

Social Issue

Date
06/09/2020

Topics → Communalism, Regionalism & Secularism - Causes & Suggestions

Sexual Harassment of women at workplace (Prevention Prohibition & Redressal) Act 2013.

(Justice Verma - Vishaka Guideline.)

Sexual Harassment

- If an organization have more than 10 employee then they have to form a internal committee. Complain has to be made within three months the internal committee may forward the complain to police and complete enquiry within 10 days.
- for less than 10 employee there is a provision of a local committee at district level.
- # ~~for~~ Metro movement was a classic example of showing or social media showing as ^{an} agent of social change.
- # Happy to bleed — Related to Sabrimala in 2016.

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Nirbhaya fund

100 Cr

Nonlapsable fund

Spend on Mahila Police volunteer.

Spend on Nationalisation 181

MH, Manipur, Sikkim did not spend a single penny on this fund

Karnataka spent - 7%.

Tamil Nadu - 3%.

National Database on Sexual offenders Exclusively

for law enforcement agencies maintained by NCRB.
Names, address, information of the offenders. would be uploaded to this Database.

→ Low danger → 15

→ Moderate Danger → 25

→ Habitual is Life

Positives

It would work as a deterrent. It would be helpful in conducting background checks. It would be helpful in identifying repeat offenders.

It may encourage more victims to come out and identify criminals.

→ Concerns

1. It shows that the criminal is not known to the victim but the NCRB data proves otherwise which clearly shows that in 95% of the cases the victim knew the culprit.
2. Studies on similar initiative in US & UK shows that the registries virtually have no effect on reducing crimes.
3. It would not give any space for reform and rehabilitation.
4. It may lead to lynching.

→ Devdasi System (Berij & Nat)

At present this system is mainly prevalent in Maharashtra, Andhra Pradesh, Tamil Nadu and Karnataka (80,000).

Supreme court has taken a stern stance in condemning the

It described the practice as an evil done to women by subjecting them to sexual exploitation and prostitution.

1. Bombay Devdasi Act 1934
2. Maharashtra Devdasi Act 2006
3. Andhra Pradesh Devdasi Act 1988.

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Karnataka and Maharashtra are having rehabilitation programme for these women and Maharashtra also give pension to those Devdasi who are more than 40 years old.

Honour Killing

largely there is no definition of the crime therefore no government statistic..

In the records of NCRB these crime do not exist. The law commission has voiced for special Act to deal with such issues.

Supreme Court has said honour killing should be seen as rarest of the rare case and capital punishment is necessary as a deterrent for such barbaric behaviour.

IPC-497 Adultery

If a man have intercourse with a married women without her husband consent he is punishable by law.

It reduces women to an object as no consent is required from the women's side. This section making her husband as a licenser.

Maternity Benefit (Amendment) Act 2017

This increased paid leave from 12 weeks to 26 weeks. If somebody is adopting a child less than three months than 12 weeks and somebody is commissioning mother then it is 12 weeks leave. for 50 years more you have to crash facility.

Issue

- Gender Role stereotyping.
- Impact on Job opportunity.
- More than 80% of women are working in unorganised sector and they are out of the purview of the Act.
- What about single male who are adopting.
- UK has 52 week leave
- Sweden has got 240 days leave at 80% of the salary.

Women & Development

Don't assume that with development the effects would trickle down and the gender outcomes would improve. This is ~~specialy~~ specially true for a country like India which is in face of transition so if one wants gender outcomes should be changed in a positive scenario for all time to come one should make sure that the demand for the change

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should come from within or core values.

Development is a necessary condition but not a sufficient condition for social change.

Women & Labour

Reasons of decline of Labour force Participation Rate

1. Increasing household income
2. Unequal wages
3. Sexual Harassment
4. Security Issues
5. Increased attendance and Higher Participation of women in Education
6. Mechanisation of the Agriculture.

* Urban women
is more empower taking
decision herself

Negatives

- Dual burden
- Threats
- Women work earning daily wages bases
- does not have social security system.

As per ILO if the female Labour force Participation rate reaches to 50%. there would be improvement 20% in the GDP.

