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D.O. No. PA/MS-PSWC/07/386
Dated 26 NOV 2007

Subject:- THE CONSTITUTIONAL MANDATE - Gender Equality.

Dear *Shri B.K. Srivastava,*

I enclose herewith a brief background paper on the subject. I clarify that the contents of the paper are not original. I have tried to compile the relevant material on the subject from various sources, which could structure as a broad scheme for a purposeful lecture.

As assured to your goodself earlier, I will be available to deliver the lecture at a reasonable notice. I am also in the process of preparing another lecture on Gender Sensitization.

With warm regards

Yours sincerely,

Kaushal
(Sarvesh Kaushal)

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THE CONSTITUTIONAL MANDATE - Gender Equality

INTRODUCTION

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women.

The 73rd and 74th Amendments (1993) to the Constitution of India have provided for reservation of seats in the local bodies of Panchayats and Municipalities for women, laying a strong foundation for their participation in decision making at the local levels.

India has also ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993.

The Mexico Plan of Action (1975), the Nairobi Forward Looking Strategies (1985), the Beijing Declaration as well as the Platform for Action (1995) and the Outcome Document adopted by the UNGA Session on Gender Equality and Development & Peace for the 21st century, titled "Further actions and initiatives to implement the Beijing Declaration and the Platform for Action" have been unreservedly endorsed by India for appropriate follow up.

However, there still exists a wide gap between the goals enunciated in the Constitution, legislation, policies, plans, programmes, and related mechanisms on the one hand and the situational reality of the status of women in India, on the other

Gender disparity manifests itself in various forms, the most obvious being the trend of continuously declining female ratio in the population in the last few decades. Social stereotyping and violence at the domestic and societal levels are some of the other manifestations. Discrimination against girl children, adolescent girls and women persists in parts of the country.

The access of women particularly those belonging to weaker sections including Scheduled Castes/Scheduled Tribes/ Other backward Classes and minorities, majority of whom are in the rural areas and in the informal, unorganized sector – to education, health and productive resources, among others, is inadequate. Therefore, they remain largely marginalized, poor and socially excluded.

THRUST AREAS

- (i) Creating an environment through positive economic and social policies for full development of women to enable them to realize their full potential
- (ii) The *de-jure* and *de-facto* enjoyment of all human rights and fundamental freedom by women on equal basis with men in all spheres – political, economic, social, cultural and civil
- (iii) Equal access to participation and decision making of women in social, political and economic life of the nation
- (iv) Equal access to women to health care, quality education at all levels, career and vocational guidance, employment, equal remuneration, occupational health and safety, social security and public office etc.
- (v) Strengthening legal systems aimed at elimination of all forms of discrimination against women
- (vi) Changing societal attitudes and community practices by active participation and involvement of both men and women.
- (vii) Mainstreaming a gender perspective in the development process.
- (viii) Elimination of discrimination and all forms of violence against women and the girl child; and
- (ix) Building and strengthening partnerships with civil society, particularly women's organizations.

Prescriptions

- Judicial Legal Systems
- Decision Making
- Mainstreaming a Gender Perspective in the Development Process

Economic Empowerment of women

- *Poverty Eradication*
- *Micro Credit*
- *Globalization –Capacity enhancement*

- *Women and Agriculture*
- *Women and Industry*
- *Support Services for women*

Social Empowerment of Women

- *Education*
- *Health*
- *Nutrition*
- *Drinking Water and Sanitation*
- *Housing and Shelter*
- *Environment*
- *Science and Technology*

Women in Difficult Circumstances

The Girl Child

Operational Strategies

A. Action Plans

- i) *Measurable goals to be achieved by a specific deadline*
- ii) *Identification and commitment of resources.*
- iii) *Responsibilities for implementation of action points.*
- iv) *Structures and mechanisms to ensure efficient monitoring, review and gender impact assessment of action points and policies.*
- v) *Introduction of a gender perspective in the budgeting process.*

B. Institutional Mechanisms

- *National and State Councils*
- *National and State Resource Centres on women*
- *Self-Help Groups (SHGs) at the Anganwadi/Village/Town level*
- *Women's Component Plan*

C. Strict enforcement of all relevant legal provisions

D. Gender Sensitization

E. Partnership with the voluntary sector organizations

F. International Cooperation

BACKGROUND PAPER