



GSLV Mark III

1. Introduction:

The status of women in India has been subject to many great changes over the past few millennia. From equal status with men in ancient times through the low points of the medieval period, to the promotion of equal rights by many reformers, the history of women in India has been eventful. In modern India, women have held high offices including that of the President, Prime Minister, Speaker of the Lok Sabha and Leader of the Opposition. However, women in India continue to face atrocities such as rape, acid throwing, dowry killings, and the forced prostitution of young girls.

Traditions such as Sati, Jauhar, and Devadasi among some communities have been banned and are largely defunct in modern India. However, some instances of these practices are still found in remote parts of India. Child marriage remains common in rural areas, although it is illegal under current Indian law.

The condition of women in India has always been a matter of grave concern. Since the past several centuries, the women of India were never given equal status and opportunities as compared to that of their male counterparts. The patriarchal nature of Indian society, which even though gives respect to women as they are our mothers and sisters, has greatly hampered both the independence as well as the safety of women. Women in India continue to face violence from womb to the tomb. While in womb they face the ever looming threat of feticide and after birth, they are subject to various forms of violence and harassment at different points of their lives, at the hands of different actors, ranging from their parents to their husbands to the members of general public to their employers.

This state of affairs exists even when the Constitution of India guarantees to all Indian women equality (Article 14), no discrimination by the State (Article 15(1)), equality of opportunity (Article 16), and equal pay for equal work (Article 39(d)). In addition, it allows special provisions to be made by the State in favor of women and children (Article 15(3)), renounces practices derogatory to the dignity of women (Article 51(A) (e)), and also allows for provisions to be made by the State for securing just and humane conditions of work and for maternity relief (Article 42).

Despite all these constitutional and legal measures there is lot of atrocities and injustices prevailing in India. It is an irony that, a country where religious and cultural traditions keep women in high esteem, and women are worshiped in the form of many deities, atrocities against them are on the rise. According to 1992-93 figures, only 9.2% of the households in India were headed by females. However, approximately 35% of the households below the poverty line were found to be headed by females.

Every single day single women, young girls, mothers and women from all walks of life are being assaulted, molested, and violated. The streets, public transport, public spaces in particular have become the territory of the hunters. While the ones already hunted down weep in silence or in disdain, the rest fight their way to a basic life with dignity. There is an unspoken war on the streets. Young school and college going girls use books to shield themselves, other women wear full-covered attire to protect their bodies, and others avoid the mere glance of the roving gaze.

We don't need to look at statistics to confront the horrid truth. News stories of women from all over India being raped, beaten, killed are flashed across us day after day – and we all are aware of it. The fatal Nirbhaya gang-rape saw an outpouring on the streets of Delhi – protests decrying the fragile status of women in India. Candle light marches, editorials examining the patriarchal and sexist traditions of our country, an awakening on social media – even conversations on streets revolve around the night they cannot forget: the night that took Nirbhaya.

Before going into the various dimensions of crimes against women and causes thereof let's first trace a brief history of Women's movement in India.

2. Movement for women's welfare and security:

Feminist activism in India gained momentum in the late 1970s. One of the first national-level issues that brought women's groups together was the Mathura rape case. The acquittal of policemen accused of raping a young girl in a police station led to country-wide protests in 1979-1980. The protests, widely covered by the national media, forced the Government to amend the Evidence Act, the Criminal Procedure Code, and the Indian Penal Code; and created a new offence, custodial rape. Female activists also united over issues such as female infanticide, gender bias, women's health, women's safety, and women's literacy.

Since alcoholism is often associated with violence against women in India, many women groups launched anti-liquor campaigns in Andhra Pradesh, Himachal Pradesh, Haryana, Odisha, Madhya Pradesh and other states. Many Indian Muslim women have questioned the fundamental leaders' interpretation of women's rights under the Shariat law and have criticized the triple talaq system.

In 1990s, grants from foreign donor agencies enabled the formation of new women-oriented NGOs. Self-help groups and NGOs such as Self Employed Women's Association (SEWA) have played a major role in the advancement of women's rights in India. Many women have emerged as leaders of local movements; for example, Medha Patkar of the Narmada Bachao Andolan.

The Government of India declared 2001 as the Year of Women's Empowerment (*Swashakti*). The *National Policy for the Empowerment of Women was launched in 2001*. Under this policy various policies and programmes were launched for the empowerment of women. Of late under this policy, the ongoing policies for women empowerment were merged for better coordination.

Despite all these, there is an unspoken truth that women in India are subjected to lot of hardships. Perhaps, the biggest crime against humanity is perpetrated against women, threatening their safety and security. Let's discuss some crimes against women.

3. Domestic Violence:

Domestic violence, or intimate partner violence (IPV) as it is sometimes called, is a worldwide problem. Cultural and household stress factors contribute to the prevalence of domestic violence, and it has been argued that these factors need to be thoroughly addressed through such channels as the institutionalization of routine screening for warning signs of domestic violence by health professionals, legislation (along with feasible mechanisms for enforcement), and support and empowerment stemming from women's groups.

Domestic violence in India is endemic. *Around 70% of women in India are victims of domestic violence, according to a former Union minister for Women and Child Development*. This all occurs despite the fact that women in India are legally protected from domestic abuse under the *Protection of Women from Domestic Violence Act*. There may be different types of domestic violence; some of them are discussed below.