Urbanization Impact on women

- ⇒ Lifestyle of women improved.
- ⇒ Living standard of women Improved.
- ⇒ Better literacy Area.
- ⇒ More empowered taking Decision herself.
- Better Salary

Reservation of Women

The convention for elimination of discrimination against women obligates the countries to take appropriate measures to eliminate discrimination among women in political life.

Example - Rwanda → 60% +

Sweden → 45% +

Nepal → 30% +

Pakistan and Bangladesh - 20% +

The World → 24%

India → 14%

After studies ~~after studies~~ ^{have} proved that in General women have been more sensitive, responsive and efficient in performing their leadership roles.

Women Reservation Bill

- $\frac{1}{3}$ rd seats for women in Lok Sabha & Vidhansabha.
- Seats allotted on the basis of rotation.
- Reservation would cease to exist after 15 Year.

Issues

Opponent Argue that it would perpetuate the unequal status of women since they would be perceived not to be competing on merit.

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- It would restrict the choice of the voters to a particular gender.
- The issue of proxy representative
- Does not give reservation in Rajya Sabha and Vidhan Parishad.

A study by United Nation shows that places with women representative shows higher economic growth than those under their male counterparts.

Women lead Panchayats, deliver 60% higher drinking water projects than in those lead by man.

With women Pradhan more women came forward to attend gram sabha meeting.

Women Reservation in Paramilitary Forces

The Government in 2015 had announced that women would soon account for 33% of constable rank personnel in CRPF and CISF and 15% in BSF, SSB, and ITBP.

Positives

- Gender sensitivity of the forces would increase.
- would reduce vacancies.
- Women can deal with sensitive issue much better.
- Can be used for search and seizure operations when the male family members are not present.
(would improve relation)

- Can be better used for Rite control, digaster management etc.
- Preception of society towards women would changed

Issues

- Lack physical strength.
- Increased Risk of Abuse.
- Privacy issues
- Maternity leaves.
- Lack of family Balance
- Infrastructural Issues
- Operational issues.
- Feeder Institution for women are missing.

The Indian Paramilitary forces are committed to Gender Equality and employ a gender role perspective in all policies and regulations. Equality does not mean that women and men becomes equal the same but that women's and men's rights, responsibilities and opportunities will not depend on whether they are male and female.

A gender perspective means being able to recognize that any given situation may affect men and women differently and being able to respond

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and accordingly.

Managing diversity and promoting inclusion in response to a more diversified society is vital.

In an increasingly complex environment a diverse military force is required to tackle unforeseen event and threats.

CRPF has two Mahila Batalian.

CRPF has Mahila Batalian for more than two decade.

It has always vacancy more than 50%.

Severly affecting the Capabilities of the Batalian.

Article

14

15

16

39 a

39 d

39 A

42

46

47

51A(e)

243 D

243 T

243 ZJ

Question

What are the continued challenges for women in time and space?

LGBT (Lesbian Gay Bisexual Transgender)

Netherlands is the first country to legalised same sex marriage 2001

Ireland in 2015 to legalised same sex marriage

Spain, Germany, US, are example.

Bolivia, Ecuador, Fiji, and UK have constitutions that ^{specifically} ~~guarantee~~ equality for citizen on the basis of sexual orientation and gender identity.

Death Penalty given in- Iran, Saudi Arabia, Yaman etc.

Yogyakarta.

These are sets of principle on the application on International Human rights in relation to sexual exploitation and gender identity.

Naz Foundation

The Delhi Hc. struck down the provision of section 377 holding that it violated the fundamental rights of life and liberty and right to equality.

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Suresh Kumar Koushal 2013

SC to choose to reverse the verdict upholding the constitutional validity of section 377 and put the ball in the parliamentary court.

Puttaswami Case 2017

Sexual orientation is an essential attribute of privacy. Right to privacy and protection of sexual orientation ~~lies~~ ^{lies} at the core of fundamental rights.

Navtej Singh Case 2018

Sexual orientation is a biological phenomena. section 377 is arbitrary and irrational as it fetters the right to equality. Homosexuality is not a mental problem.

Social Morality can not violate the rights of even one single individual.