Member of the Macroeconomic Consultative Committee to the Ministry of Finance—a Consultative Body to the Finance Minister, Govt. of Bangladesh—during 1997- 2001. He has also taught at the graduate and undergraduate levels at North South University, BRAC University, Dhaka University and National University in the past two decades. He has been awarded the Mercantile Bank Bangladesh award in the field of development economics in 2011.



**Ms. Dheera Khandelwal** is an IAS of 1986 Haryana Cadre. She is currently Additional Chief Secretary to Government of Haryana, Technical Education and Women & Child Development Department. She is a Law Graduate with an M Phil and post graduate in History. She also has a diploma in Astrology. She has a number of publications in Hindi poetry.



**Ms. Enakshi Ganguly Thukral**, is a development researcher and a human rights activist since 1985. She co-founded HAQ: Centre for Child Rights in 1999. Prior to this, she has worked as Assistant Project Officer in Indian Social Institute; Deputy Director of Delhi based Multiple Action Research Group, and later, as the Executive Director of Mobile Crèches-India and Project Director in Population Council. She has also been a consultant to national and international organizations. Over the years, Enakshi has been involved in Research, Advocacy and Training on wide-ranging socio-legal issues such as development induced displacement and those concerning

women and children, including women in the unorganised sector, legal rights, and reproductive health. She has been awarded the Ashoka Fellowship in recognition of HAQ's work on children and profiled in a book entitled WOMANKIND: Faces of Change Around the World by Donna Nebenzahl (text) and Nance Ackerman (photographs) (Raincoast Books, Vancouver).



**Ms. Flavia Agnes** is a legal scholar and women's rights lawyer, co-founder of Majlis and currently the Director of the Majlis Legal Centre. A pioneer of the women's movement, she has worked consistently for over thirty years on issues of violence against women. As Director of Majlis Legal Centre which provides quality legal services to women and children, she has helped to secure the rights of thousands of battered women in Mumbai as well as across Maharashtra. Her widely published writings have provided a vital context for feminist jurisprudence, human rights law and gender studies in India. Significant among her many publications are '*Law & Gender Inequality - The Politics of Personal Laws in India*' (1999), '*Women and Law*' (co-edit) (2004), '*Family Law*' (two volumes) - a prescribed text book for law students (2011), '*Negotiating Spaces*' (2012 (co-edit)). (Publishers OUP, India) She also contributes articles to academic journals such as the *Economic and Political Weekly* and various daily newspapers and also has a column in Asian Age.



**Prof. Gita Sen** is Development Economist at the Centre for Public Policy, IIMB and Adjunct Professor of Global Health and Population, Harvard School of Public Health. Her research areas are broadly on human development with a focus on Health, Population, Gender and Development, and Inequality. Her research has been extensively published nationally and internationally. She is on a number of national and international boards and committees, including the Mission Steering Group of the National Rural Health Mission and on the Governing Body of the National Health Systems Resource Centre. She is the President of the Health Economics Association of India. She has worked over many years with different agencies of the United Nations System and has been intensively involved in the UN sponsored discussions on the Post 2015 Development Agenda. She has received the Volvo Environment Prize in 1994 for her work on gender and population, and honorary doctorates from the University of East Anglia, Sweden's Karolinska Institute, the Open University (UK), University of Sussex and University of Edinburgh.



**Ms. Indira Jai Singh** started her legal practice in the early 1960s. She was the first woman to be designated a Senior Advocate by the High Court of Bombay. Since the commencement of her career, she has been interested in Woman's Issues. Indira has worked tirelessly on the issue of dowry deaths to protect women from violence in the home. She worked to create a new law on Domestic Violence. The Government of India passed the Protection of Women From Domestic Violence Act in 2005. She was elected to represent India to the United Nations on the committee for the Elimination of all forms of Discrimination Against Women and served in that capacity from 2009 to 2012. She was the first woman to be appointed Additional Solicitor General of India in 2009 and served in that capacity till 2014 representing the Government in the Supreme Court of India. She is the founder Secretary of the Lawyers Collective an organization, which provides legal services to women and children. The President of India awarded Padma Shree to Ms. Indira Jaising in 2005.