Forms of Domestic Violence:

- (a) **Physical injury:** It is the most visible form of domestic violence. The scope of physical domestic/intimate partner violence includes slapping, pushing, kicking, biting, hitting, throwing objects, strangling, beating, threatening with any form of weapon, or using a weapon. Physical injuries as a result of domestic violence against women are more obvious than psychological ones, and can be more easily discerned by health professionals as well as courts of law in the context of legal prosecution.
- (b) **Emotional abuse:** It has been gaining more and more recognition in recent years as an incredibly common form of domestic violence (and therefore a human rights abuse) within the private home throughout developing nations such as India. Psychological abuse can erode a woman's sense of self-worth and can be incredibly harmful to overall mental and physical wellbeing. Emotional/psychological abuse can include harassment; threats; verbal abuse such as name-calling, degradation and blaming; stalking; and isolation.
- (c) **Sexual assault:** It is another common form of domestic violence. Sexual violence can include a range of forceful and non-forceful acts including unwanted kissing, touching, or fondling; sexual/reproductive coercion; rape; and marital rape. Abuse is found to be most common among men who also had extramarital affairs, and among those who had STD symptoms. Abusive sexual behaviors were also found to be correlated with an elevated rate of unplanned pregnancies. In 2013, a court in Mumbai ruled that depriving a woman of sex is a form of cruelty.

Effects of Domestic Violence:

Women suffer many types of physical and emotional abuse as a result of illegal actions taken within the private home, and those who have experienced some form of domestic violence tend to have greater long-term mental disorders and drug dependencies than those who do not. In India, reducing domestic violence is imperative not only from an ethical and human rights perspective but also because of obvious instrumental and immediate health benefits that would be gained from such reduction. In more specific terms, following are some of the effects of domestic violence:

- (a) Women who experience domestic violence overwhelmingly tend to have *greater overall emotional distress, as well as disturbingly high occurrences of suicidal thoughts and attempts*. According to a study by the National Centre for Biotechnology Information, suicide attempts in India are correlated with physical and psychological intimate partner violence.
- (b) *Serious health problems* often result from physical, emotional, and sexual forms of domestic violence. Physical health outcomes include: Injury (from lacerations to fractures and internal organs injury), Unwanted Pregnancy, Gynecological problems, Miscarriage, etc. *Mental health effects* can include depression, fear, anxiety, low self-esteem, sexual dysfunction, etc. *Fatal effects* can include suicide, homicide, maternal mortality, etc.
- (c) *Negative public health consequences* are also strongly associated with domestic violence. Social and economic costs have been identified as direct results of these public-health consequences, and it is argued that these justify state action to act in the interest of the public to reconcile these costs (specifically including costs such as worker earnings and productivity, public healthcare, and costs associated with the criminal justice system).

The act of domestic violence towards women is a human rights violation as well as an illegal act under Indian law. It is, therefore, widely considered a threat to women's agency through any lens, and there is a growing recognition in many Indian regions that the nation can reach a higher potential through obtaining greater social and economic capital than by reducing women's participation in society. Domestic violence is one of the most significant determinants of this denial. Greater gender equality through greater women's agency cannot be achieved if basic health needs are not being met and if cultural biases that allow for domestic violence in India persist.

Causes of Domestic Violence:

Just as domestic violence is a multifaceted problem in India, the causes are also multifarious. Some of them discussed below.

- (a) Domestic violence often happens in India as *a result of dowry demands*. There are strong links between domestic violence and dowry, a cultural practice deeply rooted in many Indian communities, which is the money, goods, or property the woman/woman's family brings to a marriage to now become under the ownership of the husband. *There is a negative correlation between dowry amount and inter-spousal violence, indicating the potential dangers of a wife falling short on dowry payments or expectations.* These dangers include not only common physical and emotional abuse such as hitting and continual degradation, but in some cases dowry death and bride burning as a result of the husband's dissatisfaction with the dowry payment.
- (b) There are three main aspects of the patriarchal household structure in India that affect women's agency: marriage, active discrimination by means of abuse (marital or extramarital), and diminished women's agency through limited economic opportunity through stifled opportunity for independence. In all these dimensions, there is a clear relationship between strong patriarchal familial structures and limited capabilities and agency for women, which are strongly correlated with causal factors for domestic violence such as gender disparities in nutritional deprivation and a lack of women's role in reproductive decisions.
- (c) There is widespread hesitation amongst most Indian women who experience domestic violence to report or prosecute against such crimes. A major reason for this reluctance is the patriarchal structure that is the framework for the vast majority of households in India and the misconception that it is almost always the woman's fault for provoking domestic abuse that such abuse occurs. The results of this hesitancy to report cases is clear in that reported data overwhelmingly tends to underestimate actual prevalence of occurrences of domestic violence.
- (d) Domestic violence is often not handled as a legitimate crime or complaint, but more of a private or family matter. Caste, class, religious bias and race also determine whether action is to be taken or not. Other factors responsible for domestic violence include socio-economic class, educational level, and family structure beyond the patriarchal framework.

Measures for tackling Domestic Violence:

Protection of Women from Domestic Violence Act 2005: The Domestic Violence Act of 2005 provides victims of abuse with a means for practical remedy through prosecution. Domestic violence is currently defined in India under Section 3 of this Act. This Act prescribes stringent punishment for domestic violence. However, the Domestic Violence Act of 2005 has been reportedly used against men in some cases, though the vast majority of cases involve abuse of a woman. The Delhi High Court clarified that the Act could also be used to prosecute women.

