Workshop on “Gender Related Issues”

A Report

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Report of the Workshop on “Gender Related Issues”

Gender Equity, Equal Opportunity and Women Empowerment essential for creating sustainable development as enshrined in our Constitution. The State & Central Governments are making continuous efforts to realize these promises through Policies & Programs. The progress achieved in this direction are mixed and there is still long way to realize the objectives of the Equitable Society, Gender Equity and inclusive Development without discrimination. There are gaps in policies, programs & attitude of our society. Keeping this in view a one day Workshop on Gender related Issues was organized by Administrative Training Institute Mysore & Department of Women & Child Development Government of Karnataka on 07.6.2013. Senior level officers from different departments took part in this State Level Workshop.

Ever since the UNDP Human Development Report-1995 focusing on Gender Issues gave a call to all nations “Engender Development or Else You will be in Danger” there have been significant developments in the global scenario as far as issues related to Gender. The pitfalls in development due to Gender inequalities, discrimination, denial/deprivation/in accessibility/violence against women are now cannot be overlooked or sidelined. The nations are well aware of the situation arising out of Gender inequalities and discrimination. The Civil Societies are making efforts by pressing the Governments in power to address these issues. But the magnitude of the problem is so high we cannot wait the situation to take its course as the danger due to neglect issues related to Gender is so phenomenal and colossal.

Bringing Gender Equity through Governance should be the Agenda No-1 for all countries. The pro-active initiation is to ensure adoption of Gender Budgeting at all levels in the letter & spirit. Participation of Women in the processes of Governance is very strongly felt to fulfil the above aspirations. Commitment from the state to ensure women participation in Governance at all levels should be seen in action than in paper.
The attitudinal problem of the society against women due to socio-cultural system detrimental to the safety and security of women are posing great threats. Women are pushed to be mute spectators in all the above situations living them in a hopeless situation. It is time to stop shedding tears for all the evils forced on women and get in to more civilized and responsible acts leading women to a life with dignity, equity, opportunity and empowerment so that they play major role in building a strong nation.

In India, there have been continued efforts with establishment of National Policy for Women with an agenda for bringing Gender Equity and Empowerment. The State & Central Governments are coming out with many novel programs to achieve the set objectives. Year after year, the Budgets make big declarations and allocate funds too. But the outcomes are not very significant.

The Constitution provides for Gender Equity, Opportunity and Empowerment by creating special provisions to overcome the gaps. The success is patchy and still the large percentages of women are suffering poverty, poor health, oppression and violence. Governance cannot ignore this alarming situation. It is time to re-look our Policies, Programs and the societal structure.

In view of the above alarming situation, the Administrative Training Institute, Mysore, in collaboration with the Department of Women and Child Development, Government of Karnataka organised a one Day National Level Workshop, on Gender related issues involving all the stakeholders in the process of Governance. The one day workshop aimed at re-defining Gender related Issues, the Policy for Women and its programs so that necessary corrections may be taken up at appropriate levels. Further, workshops looked forward to suggest to the state government required interventions for development of a society keeping women at the focal point through its high level deliberations.

Dr Amita Prasad, IAS, Director General, ATI, Mysore while welcoming the Guests explained the objectives of the workshop she said: ATI Mysore being an Apex Training Institute, has been pro-active in organizing programs on Gender Issues. Gender Issues are subject of neglect in all sectors. Crimes against
women are on the rise. There is need to sensitize the Society; encourage NGOs and also all departments. Women are not getting their due share. Un-organized women are subject to harassment. Legal Issues, Protection of Women in need, Livelihood issues are important for empowerment. Public Policies related to Gender Empowerment, Gender Budgeting are to be realistic. Women Issues are not taken seriously. She said the focus of workshop is on Legal Issues & Women Empowerment, Public Policy & Gender Budgeting & Gender Responsive Governance. She hoped that the workshop will come out with positive outcomes for addressing important Gender Issues.

The Workshop was inaugurated by Smt Umashree, Hon’ble Minister, Women & Child Development & Kannada Culture Government of Karnataka.

