

ULUBERIA DISTRICT MEETING

Date: 09.01.2021
Time: 11.00AM-02.30PM

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Edited By: Venkatesh Kodukula



Report on use of Law for Empowerment of Women

SCHEDULE FOR MEETING

Time	Session	Speaker
11.00 AM -11.15 AM	Introducing the Issue	Pintu Karar, Advocate, HRLN
11.15 AM -11.45 AM	Discussion on Early marriage Issues	Pintu Karar, Advocate, HRLN
11.45PM - 12.15 PM	Abortion Rights	Sabyasachi Chatterjee, High Court, Calcutta
12.15 PM - 12.30PM	Reproductive Rights	Sandipan Das, Advocate, HRLN
12.30 PM -1.00PM	Gender based violence	Aparna Purkait, Social Worker
1.00 PM - 1.30PM	Lunch Break	
1.30 PM - 2.30PM	Education Rights of Women	All the Advocates present

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INTRODUCTION

Legally a female is known as a woman after she has passed through her childhood and adolescence, i.e. basically after crossing the teenage a girl is a woman. Government of India has made several laws to provide equal status to women in our country and secure their lives from various violence and crimes. Constitution of India provides fundamental rights and fundamental duties to the citizens of India; each and every citizen of this country is equally entitled of these rights and duties. 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).

The question naturally arises: what can law do to legitimately promote changed social patterns, and how? In other words, to what extent can law sustain and promote social development? As a sociologist I know that such a query cannot be addressed without reference to a specific topic and context. There is no one single society in the world that can be fully compared with another, and to answer such a delicate question one needs to look very deep into the history of a state. My research is formed around a particularly topic, that of gender: an area that developmental programs either focus on or have mainstreamed within other remits. According to the United Nations Development Program, social development cannot progress without concomitant women's empowerment. Based on this preliminary focus into gender rights, I decided to situate my research in one of the so-called 'emerging countries', that is perceived to be progressing from its prior 'developing' status. In particular, I selected India as its Constitution is among the longest standing and is considered to be one of the most democratic of any sovereign state today. Section III of the Indian Constitution states clearly the equal right to all genders and through the years India has increased the number of amendments and provisions affecting women's life conditions. However, women's condition in India is still driven by an underlying stigmatization.

SPEAKERS SESSION

Speaker 1- Pintu Karar

The speaker introduced HRLN team and also introduced our organization to the villagers, and the meeting was started. He discussed about the women of the locality relating to early marriage issues oriented issues. How the people can resist their voice to protect their right from getting early marriages among the remote areas where they take girl child as a burden and they find the marriage is only solution and also know about their rights to get protection from this burning problem and to live their life with dignity. Child marriage violates children's rights and places them at high risk of violence, exploitation, and abuse. Child marriage affects both girls and boys, but it affects girls disproportionately.

It is defined as a marriage of a girl or boy before the age of 18 and refers to both formal marriages and informal unions in which children under the age of 18 live with a partner as if married. Child marriage ends childhood. It negatively influences children's rights to education, health and protection. These consequences impact not just the girl directly, but also her family and community. A girl who is married as a child is more likely to be out of school and not earn money and contribute to the community. She is more likely to experience domestic violence and become infected with HIV/AIDS. She is more likely to have children when she is still a child. There are more chances of her dying due to complications during pregnancy and childbirth.

Estimates suggest that each year, at least 1.5 million girls fewer than 18 get married in India, which makes it home to the largest number of child brides in the world - accounting for a third of the global total. Nearly 16 per cent adolescent girls aged 15-19 are currently married. While the prevalence of girls getting married before age 18 has declined from 47 per cent to 27 per cent between 2005-2006 and 2015-2016 it is still too high.

The significant progress in the reduction of child marriages in India has contributed to a large extent to the global decrease in the prevalence of the practice. The decline may be the result of multiple factors such as increased literacy of mothers, better access to education for girls, strong legislation and migration from rural areas to urban centres. Increased rates of girls' education, proactive government investments in adolescent girls, and strong public messaging around the illegality of child marriage and the harm it causes are also among the reasons for the shift. Child marriage, a deeply rooted social norm, provides glaring evidence of widespread gender inequality and discrimination. It is the result of the interplay of economic and social forces. In communities where the practice is prevalent, marrying a girl as a child is part of a cluster of social norms and attitudes that reflect the low value accorded to the human rights of girls.

He also described about our organization to the villager that we do ProBono cases, so the Justice can be reach to the grass root level, and also discussed various cases our organization do for the public for example PIL, Writ, Acid attack case for the Victims, Domestic Violence Case, Human

traffic case, POCSO cases, Rape cases for the Victims, etc, in various District Courts and in High Court at Calcutta if required in Supreme Court under the Guidance of Dr. Colin Gonsalves

Speaker 2- Sabyasachi Chatterjee

The speaker started the discussion with the villagers about the Abortion Rights who doesn't want to give a birth of a child in any unavoidable circumstances. He also stated about the constitutional validity of section 3 (2) (b) of the Medical Termination of Pregnancy Act 1971 (MTP Act). The MTP Act bans the medical termination of a pregnancy post 20 weeks, and therefore does not adequately take into account individual circumstances that may warrant termination post 20 weeks, including where there are severe foetal abnormalities. The criminalization of abortions after the 20th week of pregnancy violates a woman's Fundamental Rights to life, liberty, health, choice and to be free from discrimination and inhuman and degrading treatment. Women who only discover they are carrying a foetus with severe abnormalities after the 20th week are unable to obtain an abortion. This forces many to seek often dangerous, illegal abortions from untrained providers in desperation. In some cases, testing to determine the existence of abnormalities can extend beyond the 20th week, forcing the pregnant woman to make a difficult decision on whether to abort the pregnancy without sufficient information. The public interest litigation prays for flexibility in implementing the MTP Act to allow medical termination for cases where the fetus presents significant abnormalities after the 20th week of pregnancy and for a declaration that the rational ceiling under section 3 is 26 weeks rather than 20 weeks.