Despite this law in force, most of the women continue to suffer domestic violence in silence may be because the women in India are expected to idealize the character of Sita and Savitri. Though, there is no harm in this but when it comes to unnecessary subjugation and crime against women, they have to take upon themselves to raise the voice. However, in some cases where women have taken the mantle, the Indian judicial system has failed them. On the top of that, there are some crimes which are still not covered under any of the Indian law, like marital rape.

Domestic violence is not the only crime faced by women; some of the others are discussed in subsequent parts of this write up.

4. Dowry demand and dowry death:

In Indian subcontinent, dowry is the payment in cash or some kind of gifts given to a bridegroom's family along with the bride. The dowry system is thought to put great financial burden on the bride's family. *Historical records suggest that dowry in ancient India was insignificant, and daughters had inheritance rights, which by custom were exercised at the time of her marriage. However, dowry has become a prevalent practice in India's modern era.*

There are variations on dowry prevalence based on geography and class. States in the north are more likely to participate in the dowry system among all classes, and dowry is more likely to be in the form of material and movable goods. In the south, the bride price system is more prevalent, and is more often in the form of land, or other inheritance goods. This system is tied to the social structure of marriage, which keeps marriage inside or close to family relations.

Dowry also varies by economic strata in India. Upper-class families are more likely to engage in the dowry system than the lower class. This could be in part due to women's economic exclusion from the labor market in upper classes.

Dowry has become a social menace in modern India, because due to its practice women are subjected to many types of atrocity and harassment, the most brutal and inhumane of which is 'dowry death.' Dowry demand and its inadequate satisfaction is one of the most prominent reasons for domestic violence. Let us briefly discuss the dynamics of dowry deaths.

Dowry deaths

These are deaths of young women who are murdered or driven to suicide by continuous harassment and torture by husbands and in-laws in an effort to extort an increased dowry. Dowry deaths are found in many countries, but India reports the highest total number of dowry deaths. Dowry death is considered as one of the many categories of violence against women, alongside rape, bride burning, eve teasing, and acid throwing.

Dowry deaths in India are not limited to Hindus or any specific religion. The ratio of dowry deaths is about the same as the ratio of population in India by religions.

Effects of Dowry System

This social malaise has multifarious effects, some of them discussed below.

- (a) The most prominent effect of dowry system is the prevalence of domestic violence, which is a crime against humanity. Domestic violence in turn has many other effects which have been discussed above.
- (b) The continuously decreasing sex-ratio is also attributed to dowry system, because daughters come to be seen as financial burden on the families. As a result, the daughters are killed just after they are born (infanticide) or they are killed even before they come into this world (feticide).
- (c) The widespread prevalence of mental disorders, especially among women, has been attributed to the tortures they have to face from their in-laws and husband. According to a study, more than 60 percent Indian women are suffering from one or the other forms of mental disorders.
- (d) The persistent conflict and squabble between parents over the issue of dowry may be detrimental to the upbringing and personality development of their children.

Therefore, it is imperative that the practice of dowry must be stopped. In this context, it is important to discuss some of the measures in this direction.

Prohibition of Dowry System

- (a) The payment of a dowry has been prohibited under The Dowry Prohibition Act, 1961 in Indian civil law and subsequently by Sections 304B and 498A of the Indian Penal Code (IPC). The Dowry Prohibition Act 1961, prohibits the request, payment or acceptance of a dowry, "as consideration for the marriage", where "dowry" is defined as a gift demanded or given as a precondition for a marriage. Gifts given without a precondition are not considered dowry, and are legal. Asking or giving of dowry can be

punished by an imprisonment of up to six months, or a fine. It replaced several pieces of anti-dowry legislation that had been enacted by various Indian states. *Murder and suicide under compulsion are addressed by India's criminal penal code.*

- (b) *Under the Protection of Women from Domestic Violence Act 2005 (PWDVA)*, a woman can put a stop to the dowry harassment by approaching a domestic violence protection officer.
- (c) Reports of incidents of dowry deaths have attracted public interest and sparked a global activist movement seeking to end the practice. Of this activist community, the United Nations (UN) has played a pivotal role in combating violence against women, including dowry deaths.

The United Nations has been an advocate for women's rights since its inception in 1945, explicitly stating so in its Charter's Preamble, the *Universal Declaration of Human Rights* (adopted in 1948), the *International Covenant on Civil and Political Rights* (adopted in 1966), the *International Covenant on Economic, Social and Cultural Rights* (also adopted in 1966) (*these three documents are known collectively as the 'International Bill of Rights'*) and the *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)* (2012). The *United Nations Children's Fund (UNICEF)*, though predominately focused on improving the quality of education available to children globally, has also taken a proactive stance against dowry death.

5. Migration:

Human migration is the movement by people from one place to another with the intention of settling temporarily or permanently in the new location. The movement is typically over long distances and from one country to another, but internal migration is also possible.

In gender studies, the term "*Feminization of Migration*" has been proposed for a suggested "*gendered patterns in migration, meaning that there is a trend of a higher percentage of women among voluntary migrants*". The term is mostly applied to an increase of migrant domestic workers to industrialized countries, especially those working as nannies.

A more recent time the shift in migration patterns relates to an increase in the migration of single women and partnered women who migrate without their families. Due to stipulations present within contract-based employment, worker families are prevented from permanently settling and as a result, women are migrating alone. What may be the causes for increased women migration?