**Ms. Indrani Mazumdar** is Senior Fellow and Associate Professor at the Centre for Women's Development Studies, New Delhi. She has extensive experience in the field of women and employment, particularly gender and migration. She has contributed a number of policy briefs and working papers on these critical issues.



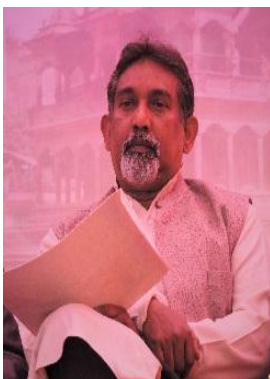
**Ms. Kameshwari Jandhyala** has worked on women's education, empowerment and livelihood issues for over 20 years. She was the first Director of Mahila Samakhya Andhra Pradesh and Consultant to the National Office of Mahila Samakhya in Department of Education, GOI. She is a keen researcher and has significant experience in qualitative research and programme development in education (women's education), women's studies and gender and development issues. In addition to several publications, her recent book, entitled, 'Cartographies of Empowerment' explores broad gender issues grounded within the field experience of Mahila Samakhya providing insights into its workings at different levels, its conceptual challenges, strategic choices, the opportunities and pitfalls of partnership with government and, above all, the willingness of poor women to come together voluntarily to address and overcome gender barriers.



**Mr. Louis-Georges Arsenault**, UNICEF Representative to India, is responsible for the overall coordination, the development, formulation and management of the UNICEF Country Programme of Co-operation. He leads the policy dialogue and advocacy with the government and other partners for the enhancement of the survival, protection, development and participation of children and women in national development efforts and the achievement of the Millennium Development Goals. Prior to joining UNICEF, Mr. Arsenault worked for the Canadian University Services Overseas (CUSO) as Regional Director for West Africa based in Togo. Louis-Georges Arsenault is a national of Canada, he graduated in International Public Administration from the l'Ecole Nationale d' Administration Publique de Montreal in Canada.



**Ms. Nina P. Nayak** is a professionally trained social worker who remains a staunch advocate for child rights in India for over three decades. She has served as an administrator, practitioner, policy and law analyst, writer and trainer and served as a Member of the National Commission for Protection of Child Rights, Chairperson of the Karnataka Commission for Protection of Child Rights and Chairperson of the Child Welfare Committee, Bangalore Urban District. She has also served as the Secretary of an international working group that drafted Guidelines for practice for National and International Adoption and Foster Family Care. Currently Ms. Nayak is engaged as a trainer and writer on child protection issues.



**Mr. N. Paul Divakar** is an advocate for Dalit rights, Economic Rights Expert, and Human rights defender. He is one of the founding members of the National Campaign on Dalit Rights and is currently the General Secretary, of Dalit Arthik Adhikar Andolan of the National Campaign on Dalit Human Rights (NCDHR). He also serves as the Chairperson of the Asia Dalit Rights Forum which works in the South Asia region to ensure inclusion and to address issues of untouchability and caste based discrimination. He has also been the former Convenor of a network called Wada Na Todo Abhiyan, a platform in India articulating the concerns of Governance accountability and inclusion. He is also on the Executive Board of Amnesty International. He has been actively engaging with the communities in strengthening access to justice, gender concerns.



**Dr P. K. Prabhakar** is presently working as Deputy Commissioner at the Child Health Division of Ministry of Health and Family Welfare, Government of India looking after especially, the New Born Health programmes. He is a medical graduate with post –graduate qualifications in Paediatrics from Delhi University and Health Systems Management. He has rich experience as clinician, working in paediatrics and neo-natal care for 15 years in hospitals under Central Health Services and as program manager at the Ministry for over 4 years working in the areas of child and new-born health.