Smt. Umashree, Hon’ble Minister WCD & Kannada & Culture inaugurating the Workshop, Present: Dr. Amita Prasad,IAS, DG-ATI, Sri Ramesh B.Zalki, IAS, Pri Sec, & Smt Gurneeth Tei. IAS, Director. WCD

The Minister inaugurated the workshop by watering the saplings. In her inaugural address the Hon’ble Minister said “Women are subjected to discrimination from time immemorial. Gender in equality, denial, and discriminations have become the common and accepted norms. Though Women come to this world with equal rights, discrimination begins with her birth or even much earlier. Women are looked as 2nd Class Citizens in our Society. This has become a burning issue in our country. We cannot look at these Issues in
isolation. Holistic approach is the need of the hour. All of us have to join together to work against these issues with a commitment.

She emphasised that there is no question that gender discussion is against Men. In fact, it is both women & men join hands to address Gender Issues bothering the society. Cooperation of everybody including NGOs, Civil Society is very much sought for realizing Gender Equity in our Governance. It is hoped that the proceedings of this workshop will bring some change in the mindset of the participants representing the society and disseminated further to the workplace. She called for a concerted and committed efforts from everybody to find remedies for the Gender Issues & Challenges.

Sri Ramesh.B. Jalki, Principal Secretary Women & Child Development Government of Karnataka who presided the workshop recalled his experience how Women Elected Representatives are just puppets in the hands of their husband tell us they are aware of their rights and responsibilities. It is only the opportunities have to be created and encouraged to discharge their duties. He shared the views of the department to evolve a system of reviewing the financial allocations and expenditure incurred by each department on women at the dist levels. This will bring accountability for each department on Gender concerns on Budget. Further he also hinted that Government is considering concessions on property registration in the name of women.

Prof Narayana Sastry gave the structure of the workshop proceedings and presented Vote of Thanks.

The Workshop had three sessions on
- Legal Issues and Empowerment
Public Policy and Gender Budgeting

Gender Responsive Governance:

Each of the sessions were chaired by eminent persons in the field and the sessions are handled by subject experts as scheduled. About 200 participants, senior officers from different department, academicians and field level practitioners on Gender are participating in the workshop.

Session 1: Legal Issues and Women Empowerment

Chairperson: Mrs. Meera Saxena,
Member, Karnataka Human Rights Commission, Bangalore

The Chairperson in her opening remarks mentioned that women experience discrimination since childhood itself. Karnataka has started witnessing most of the gender related problems like child labour, maternal mortality, dowry harassment, problems at work place etc. These are prevailing not only in the northern parts of the state but also in places in and around Bangalore. It was emphasised that focus should be on empowering women. Discrimination against women is on the rise in many parts of the state which highlights the need for changing the mindset. The country has also been witnessing the role of Khab panchayats, custodial deaths which are proving to be detrimental to the rights of the women. These were some of the important issues that need to addressed immediately.
The paper on “A Background of Conceptualisation and Gender Equity and Legal Provisions” by Dinesh Kapadia highlighted the genesis of gender equity which can be traced to ancient period during which period women used to perform their role independently. During the medieval period the gender discrimination related issues could be traced. The paper also highlighted the role of women during the freedom struggle. The framers of the constitution were conscious enough to incorporate some general and specific provisions for upliftment of women and their rights as could be seen in a number of provisions in the constitution. A number of legislations have been enacted to protect the rights of women keeping the constitutional spirit and international treaties in mind. However gender equity is far from being achieved.

Domestic violence is a common thing seen in the society constituting a major violation of human rights. The salient features of PWDVA 2005 has incorporated major provisions to prevent domestic violence including making it a cognisable offence. Gujarat enacted Nari Gaurav Niti 2006 in the state focussing on economic environment and other important issues. The paper highlighted the implementation of this act in Gujarat focussing more on the capacity building initiatives for various stakeholders. In spite of these initiatives the number of cases registered under the act has been increasing since 2008 but the crucial thing is that women are coming forward to register the complaints under the act.

The paper highlighted the bottlenecks in the implementation of the act - Lack of awareness, shortage of staff, and backlog of cases increasing lack of sensibility in a section of police officers. It recommended establishment of special courts or fast track courts to deal matters under the act, gender sensitisation programmes and improving the lack of awareness among the officials in general and the community in particular. The specific recommendations related to the following issues -

- Establishment of either special courts or fast track courts to deal with matters pertaining to crimes against women especially PWDVA 2005 related cases.
• Systematic and scientific Gender Sensitization of police Personnel and other Stakeholders

• A proper training to the Concerned officers, NGOs, Victims on procedural aspects of P.W.D.V.A.2005

• Awareness on gender issues with focus on different forms of violence among collegians / young generation.