Possible causes of increasing women migration

- (a) Gender relations and hierarchies within the family context affect the migration of women because it is usually within the family that female subordination to male authority plays itself out. The family both defines and assigns the roles of women, which determine their relative motivation and incentive to migrate, and controls the distribution of resources and information that can support, discourage, or prevent migration.
- (b) Certain macro characteristics of the country of origin can also influence gender-specific migration propensities. These characteristics can interact with the gender relations and the position of women in the sending society and affect decisions about who moves and when. These characteristics include: the state of the economy; the types of economies; the level of displacement caused by economic changes; land tenure laws; etc.

Challenges faced by women migrants

- (a) Studies of immigrant women argue that women more often than men are denied full incorporation; that is, the full civil, political, and social rights and responsibilities that normally come with membership in a society.
- (b) Women may have different experiences than men because they are frequently segregated into traditional "female" occupations, such as domestic work, childcare, or garment manufacturing. Even

highly skilled immigrant workers may have different experiences based on their gender. The gender hierarchies that affect all women in general also handicap immigrant women in particular, influencing job opportunities, work environment, and wages vis-a-vis their male counterparts.

- (c) The existing push and pull factors hand in hand with increasing barriers to migration (which are not related to labor demand) are only fostering an increase in irregular migration exposing migrant workers, especially women, to exploitative working conditions and denying them access to legal and social protection. In such conditions principles of labor and human rights can become easily subsumed. In other words, *from the source country migration is becoming increasingly informalized as more and more workers are willing to risk irregular avenues to seek work abroad. In the destination countries the whole area of migration is increasingly criminalized as they deal with more irregular workers and victims of trafficking (in fact irregular migration and trafficking cannot be divorced from policies of regular labor migration).*
- (d) Working in a country away from their homes women are subjected to various forms of discrimination, exploitation and abuse. Sometimes they are not given their due salary, which is another form of bonded labor and slavery.

Forced by domestic economic conditions, women are sometimes forced to migrate in search of employment avenues. As a result, sometimes they have to work in highly insecure and disturbed areas, threatening not only their livelihood but their very life. For example, in a recent instance Indian nurses working in Iraq were abducted for weeks, triggering national outrage.

- (e) Xenophobia leads many in receiving countries to view migrant women workers as aliens: as inferiors—culturally and socially; without rights, or an ability to obtain redress; with ignorance— about the worker’s culture; as commodities, and therefore, subject to different standards of treatment in general – there is widespread reporting of migrant workers being ill-treated , starved , locked up and so on; because of different ways of relating to women arising out of religion and culture— making female workers more vulnerable to exploitation and sexual abuse.

These threats and challenges are not exclusively applicable to international migration but also to within country migration. *The governments in India continue to encourage external migration for remittances and internal migration for cheap labor to meet the profits of finance capital. The problem of Women migrant worker is too huge and requires cooperation and coordination between trade unions and other social actors.* Trade unions with their organizational structures, organizing skills can take on the employers, policy makers and governments for a better deal to the Women Migrant Workers and contribute for social harmony and sustainable growth. It is high time, that, they take up the Women Migrant Workers Rights and address the causal aspects of the “cause and effect relationship” of migration.

Sectors like construction, textile, mining, brick kiln, poultry, plantation, agriculture, etc. have been the favorite employment provides for the migrant women workers. In all these sectors women migrant workers face various kinds of violations like— unequal wage, rape, sexual harassments. What is the possible way out?

Redressing discrimination and abuse faced by migrant women

- A. **The international legal instruments:** There are a number of important human rights instruments that aim to ensure equality. Some of these are not specific to migrants but include citizens and non-citizens. Others are specific to migrants and victims of trafficking and these apply to include regular and irregular workers. For example-
 - (a) Universal Declaration of Human Rights (UDHR), 1948;
 - (b) International Convention for the Protection of the Rights of All Migrant Workers and Members of their Families, 1990;
 - (c) Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979;
 - (d) Convention on the Rights of the Child, 1989 and the Optional Protocol on the Sale of Children , Child Prostitution , and Child Pornography, 2000;
 - (e) Protocol Against the Smuggling of Migrants by Land, Sea and Air, Supplementing the UN Convention Against Transnational Organized Crime, 2000;

The majority of the member states of the United Nations have ratified at least the two universal instruments relating to the Universal Declaration of Human Rights (1948) and the International Covenant on Social Economic and Cultural Rights (1976). This puts destination countries under legal obligation to ensure implementation. The particular vulnerability of women migrants and women and girls victims of trafficking are addressed in international instruments of non discrimination on the basis of sex and gender such as the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (1979) and the Fourth World Conference on Women (1995). Under these instruments, destination countries of migrant women workers are under an obligation to realize the full rights of women vis- à-vis men.

B. **Some guidelines for sending countries:** Sending countries have a role to play in facilitating safe and protected gender-aware migration of workers. Following are some guidelines:

- (a) Strengthening labor recruitment procedures so that irregular recruitment is curtailed before migrants departure;
- (b) Undertaking pre-departure training;
- (c) Initiating and monitoring bilateral labor agreements with destination countries;
- (d) Strengthening the roles of Embassies and Consulates in destination countries by:
 - Keeping regular register and information on migrants and keeping regular contact;
 - Posting labor attachés;
 - Provision of support services, migrant associations support and training programmes;
 - In cases of disputes and/or abuse, representing migrant workers in negotiations with authorities and police.