**Dr. P.M. Nair**, M.A (Sociology), LLB, PhD (Victimology), is a career police officer with the Indian Police Service since 1978. After 35 years of service in the IPS in various capacities in Bihar, CBI, NHRC, UNODC, CRPF, etc., he retired in 2013 as the Director General of National Disaster Response Force (NDRF) and Director General of Civil Defence, Government of India. He served Bihar for more than 15 years in various capacities from SP to IG. He served CBI for 10 long years. With the first crime of child trafficking for labour investigated by him in 1982, his avowed mission of preventing and combating human trafficking is continuing to move ahead with zeal, speed and impact. He has contributed to innumerable national and international conferences and training programmes on child rights, women’s rights, disaster management, good governance etc. His latest book, “Human Trafficking: Dimensions, Challenges & Responses”, (Konark Publishers), was released by the Home Minister of India.



**Dr. Preet Rustagi** is Faculty at the Institute for Human Development, New Delhi. Her areas of research interests include work, employment and institutions; gender development indicators; crimes against women; women’s equality and empowerment; urban poverty; children’s education and work; child well-being and deprivations; and food security. She has been pursuing intensive district level analysis for the country to examine gender inequalities and discrimination against women and has also worked on the South Asian region. She is an associate editor of the Indian Journal of Human Development, a bi-annual publication of the IHD and also an associate editor of the Indian Journal of Labour Economics, a quarterly publication of the Indian Society of Labour Economics.



**Ms. Ratna Sudarshan** joined NUEPA as a National Fellow in November 2013 and is doing research on understanding the role of education in bringing about gender equality and social change, with special focus on the linkages between women's work, the informal economy, and education. She was Director of the Institute of Social Studies Trust, New Delhi, from 2003 to 2011, and worked at the National Council of Applied Economic Research from 1995-2003; she was a member of the Working Group of Feminist Economists set up by the Planning Commission for the Eleventh and Twelfth Plan, and of the Gender Sub Group for engendering the BPL Census 2011, Ministry of Rural Development; she participated as a GOI Nominee in the 11th and 12th Joint Review Mission of Sarva Shiksha Abhiyan, as a member of the National Resource Group, Mahila Samakhya (2007-11), and has been a consultant to several international agencies including the ILO, WIEGO and UN Women. She has an MA in Economics from the Delhi School of Economics and an MSc in Economics from the University of Cambridge.



**Dr. Rebecca Reichmann Tavares** is the Representative of UN Women's Multi Country Office for India, Bhutan, the Maldives and Sri Lanka. Previously, Dr. Reichmann Tavares was Representative for Brazil and Regional Programme Director of UN Women's Brazil & Southern Cone Office (2009-2013). A native of Southern California, Dr. Reichmann Tavares graduated from Yale University and holds a doctorate from the Harvard Graduate School of Education. She has published several books, monographs and articles on race relations in Brazil, women's rights, and microfinance in Latin America.



**Mr. Santosh Desai** is the CEO and Managing Director of Futurebrands India Ltd. Before taking up this assignment, he was the President of McCann-Erickson, one of India's premier advertising agencies. A post-graduate from IIM Ahmedabad, Santosh spent 21 years in advertising and was strategically involved in building key brands for a range of local and multinational clients. He has been a guest lecturer at various national & international universities and has addressed the

global management boards of several multinationals including Microsoft, Philips, Hershey's, Unilever, Coke and Reckitt Benckiser. His principal area of interest lies in studying the relationship between culture and brands. He has been writing a weekly column for the Times of India for over a decade and is author of Mother Pious Lady- Making Sense of Everyday India, a book that examines how the everyday life of middle class India has evolved.



**Ms. Sarada Muraleedharan** is IAS officer Kerala 1990 batch, who is presently posted as Joint Secretary, Ministry of Panchayati Raj, Kerala. She has been promoted to the rank of Principal Secretary in Government of Kerala. Ms Sarada Muralidharan is the former Executive Director of Kudumbashree. She has worked extensively in the fields of Rural Development , Livelihood, Gender Empowerment and Inclusive Development