The presentation on “An Overview of Criminal Law Amendment Act 2013” by Jagadish highlighted that the same was brought based on the recent incidents that are happening across the country. It focussed on the need have a clear role of different departments in proper interpretation of the provisions of the act and also the need to have adequate proactive initiatives by the departments. The presentation discussed the key issues of the provisions and the loopholes in the proposed act. It also highlighted the provisions which were in variance with the recommendations of the Justice Verma Commission. The specific recommendations of the Verma Committee included –

• A Rape Crisis Cell should be set up. The Cell should be immediately notified when an FIR in relation to sexual assault is made. The Cell must provide legal assistance to the victim.

• All police stations should have CCTVs at the entrance and in the questioning room.

• A complainant should be able to file FIRs online.

• Police officers should be duty bound to assist victims of sexual offences irrespective of the crime’s jurisdiction.

• Members of the public who help the victims should not be treated as wrong doers.

• The police should be trained to deal with sexual offences appropriately.

• Number of police personnel should be increased. Community policing should be developed by providing training to volunteers.
The other recommendations of the Committee related to the Electoral Reforms and Educational Reforms. However changes have been made in the Act in relation to the provisions on Acid attack, sexual harassment and Voyeurism, stalking, trafficking of person, rape. The act has been criticised by the human rights activists for diluting the provisions of the panel.

The Criminal Law (Amendment) Act, 2013 has been strongly criticised by several human rights and women's rights organisations for not including certain suggestions recommended by the Verma Committee Report like, marital rape, reduction of age of consent, amending Armed Forces (Special Powers) Act so that no sanction is needed for prosecuting an armed force personnel accused of a crime against woman.

Several provisions under the Act differ from the provisions in the ordinance. Under the Act, unlike in the Ordinance, the terms or watches or spies on a person in a manner that results in a fear of violence or serious alarm or distress in the mind of such person, or interferes with the mental peace of such person are not included as a part of the offence of stalking. Hence, the offence is limited to the physical act of following or contracting a person, provided that there has been a clear sign of disinterest, or to monitoring the use by a woman of the internet, email or any other forms of electronic communication. The focus should be on effective implementation of the Act with emphasis on continuous commitment on the part of officials.

Prameela Nesargi in her presentation on “Women and Work Places : Issues and Concerns” highlighted a major problem in relation to the gender related issues which is the delay in the implementation of the provisions of the act and also delays in the disposal of cases by the courts. Men are facing harassment at the work place and the first thing to be ensured is the safety and security of women at workplace. Women should be allowed to work with dignity but in reality women are facing cruelty at the work place and this is true of domestic violence cases also. The amendments to the Criminal Law Amendment Act 2013 have incorporated various provisions to protect the rights of the women but there is a need to implement the same in letter and spirit. The departments of
the state have also been issuing various orders which detrimental to the basic rights of women. Such circulars and orders need to be withdrawn by the departments.

Kathyayini Chamaraj in her presentation on “Women Empowerment: Lessons from 74th Constitutional Amendment” emphasised the reservation of seats for women in the urban local bodies across the country. However whether providing mere reservation would lead to empowerment of women is a debatable point. The presentation highlighted the several of the 74th amendment focussing on the involvement of citizens in the decision making process, the provisions related to implementation of various development programmes, the functioning of various committees constituted under the act. Social Infrastructure Index favouring women related issues need to be addressed to assess the performance of development programmes. This should be supported by Performance Assessment System. The need to provide suitable capacity building initiatives on women empowerment issues was emphasised.

During the discussions it was pointed out that the laws are not reaching out to the poor people and steps need to be initiated to address the issue. It was suggested that at the time of designing the development programmes gender issues need to be incorporated in the planning stage itself. The problems faced by minor girl children were highlighted. Another issue that was highlighted was that the country has too many acts but there are problems with the implementation. The support of the Police department in protecting the rights of women is very much crucial and this needs to be achieved through better sensitisation and coordination among different departments. The Chairperson suggested that coordination related issues should be tackled through capacity building initiatives.