C. **Some guidelines for destination countries:** Receiving countries also have a role to play in facilitating safe and protected gender-aware migration of workers. Following are some guidelines in this direction:

- (a) Strengthening administration and management of migration as a key labor market issue:
 - Conclude bilateral or multilateral labor agreements with sending countries;
 - Ensure that immigration policies are gender-sensitive;
 - Regulate and supervise the activities of recruitment agencies;
 - Provide adequate checks on employers;
 - Strengthen complaints mechanisms
- (b) Consider specific legislation to cover domestic workers;
- (c) A sound governance through adequate labor and social protection and the establishment of functional support facilities and services for migrant workers;
- (d) Allow freedom of association and facilitate organization and representation of migrant workers;
- (e) Take measures to promote gender equality and end xenophobia and racism.

D. **Some measures suggested by International Labor Organization (ILO):** In the light of increasing exploitation of women migrant workers, especially the domestic workers, ILO has suggested the following measures:

- (a) All governments should recognize domestic work as an economic activity and stipulate minimum wages for domestic workers.
- (b) Domestic workers should be given the right to organize themselves in associations for demanding fare treatment and protection of their rights.

E. **Some measures taken by the governments in India:** The Government of India made an enactment in 1979 in the name of “Inter-state Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979”.The Act lays down that contractors must pay timely wages equal or higher than the minimum wage, provide suitable residential accommodation, prescribed medical facilities etc.

One noteworthy enactment to address seasonal migration is National Rural Employment Guarantee Act (NREGA), which guarantees 100 days of employment in a year. The rate of daily wages is, as per the Minimum Wage applicable to that territory.

Some state governments, like Tamil Nadu, have stipulated minimum wages for domestic and migrant workers for addressing their exploitation.

6. Securing Urban Spaces for Women:

At present, rapid urbanization is challenging both national and local governments in their role to develop compact, inclusive, connected and integrated cities able to achieve spatial equality, job creation, human and community development, strategic infrastructure and environmental sustainability. In this process of fast urbanization, the failure to fully mainstream gender equality into urban planning, legislation and economic development is hindering the inclusiveness of cities and preventing the full integration of women and girls in the economic, social, political and cultural life of cities and therefore the realization of the just city.

Compared to rural areas, cities offer more diverse employment opportunities to increase financial independence; greater ease in accessing education at different levels, better access to healthcare; more opportunities to socialize outside the home; more prospects to take up community or political leadership roles and, most notably, more possibilities to redefine the traditional roles of men and women.

Nevertheless, gender inequalities persist, therefore, women and girls benefit less from urbanization and the urban space than men and boys. In fact, women and girls in cities face a range of specific barriers and vulnerabilities: gender inequality, violence against women, poverty, unpaid care-work, limited control over assets, unequal participation in public and private decision-making, and barriers to education, employment, housing and basic services.

Problems/challenges faced by women in urban spaces

- (a) Nowhere are the inequalities facing urban woman more evident than in informal settlements where women account for over half the population. In these settlements, women face the most serious urban challenges: poverty; overcrowding, sexual harassment and assault, and lack of access to security of tenure, water and sanitation, transport and sexual and reproductive health services.
- (b) Lack of secure tenure over housing and land affects millions of people across the world, but women face harsher deprivations. This translates into the situation that prevent women from buying land directly, having a house in their own name, or having control over decision-making regarding land and housing issues. There are negative consequences as a result of women's disempowerment over land and housing; it is women who are worst affected by evictions and by tenure insecurity caused by natural and human-made disasters, armed conflict, and civil strife. Thus, accessing, owning and controlling land and housing empowers women to take control of their lives and to drive sustainable development and disaster resilience in their communities.
- (c) Lack of safety and mobility is a serious obstacle to achieving gender equality in the city, as it limits the right of people to participate fully and freely as citizens in their communities. Poor urban design choices, such as poor street lighting and secluded underground walkways can make women more at risk of violence and sexual attacks in public spaces. Women's safety involves strategies, practices and policies which aim to reduce gender-based violence, including women's vulnerability to crime.

Making communities safer for all requires a change in community norms, patterns of social interaction, values, customs and institutions. Thus gender sensitive policies, planning and approaches to the prevention of crime and violence against women need to be inclusive of development and safety strategies.

- (d) In the city, women have more opportunities for gainful employment; however, they continue to earn less than men for their labor. This is due to their concentration in lower-paid jobs, as well as, cultural and traditional patterns that result in their labor being valued less than that of men. Women living in poverty face immense challenges in accessing credit and financing for themselves and their organizations. Ensuring the integration of women to public life and jobs through the specific location of economic activities for market and accessible commercial uses, public venues and other services, in which social and economic dimensions are developed, is shown to lower poverty levels. Finally, economic empowerment grants women more decision-making power within the family and is linked to lower levels of domestic violence and femicide.

- (e) Lack of access to clean water, sanitation, and other basic services poses risks to health. Women, particularly those in poor urban communities, are at greater risk of experiencing health problems, since they are often prevented from accessing, and benefiting from, quality health services due to a lack of adequate services, systems, and socio-political will. Women are more likely than men to experience physical, sexual, and emotional violence, which adversely affects their health. Communities living in poverty carry the greatest HIV/AIDS burden compared to other urban groups. Socio-economic, cultural and political power disparities; stigma and the burden of unpaid care-work contribute to this imbalance.