**Dr. Satish Agnihotri** is a career bureaucrat. He recently retired as Secretary (Coordination & Public Grievances), Cabinet Secretariat. Prior to this he was Secretary, Ministry of New & Renewable Energy. He has been a member of the Dharendra Singh Committee on 'Make in India in Defence Sector', Currently the Co-Chair of the Raman Puri Committee set up by MoD on Quality issues in Ordnance and also the Chairman of the MNREGA Awards Committee - 2016. He also held other important assignments such as Director General (Acquisition) in the Ministry of Defence of the Government of India, Additional Secretary cum Financial Adviser in the Ministry of Agriculture and Director General of Shipping in Mumbai. He has worked as Secretary, Women and Child Development in Odisha and has also worked with UNICEF, Kolkata as Consultant on Child Nutrition and Health. He is an IAS officer of Odisha cadre from the 1980 batch. He has done his Master's degree in Physics followed by M.Tech in Environment Science and Engineering from IIT, Bombay. He later did an MA in Rural Development followed by a Ph.D on sex ratio patterns in Indian Population from School of Development Studies, University of East Anglia, Norwich UK.



**Mr. Shankar Aggarwal** is Secretary, Ministry of Labour & Employment, Government of India since February 2015. Mr. Aggarwal received a Bachelor of Engineering degree in Electronics and Communications from the University of Roorkee (now IIT Roorkee) in 1977 and Masters degree in Computer Technology from IIT, Delhi in 1979. He has recently held the posts of Jt./Addl. Secretary, Department of IT; Addl/Spl. Secretary, Ministry of Defence. He was appointed Secretary, Ministry of Women & Child Development in May 2014 wherein he started many innovative measures such as Amendments in Juvenile Justice Act, establishment of Nirbhaya Centres etc. He was appointed Secretary, Urban Development, Govt. of India in August 2014. He is also responsible for the improvement and implementation of Urban Transport Sector programmes in the Country and was the Chairman of Metro companies of Delhi, Bangalore, Kochi, Mumbai and Chennai.



**Ms. Stuti Kacker** is Chairperson of the National Commission for Protection of Child Rights. Ms. Stuti has a Bachelor of Science and Master of Science degree. She has an M Phil in Public Administration from Indian Institute of Public Administration. She joined the IAS in 1978 and is from U.P cadre. In over 36 years of service, she has held progressively responsible positions at the centre and state governments.



**Mr. Subrat Das** is serving as the Executive Director of Centre for Budget and Governance Accountability (CBGA) since 2010. CBGA is an independent policy research organisation based in New Delhi, which analyses government finances in India and promotes transparent, accountable and participatory governance in the country. Subrat has worked extensively on government financing of social sectors, fiscal policy and social inclusion, and some of the structural issues in the federal fiscal architecture in India. A major part of his work in these areas has been towards creating spaces for transparency and accountability through rigorous analysis of government budgets, and he has also tried to foster people's participation on these complex issues by demystifying them. He studied Economics at Jawaharlal Nehru University, New Delhi.



**Ms. Suneeta Dhar** is the Director of Jagori, a Women's Resource Centre in New Delhi. She has been working on women's rights and gender equality for over three decades. She has earlier worked with UNIFEM, at their Delhi and New York Offices on regional and global initiatives. Jagori works with women living on the margins of society, in urban and rural areas, on issues of ending violence against women, rights and entitlements and leadership development. Jagori has pioneered the *Safer Cities Campaign in Delhi* and is a partner of UN Women on their global safe cities initiative. Jagori was awarded the Roland Berger Award for Human Dignity - 2013.



**Ms. Swati Maliwal** is an Indian social activist for the past 10 years and currently the Chairperson of Delhi Commission for Women. In her short tenure as the Chairperson of the Delhi Commission for Women, she has initiated several programs for safeguarding the women and girls of Delhi. Ms. Maliwal has strongly advocated for anti-trafficking initiatives. She and her team have also been instrumental in rescues of several minor women from brothels, houses and factories where women are forced to work against their will. Prior to this, she has been the Advisor to the Chief Minister of Delhi, Mr. Arvind Kejriwal and was instrumental in setting up a proper grievance management system within the Delhi Government. She has been a Campaigner with Greenpeace on sustainable agriculture. She was one of the founder leaders of the India against Corruption Movement and was the youngest member of the Core Committee of the movement. She has also done immense work on the Right to Information Act.