In the concluding remarks the Chairperson pointed out that education, sanitation in schools, employment opportunities, child care facilities for children in work places are some of the important issues that need to be addressed to ensure women’s empowerment. Also women’s participation in the decision making process holds the key in answering most of these problems. An effective
woman centred planning needs to be evolved to address most of the problems faced by women.

**2nd Session: Public Policy and Gender Budgeting**

**Chairperson: Ms. Shalini Rajneesh**  
Secretary, DPAR, Government of Karnataka

The Chairperson in her opening remarks pointed out that Karnataka along with many other states has undertaken the gender budgeting exercise but how effectively it has translated into action needs to be looked into. The exercise has to be revisited and the implementation mechanism needs to be geared to meet this challenge.

The presentation by A.R. Kulkarni on “Rural Women and Dependency on Commons: An Empirical Study” focussed on the role of common pool resources in sustaining the rural livelihood issues. The presentation based on a field study in Dharwad district focussed on the availability and utilisation of common pool resources and analysed the reasons for decline in the CPRs due to implementation of various development programmes along with the increase in the population. The dependency of the community on the CPRs has been on the raise especially for fuel and fodder and any decline would lead to lack of accessibility to these resources. The paper highlighted the role of women in the collection of fuel and fodder and due to declining availability of the resources that would lead to decline in their standard of living.
The presentation by Sudeshna Mukherjee on “Assisted Reproductive Technology and Surrogacy: A means for commodification of Women’s Body and Choice” pointed that last two decades has witnessed the use of reproductive technologies and has become indispensable part of women’s lives. The paper highlighted the issues associated with reproductive technologies from the feminist perspective both in favour and against. It also highlighted the laws relating to Surrogacy in different countries and India has also come out with Draft ART (Regulation) Bill, 2010. It was pointed out that the same has not been enacted and discussed various issues related to the provisions of the bill. The paper also pointed out the social and ethical issues associated with both ART and Surrogacy. ART and Surrogacy has the potential to liberate as well oppress women and have lots of limitations which needs to be addressed.

“Gender Issues in Education” by Jyotsna Jha addressed some of the conceptual issues related to gender equality like gender parity, nominal equality, equality of opportunity, empowerment and gender budgeting. The paper focussed on Gender parity in education sector and pointed out that the literacy rates as per the 2011 census has improved but the disparity among men and women as also the inter district differences are very much prevalent. The paper pointed out that while ensuring equality in education, there was significant improvement at primary level but sharp inequalities at other levels. The same is true of equality in learning process and experiences. In addressing some of these issues the policy initiatives need to be revisited and made more substantive in the following areas –

- Any policy for education: needs to be reviewed not only for its differentiated impact on girls and boys but also for the role it could play in reinforcing or changing prevalent stereotypes / gender norms/ relations / positioning (e.g., distance education)

- Gender budgeting exercises should be made more substantive; the current one is not only inadequate but also misleading

The policy making structures especial the Women and Child Development needs to be tuned to make it more critical and strategic.
The paper on Gender Budgeting by Geetha traced the evolution of the concept since the 7th five year plan and analysed the issues related to the exercise. The approach conceptualised at later stages has been adopted in Karnataka state also and highlighted the gender budgeting exercise in various programmes and projects. However a number of issues need to be addressed especially the budget earmarked under the gender budget exercise. Very little information on the exercise is available in public domain and this need to be strengthened. Also major schemes do not figure in the Gender budgeting statement and such issues call for immediate attention. The paper also raised crucial questions on women related issues that need to be addressed within the gender budgeting exercise.

**Session 3: Gender Responsive Governance**

**Chairperson: Sri. Ramesh B.Zalki**  
Principal Secretary, Dept. of Women and Child Development

“Women in Local Governance – Issues and Challenges” by M.C. Shylaja, G.S. Ganesh Prasad and N. Narayana Sastry highlighted the findings of studies conducted to measure efficiency in the functioning of women elected representatives. The study conducted in the six backward districts of the state on the functioning of Gram Panchayats pointed that the performance of Men and Women Adhyakshas do not see much difference in discharging their duties and
responsibilities as heads of these institutions. The other study demonstrated how the efficiency of elected representatives can be measured through a perception based approach by obtaining responses from various stakeholders in rural areas. The paper suggested the need to strengthen the capacity building initiatives focussing on strengthening the institutional functioning.