Therefore, urban programmes must consider these disparities and inequalities as well as address patriarchal patterns of controlling women's sexuality and reproduction, so as to support sustainable community development and health systems that demonstrate results.

Sexual Violence against women in India

Urban public space includes all the areas in between built structures and other spaces the public is attracted to. In addition to streets, roads, public toilets, bus stops, railway stations, modes of transport, promenades and parks and playgrounds, the new "hang-out" spaces of Indian metropolitan cities, like shopping malls, coffee shops, movie theatres and restaurants, are also included. The term safety includes not just the actual physical and psychological impacts of an act of aggression or violence but also the fear or anxiety associated with the anticipation of violence in an urban public space. In the light of increasing sexual assault on women in Indian cities, there has been public outrage against the apathy by government agencies to control the situation.

The violence that often defines women in society has reached endemic proportions, becoming ordinary instead of extraordinary. Violence, necessarily, is not physical (like rape- which is the most brutal form of violence), but it may also include- stalking, voyeurism, etc.

Women and children often give up on the right to education or a livelihood as a trade-off for safety. The safety of women in urban areas is welded to a truly inclusive city that affirms the special needs of all citizens, especially those who are disabled, poor or belong to different ethnicities and participatory decision-making that involves strong partnerships between civil society organizations, governments and urban local authorities, law-enforcing agencies is the need of the hour.

Cities should be spaces for opportunities and personal growth rather than sites of exclusion and assault. However, more often than not, the experiences of women across the world suggest that, they turn out to be the latter, especially in contemporary Indian cities. Today, there is a growing realization about the need to create a more secure working, living and commuting environment for women in urban centers.

Studies across the globe have shown that safety in public spaces ranks a close second after domestic or partner violence and sexual violence with respect to women's safety concerns. Nonetheless, this is not a concern generally taken seriously in large-scale planning agendas. Space is not neutral and cities are designed for the neutral user. In India, the neutral user is usually "the middle- or upper-class young male, a heterosexual who is able-bodied."

Cities can be designed to be more inclusive, but only when designs reflect an awareness of how characteristics such as age, sex, sexuality, caste, religion, economic status and difference in ability lead individuals to experience the same space quite differently.

Possible reasons for increasing sexual violence against women in India

- (a) Poorly lit urban spaces coupled with inadequate police patrolling are favorable for increased sexual violence.
- (b) Lack of stringent laws for punishing sexual assault is compounded by inefficient criminal justice system. It is evident from the rate of conviction in rape cases, which is continuously declining since the few decades. Such a situation serves to be an incentive, rather than detrimental, for committing violence against women.
- (c) Increasing objectification of women by media as an object for sexual satisfaction.
- (d) Inefficient and apathetic attitude of law enforcement agencies.
- (e) Patriarchal structure of Indian society.

The Policy Framework

- (a) At the national level there are policies like the *National Policy for the Empowerment of Women 2001*, which aims to advance, develop and empower women through gender sensitization and by ensuring access to some fundamental rights for women in India. These rights include access to basic infrastructure and amenities. Although this policy deals with the primary concerns of women, it is still in the preliminary stages of the implementation process.
- (b) At the planning policy level, in 2005–2006 the government of India launched the *Jawaharlal Nehru National Urban Renewal Mission*, which requires cities to prepare development plans to address gaps in service delivery and propose better infrastructure facilities, especially for marginalized communities. These plans, however, do not specifically address gender disparities.
- (c) The Indian Parliament passed a new law with the goal of more effectively protecting women from sexual violence in India. It came in the form of the *Criminal Law (Amendment) Act, 2013*, which further amends the Indian Penal Code, the Code of Criminal Procedure of 1973, the Indian Evidence Act of 1872, and the *Protection of Children from Sexual Offences Act, 2012*. The law makes stalking, voyeurism, acid attacks and forcibly disrobing a woman explicit crime for the first time, provides capital punishment for rapes leading to death, and raises to 20 years from 10 the minimum sentence for gang rape and rapes committed by a police officer. However, the new law doesn't address marital rape, rape committed by the armed forces or rape against men.

The Way Forward

- (a) Both societal norms for behavior and the built environment affect a woman's safety in public spaces. Knowledge of women's issues might begin to make a shift in the way women are treated and respected in the society. While retaliation and rejecting the notion that it is okay to be inappropriately treated in public is perhaps a beginning, the journey is much longer. A crucial step is to generate more awareness about women's safety issues in public spaces.
- (b) The behavior and attitudes of the society cannot be transformed overnight, but the built environment can be controlled and can be used as a medium for change. As a beginning we can start with creating favorable urban infrastructure, like proper lighting on the public places, safe and secure urban transportation, installing CCTV cameras at places thought to be prone to sexual violence etc.
- (c) Setting up of specially designed courts (Fast Track Courts) for trying cases of violence against women. These courts could be mandated to finalize the case within a stipulated time frame.
- (d) Setting up of all women police stations and recruiting of more policewomen. However, in the light of instances where members of women police force were themselves harassed, raped or even murdered, there is greater need for reforming and sensitizing the police system as such.
- (e) Unlike the cases of sexual molestation registered in police stations, there is a large portion of women in India who are subjected to rape and other forms of sexual assault on a daily basis and still their cases go unnoticed. These women are the unfortunate wives who have to indulge in sexual intercourse with their husbands even if they don't want to (non-consensual sex is nothing but rape). They don't actually have a say in front of their husbands when it comes to sex, they have to comply with the needs and demands of their husbands.
- (f) Another category of such women who are bound to indulge in sexual activities against their wishes are the hundreds of thousands of sex workers in India who are visited by numerous men everyday and even tortured by many of their clients. They are compelled to do as their clients say as they have no other means of feeding themselves and their children other than selling their bodies to the sex-hungry men of India.