**Ms Usha Mishra** is Chief of Policy, Planning, Monitoring and Evaluation, UNICEF Afghanistan. She carries fifteen years of experience in international development in senior management, social protection and policy analysis gained with the UN, DFID, Oxfam GB and the corporate sector. She has worked with government ministers and top civil servants in reforming and strengthening national delivery systems in Asia, Africa and Europe. Prior to joining UNICEF Afghanistan, she worked in Bangladesh, Ethiopia, CIS countries, Cambodia and Tanzania. She has written several papers on social protection.



**Dr. Vandana Prasad** has been the Founding Secretary, PHRS and is currently the National Convener of the Public Health Resource Network. Dr. Prasad has been a social activist and social worker for over two decades and has vast experience in health and development. She has been closely associated with many national health movements like People's Health Movement-India (Jan Swasthya Abhiyan), Mobile Crèches, Right to Food Campaign etc., to name a few. She has served as a Member (Child Health, Welfare and Development), National Commission for Protection of Child Rights from 2012 to 2013. Dr. Prasad is a community pediatrician with an MRCP from UK. Her special areas of interest are child health and nutrition, specifically in the areas of early childhood care and development with particular focus on training, research and advocacy. She has published many papers and articles in the leading journals and magazines



**Ms. Yamini Mishra** is the Regional Gender Responsive Budgeting (GRB) Specialist for Asia Pacific for UN Women. In her current role, she serves as a Policy Advisor, providing technical support on GRB to various stakeholders in Asia Pacific including member states, regional bodies (such as ASEAN and Pacific Islands Forum); UN Agencies and to CSOs. She has been invited by the government to be on several important committees, including the Feminist Economist Committee set up by the Planning Commission of India. Before joining UNWOMEN, Yamini was the Executive Director, Centre for Budget and Governance Accountability (CBGA), an organisation which does cutting edge work on governance issues using budget analysis as the entry point. Prior to this, Yamini worked with the Asia Pacific Forum on Women, Law and Development in Chiangmai, located in Thailand, a regional women's rights network. Yamini has written and published several articles and reports in mainstream newspapers and reputed academic journals.

## Bio Profile of the Core Team



**Mr. Rajeev Kapoor** is an officer of the Indian Administrative Services (IAS), of Uttar Pradesh cadre. He has a B. Tech in Electrical Engineering from IIT Kanpur 1979 batch, PGDBA from IIM, Ahmedabad 1981 batch, and Master in Public Policy from Princeton University, USA. He joined the Academy as Director in May, 2014. Prior to this, he was Principal Secretary to the Governor of UP. Earlier, Mr. Kapoor served the state government of UP in various capacities in the departments of Agriculture, Finance, Public Works, Energy, Technical and Vocational Education, Development Banking, Industry and Health. He also served the Government of India as Deputy Director in LBSNAA, as Director in the Department of Fertilizers and as Joint Secretary in DoPT. He has also worked as Governance Adviser with DFID, UK for three years.



**Ms Sarojini Ganju Thakur** is currently working as Chairperson, Himachal Pradesh Private Educational Institutions Regulatory Commission established by the Government of H.P. Her principal interests and work are in the field of gender, livelihoods and environment. She retired from the IAS (HP cadre -1977) as Additional Chief Secretary in April 2011. Prior to her latest stint in H.P. government she worked with the Commonwealth Secretariat in London from 2004-2008 as Adviser and Head of the Gender Section where her remit primarily focussed on gender responsive budgets, microfinance, and gender and trade; and in DFID, India as a Rural Livelihoods Adviser from 2001-2004. She worked as Joint Secretary in Govt. of India in the Ministry of Women and Child Development and also as Deputy Director in LBSNAA, Mussoorie where she established the National Gender Centre and mainstreamed gender training inputs at the Academy. She has worked on various aspects of gender for a number of bilateral and multilateral organisations including UN WOMEN, UNICEF and DFID.