The paper on “HIV and AIDS in Indian Context” by Varun Sharma and Divya Krishnaswamy pointed out that women and men have different roles to play in economic and social issues, behaviours and are also subjected to different legal arrangements. In the 20th century the prevalence of HIV has further enhanced the gap of gender inequality wherein women face more stigma, discrimination and are also blamed for bringing the curse of HIV to their families. The paper demonstrated the plight of HIV affected women living in Pune city focussing on economic and social aspects of their life. It pointed out that the Government response to HIV neglects the gender and suggested the need to address the problems of gender, inequality and poverty among the HIV affected people especially by focussing on gender issues to be able to tackle the same at the macro level.

“Women’s Political Participation” by Asha Ramesh highlighted the debates in the Constituent Assembly on the issue of reservation for women and also post independence scenario on the policy of reservations. The initiatives through the 73rd and 74th Constitutional Amendments have brought significant changes by involving women in local governance in both rural and urban areas and suggested measures for enabling effective functioning of women elected representatives. It also discussed the 108th Constitutional Amendment bill that provides the reservation of seats for women in Lok Sabha and State Assemblies. The presentation threw light on the stumbling blocks in the passage of bills and argued for its passage.

The paper on “Gender and Nutrition – A perspective” by Tara highlighted the close linkage between the two in the light of prevailing malnutrition across various sections of the society. It highlighted the social customs that restrict autonomy in managing the resources and pointed out that gender dimensions
are rarely addressed in the deliberations on nutrition and food security. It established the gender nutrition linkages and advocated for synergy through combined provision of health care, nutrition education and women empowerment interventions and strategies focussing more on the following areas

- Mainstreaming gender in nutrition within the field of agriculture is a critical aspect of strengthening gender and nutrition linkages in recognition of their substantial contribution to agriculture production.

- The inclusion of gender-sensitive approaches in primary health care, water and sanitation, social protection and education are equally paramount, and may be achieved through multiple entry points.

- Mainstreaming gender in nutrition offers opportunities to integrate agriculture and health approaches. This will require increased collaboration and coordination between and within organizations working in the field of gender and nutrition so as to develop existing complementarities and comparative advantages, and to apply a holistic approach.

Session 4: Concluding Session

Chairperson: Dr.(Smt) Amita Prasad
Director General, ATI
Dr. Amita Prasad, Chairperson in her opening remarks highlighted the presentations and discussions that took place in the three sessions and pointed out that a number of important and critical issues related to gender have been deliberated that would go a long way in designing policy initiatives and measures. Gurmeet Tej, Director, Department of Women and Child Development highlighted the initiatives taken up by the department to address issues related to women through various development schemes. G.S. Ganesh Prasad discussed the proceedings and outcome of the workshop through a set of suggestions and recommendations.

**Suggestions/Recommendations**

- There is a need to address some of the important issues like health, education, labour, etc. immediately through policy initiatives and capacity building programmes.
- The constitution has provided specific provisions related to gender but they have not been translated into action and this is one area that has to addressed at the policy making level.
- The Gujarat model of empowering women needs to be looked into and analysed to adopt the same in the state.
- Criminal Law Amendment Act 2013 needs to revisited in the light of recommendations of the Justice Varma Panel.
- The State Government Departments and the implementing officers including students have to be sensitised on gender issues.
- Social Infrastructure Index favouring women related issues need to be addressed to assess the performance of development programmes. This should be supported by Performance Assessment System.
- Gender issues need to be addressed at the time designing and planning of various development programmes as in South Africa.
- The support of the Police department in protecting the rights of women is very much crucial and this needs to be achieved through better sensitisation and coordination among police and other departments.
- Women’s participation in the decision making process holds the key in answering most of gender related problems. An effective woman centred
planning needs to be evolved to address most of the problems faced by women.

- Declining natural resources play an adverse role on the standard of living of women in rural areas. Convergence among different departments implementing the scheme should address these issues.

- The policy making structures especial the Women and Child Development needs to be tuned to make it more critical and strategic.

- Capacity building measures focussing more on gender equality and equal opportunity especially to grassroots level functionaries needs to be provided to address gender related issues. It is recommended that the Centre for Gender and Empowerment under the umbrella of ATI to take up research and capacity building initiatives.