If we take account of all these women and then collectively see the scenario of sexual crimes against women, it can be easily seen that stringent laws alone cannot do much. What really needs to be done is the moral overhauling of the minds of the masses by means of education and awareness. Strong and stringent laws are definitely necessary as the existing laws have proved to be inefficient in ensuring swift justice and appropriate punishment to the guilty. But the actual need of the hour is a

revolutionary change in the mindsets and conscience of Indian men so that they stop seeing women as objects of sexual pleasure.

- (g) Further research needs to be done while engaging various community organizations, municipal authorities, police departments and other important stakeholders. Workshops need to be organized and future women's safety audits need to be designed and led by community members. This would help form crucial links between the community and decision-making organizations.

No change can be achieved without creating a dialogue between the users and the designers of the space. Active participation is the only way to bring about a revolution in the way cities and spaces are conceived and created for residents. This takes us to the next important issue of public transport.

7. Public Transport and Women:

Public transport is a shared passenger transport service which is available for use by the general public. Public transport modes include city buses, trolleybuses, trams (or light rail) and passenger trains, rapid transit (metro/subways/undergrounds etc) and ferries.

In urban spaces public transport forms an important component of infrastructure and means of public conveyance. Even as India marks the second year of the tragic rape and killing of a 23-year-old student in Delhi, an incident that triggered extensive debate on women's safety in public spaces and even forced the government of the day to enact the Criminal Law (Amendment) Act 2013, widely termed as a "bill of rights" for women, the news of the rape of another young professional in the capital returning home at night in a 'secure' taxi has once again forced everyone to reassess the state of public transportation in cities across India and issues related to women's safety.

As the city grows and opportunities rise, more and more women are stepping out of their homes for studies or jobs. While some make their own transportation arrangements everyone cannot afford it. Women commuting by public transport are vulnerable to harassment and abuse by mischievous troublemakers. There have been some cases of rape and abductions in the city where the auto drivers were involved.

India was ranked as the fourth most dangerous place for a woman to take public transport in a poll published in October by the Thomson Reuters Foundation. It polled second-worst on safety at night and for verbal harassment. On average 40 cases of crimes against women are registered daily by Delhi Police, including at least four cases of rape, according to government officials.

Public transport interacts with employment issues for the poor in two main ways: indirectly by providing access to employment opportunities and directly through employment of low-income people in the transport sector. The relative immobility of the urban poor, especially poor women is a central fact in their lives and severely limits their employment options.

Thus, insecure transportation not only leads to violence against and violation of basic rights of women, but also adversely affects their ability to participate in the labor market. Therefore, it is imperative that measures must be taken for making transportation secure and safe.

Measures for making public transport safer for women

Design of public transport infrastructure which includes access to public transport stops, the design of the stop, vehicle design will have to become safety and security compliant. Following is a list of policy interventions required to improve public transport safety for all:

- (a) Public transport safety must be guaranteed during the whole length of the trip: on vehicles, during the waiting time, and on the routes of access to stations and stops.
- (b) Every access should be checked and improved. Old people and women are particularly sensitive to the problems of personal safety on public transport networks. Increasingly frequent action is required by the operators. The need of taking immediate action requires a direct connection between staff, the operational centre and the police.

- (c) Lighting, good design, visibility at stops and stations are an essential component in creating feelings of security.
- (d) Instead of trend projections from the past, we have to depend on scenario building techniques— for instance, transport planners need to have a city vision; they need to think about how the quality of life in a city would be affected by a particular choice in transport. The choices made will go a long way in determining people’s behaviour and lifestyles. To do this, planners will need to assess the impact their decisions will make on safety, socio-economic benefits to different users groups and environmental aspects.
- (e) The urban development ministry has issued fresh guidelines to all states to install preventive security apparatus in all modes of public transport -- buses, taxis and auto rickshaws -- for safe travel of women and children.

Presently, most of the cities in India do not have reliable, comfortable, quick and affordable public transport. However, in big cities, the public transport provided lacks in availability of frequency, extent of coverage and adequate safety measures.

- (f) Some state governments have developed and implemented model for public transport which can be replicated by other states:
 - **G-Auto model of Ahmedabad**: Under this model auto-rickshaws are managed through a common control centre to offer safe and reliable service to commuters.
 - **Pink Auto initiative of the Government of Odisha**: The pink autos have drivers who have undergone a strict psychological test, criminal background check and training. With a big question mark on women’s safety in India, this seems like a feasible solution.

The recent Uber taxi rape incident in Delhi has definitely renewed a deep sense of fear among women commuters across the country. Such situations can be averted if authorities take the time to track the past record of those who are part of the transportation system and sensitize them towards issues like violence against women. In Bhubaneswar, before launching the pink autos for women commuters they did put the drivers through a psychological test, which is really necessary. Besides this, we should consider holding monthly orientation meetings with the auto drivers regarding gender sensitivity and talk to them about gender violence. Regular interaction will help them to change their mindset towards women commuters.