**Dr. Gyanendra Badgaiyan** served in the IAS for about 20 years in the AGMUT cadre. Dr. Badgaiyan has a PhD from Princeton University and MPhil in Economics from Cambridge University. After taking voluntary retirement from the IAS, he worked at UN University WIDER in Helsinki, World Bank at Washington DC and UNDP as their Chief Economist. He presently serves as DG of NCGG.



**Ms. Roli Singh** is a graduate in History (Hons.) from Lady Shri Ram College (1989) & PG in History from Delhi University (1991) and MSc in Public management and Governance from London School of Economics. She belongs to the 1994 Batch of the IAS of Rajasthan cadre. She has held various administrative posts in the Govt. of Rajasthan as Sub Divisional Magistrate Ajmer from 1994-98, Deputy Secretary Finance from 1998-1999 and Secretary Rajasthan Public Service Commission from 1999-2002. She was Project Director of two World Bank Projects on Poverty Alleviation and Health Systems Development respectively. She has also held the post of District Magistrate Karauli, Dausa and Ajmer between 2004-2007. Before joining the Academy in March 2011, Smt. Singh was Director (Services)-I Dept. of personnel and Training Govt. of India. She headed the National Gender Centre from 2011 - 2013 and 2015 - 2016.



**Mr. Tejinder Sandhu** is Governance Manager at UNICEF India Country Office since Feb 2013. Prior to joining UNICEF, Mr. Sandhu worked in the Indian Administrative Services (1981) in Rajasthan with over a decade of experience in administration and public affairs, focused on municipal and urban administration and the eradication of guinea worm. He was Administrator of the then Jaipur Municipal Council and also the Director of NCR Rajasthan in the late 1980s. He started his career with UNICEF at the Bihar office where he led the education programme for twelve years, initiating India's first externally aided education programme-the Bihar Education Project. He then moved to the national office at Delhi and worked in the Strategic Planning, Monitoring and Evaluation Section where he served for over six years. He was the Chief of UNICEF Mumbai Field Office between November 2009 and February 2013. He has a Master's degree in Political

Science from Delhi University.



**Ms Aswathi Sivdas** is an Indian Administrative Service officer, currently working as Executive Director of National Gender Centre and Deputy Director at LBSNAA. After completing MA in Economics from Madras Christian College and M. Phil from Hyderabad Central University, she joined the Indian Administrative Services in the year 2003. Having allotted Odisha Cadre, she started her official career as Sub Collector Baripada (2005-2007). Since then she has served Government of Odisha in various capacities.



**Ms. Anjali Chauhan** is an Associate Professor at the National Gender Centre, LBSNAA, Mussoorie. She has been involved in importing training on gender issues since last 19 years. A Law graduate and with an MA in Sociology, Ms. Chauhan has undergone special training on women and micro credit at Durham University, United Kingdom as a master trainer. She has conducted various courses as a capacity building strategist in collaboration with UNICEF, UNFPA, UNDP and State Administrative Training Institutes. She specializes on issues related to women such as gender, gender based violence, women empowerment and reproductive rights and has been involved in these issues as a researcher as well as trainer.



**Dr. Bhumika Jhamb** is Project Officer for Gender Responsive Budgeting at the UN Women Office for India, Bhutan, Maldives and Sri Lanka. Prior to this, she was at the Centre for Budget and Governance Accountability as Senior Programme Officer. She has a Ph.D from Delhi University. She has been actively involved in gender responsive budgeting efforts of the Government of India and sub national governments. She has also been engaged actively in strengthening GRB efforts of several countries in the Asia-Pacific region.

## **Programme Support Team**

**Ms. Sangeeta Bisht ,NGC LBSNAA**

**Ms. Rakhi Singh, UN Women,**

**Mr Amod Yadav, NGC LBSNAA**

**Ms Shrijna Dixon, , UN Women**

**Mr Chandan Singh ,NGC LBSNAA**

**Mr. Ganesh Gusain, LBSNAA**

**Mr. Dev Rana, LBSNAA**

**Mr. Mahavir Singh, LBSNAA**



**Policy Conclave  
on  
Gender Equality and Child Rights:  
Sharing knowledge & developing an agenda for action  
28-30 January, 2016  
LBSNAA, Mussoorie**