8. Women at workplaces:

Women in the workforce earning wages or a salary are part of a modern phenomenon, one that developed at the same time as the growth of paid employment for men, but women have been challenged by inequality in the workforce. Until modern times, legal and cultural practices, combined with the inertia of longstanding religious and educational conventions, restricted women's entry and participation in the workforce.

However, over the past three decades, workplace has become a much more diverse environment. With women representing 24.4 per cent of the total workforce in India, personal security has become central to their physical, intellectual, emotional, economic and spiritual well-being.

Violence against women in the work place takes place in all countries throughout the world and takes many forms, including sexual harassment and bullying. It affects all professions and sectors and particularly women living in poverty as they are more likely to be exposed to exploitation and abuse in informal labor settings like, for example, women migrant workers.

Small surveys in Asia-Pacific countries indicate that 30 to 40 per cent of women workers report some form of harassment – verbal, physical or sexual.

Workplace violence against women is understood to include physical assault, threatening behavior, bullying, verbal abuse, and various forms of harassment. Workplace violence usually occurs in a workplace setting; however it may also occur outside of the work setting. Violence may be perpetrated by a colleague or

supervisor, a client or customer. When gender is incorporated in analyses of workplace violence, important issues emerge. These include:

- Women have difficulty in labeling their experiences as violence and harassment;
- Women are over-represented in low paid, low status and precarious jobs;
- Occupational health and safety research has often viewed women's work as safe work;
- Men are more likely to be the perpetrators of violence against women in the workplace (although women also perpetrate violence against other women);

The impacts and costs of workplace violence

The negative consequences of workplace violence and harassment for women include leaving their jobs, developing psychological disorders, experiencing relationship breakdowns and developing substance abuse problems. Additional costs to industry include costs associated with staff turnover, absenteeism, reduced efficiency, decline in work quality, early retirement costs, counseling program costs, mediation or grievance proceedings, and anti-discrimination action.

Why violence against women at workplace violence is so prevalent?

Despite such widespread occurrence of workplace harassment and violence, women do not report the matter. As a result the perpetrators do not face any credible deterrence. There have been allegations of sexual assault even against the members of higher judiciary in India. Several reasons for why women do not report workplace violence were identified including:

- Women see violence as a 'normal' part of the workplace, it is unavoidable and there is nothing that can be done about it;
- They don't know what to do about it;
- They can be silenced by the experience of workplace violence as it is seen as integrally connected with the shame associated with other types of men's violence against women;
- Some women fear they will lose their jobs if they report violence;
- Some women lack faith in the system, often believing the violence is already known to and condoned by managers; and
- Some fear that the process of reporting is likely to be traumatic.
- Many a times, workplaces simply do not have effective mechanisms for addressing violence.

Providing safe environment and preventing violence against women in the workplace

A. Apart from the harassment and violence faced by women, there are other dimensions of safety at the workplace. In this context, the guidelines for the safety for women at the workplace can be broadly categorized under four heads:

- (a) **Physical:** This focuses on the physical security of women employees in an organization. It ascertains the safety of female employees, whilst they are on the job/ inside office premises – the workplace needs to be secured and women assured of basic safety on the job and in office.
- (b) **Environmental:** The environmental aspect complements the physical aspect of security and helps maintain a safe and secure standard in any premises. This plays a vital role in ensuring the basic yet critical aspects of safety of employees.
- (c) **Organizational:** It is for the employer to create a positive atmosphere at the workplace where a woman is encouraged to come to work, secure in the knowledge that she will be treated with dignity, respect and will be protected from harassment.
- (d) **Educational:** The awareness of women employees of their company policies on sexual harassment and gender discrimination and the more they are encouraged to report all instances of discrimination without fear, the greater would be their feeling of security and empowerment.

B. The sexual Harassment of Women at Workplace (Prevention, Prohibition, and redressal) Act, 2013:

Prevention of Sexual Harassment of Women at Workplace is a legislative act in India that seeks to protect women from sexual harassment at their place of work. It was passed by the Indian Parliament in 2013. This statute superseded the Vishakha Guidelines for prevention of sexual harassment introduced by the Supreme Court of India. The law contains legal requirement that any workplace with more than 10 employees need to implement it. It also contains strict measures against the employers who fail to comply with its provisions.

However, it was reported by the International Labour Organization in a study (conducted by ILO in early 2014) that, very few Indian employers were compliant to this statute. In specific terms, over 90% of Indian businesses are unable to comply with the new law. Even as employee awareness campaigns and training workshops are under way in companies both big and small, the number of reported harassment cases has gone up. Thus, there are implementation gaps with must be overcome.

9. Conclusion:

The daily reporting in various news papers and data is speaking for itself. It is confirming that everyday women are dealing with harassment from mild to extreme forms on our streets, workplaces, public transportation, and even in homes. How long will this menace go on for? What are we supposed to do about it?

With limited options in our hands, and with time fast flying us by, the onus is on us to wake up and do whatever it takes. About 50% of India's registered voters are women, the power of whom together needs to demand a tougher India, yet an India that is sensitive to women. Women's issues need to be pushed in every lobby until the leaders have no choice but to yield and take a hold on the crisis that looms across every street and every corner of India today.

This is the time we own up to ourselves. We stand by each other, tall and proud, brave and unfazed. This is the time we own up to India. No more Harassment. We want what we deserve - for us and for our daughters – a safer India for women.

Copyright © by Vision IAS

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Vision IAS.