Speaker 3- Sandipan Das

The speaker discussed about the Reproductive rights, and it was mentioned that in the Programme of Action of the International Conference on Population and Development (1994), which “rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. They also include the right of all to make decisions concerning reproduction free of discrimination, coercion and violence.”

In the context of the privacy judgment (Justice K S Puttaswamy v Union of India 2012a), we examine two reproductive rights issues that have featured prominently in recent public discourse: abortion and surrogacy. In this piece, we outline how the privacy judgment provides a much-needed impetus to the legislature to resolve potential constitutional challenges to laws on these two issues. On 24 August, 2017, a nine-judge bench of the Supreme Court of India (hereafter SC or Court) unanimously affirmed privacy as a fundamental right under the Constitution (Justice K S Puttaswamy v Union of India 2012a). The bench recognized privacy as an inalienable right, grounded in values such as dignity which underlie all our fundamental rights, and it categorically located privacy in the individual. While judges phrased their conceptions of privacy differently, the bench commonly held privacy to cover personal autonomy relating to the body, mind, and to making choices, as well as informational privacy.

A key aspect of this personal autonomy are reproductive rights, which entail rights to make sexual and reproductive decisions, as recognized by the 1994 United Nations International Conference on Population and Development (UNPIN 1994). These rights have been elaborated to include access to contraception, the right to a legal and safe abortion, the right to make decisions concerning reproduction free of discrimination, coercion and violence, the right to not be subject to harmful practices such as the coerced bearing of children (including with their spouse); and equal entitlement of LGBTQ persons to the same sexual and reproductive health services as all other groups (UNFPA, OHCHR, and DIHR 2014).

The Initiative uses the legal system to combat violations of reproductive rights, ensure implementation of reproductive rights schemes, and to demand accountability where implementation is left wanting. Through these efforts, the initiative is striving to establish, a human rights based approach towards reproductive health care. Through its work, the Reproductive Rights Initiative has brought focus to the issues of preventable maternal mortality and morbidity, the right to food and nutrition, discrimination against HIV positive pregnant woman, coercive population control policies, inhumane sterilization camps, unsafe abortion services, unethical surrogacy and sex selective abortion. And in rural area this burning problem is it its high and mainly the women even stayed in hospital in unhygienic way and with out nominal facility.

Speaker 4- Aparna Purakait

The speaker discussed with the villagers about the gender based Violation on women in remote area like Uluberia and she discussed the violation of women's fundamental rights through physical, mental, emotional, and sexual violence against women has become almost commonplace in the Indian context. Violence against women has taken particularly acute forms in circumstances where populations are already marginalized, such as in areas affected by armed conflict, areas undergoing mass displacement. Women in the Tribal belts and amongst Dalit populations are already vulnerable, and become even more so in areas affected by conflict. There is therefore a pressing need for the judiciary to recognize and address the particular forms of violence levied against women who are 'doubly marginalized' by caste, class, religion, or in situations conflict. Customary routinely laws discriminate against women, both by denying justice to victims of violence and by dispossessing women from their shares in land and property. A number of laws that protect women from discrimination have also either inadequate, or have not been properly implemented.

Violence against women in India refers to physical or sexual violence committed against Indian women, typically by a man. Common forms of violence against women in India include acts such as domestic abuse, sexual assault, and murder. Crime against women such as rape, acid throwing, dowry killings, honor killings, and the forced prostitution of young girls has been reported in India. Police records in India show a high incidence of crimes against women. The survey itself has been criticized for bias. Women belonging to any class, caste, creed or religion can be victims of this cruel form of violence and disfigurement. In India, domestic violence toward women is considered as any type of abuse that can be considered a threat; it can also be physical, psychological, or sexual abuse to any current or former partner.

Speakers: Advocates

Advocate Pintu Karar and others present advocate have discussed on **Education Rights of Women** and it is discussed on the said meeting that the Right of Children to Free and Compulsory Education Act (2009), there are still huge shortcomings in its implementation.

According to reports from the National University of Education Planning and Administration (NUEPA), 3.7 crore Indian children are out of school today. To this day, the government has made no effort to identify children between the ages of 6 and 14 through household surveys (in accordance with section 9(d) of the Act read with Rule 10). Indeed, calculating from Census and U-DISE (Unified District Information) on School Education for 2011-12, we find out that 14.5 per cent of all children aged 6-14 are out of school. Without proper and prompt mapping, children working in hotels and garages, as beggars, as servants, in brothels, on railway platforms, in bondage, in brick kilns and elsewhere are denied their constitutionally provided right to a better life through education. Indeed, it is shocking that the Indian state, which boasts of a GDP of 7 per cent, should have 14.8 per cent of its children out of school. What is worse that the government has not conducted any school mapping exercises to determine how many children are out of school as well the geographical spread of children in the neighbourhood to ensure that that the norm of the one-kilometre walk for primary schools as three-kilometre walk for upper primary schools is implemented in letter and spirit. The task of mapping schools and identifying children is the statutory duty of governments and local authorities, who have shunned their responsibility.

CONCLUSION

Today we have noticed different Acts and Schemes of the central government as well as state government to empower the women of India. But in India women are discriminated and marginalized at every level of the society whether it is social participation, political participation, economic participation, access to education, and also reproductive healthcare. Women are found to be economically very poor all over the India. A few women are engaged in services and other activities. So, they need economic power to stand on their own legs on par with men. Other hand, it has been observed that women are found to be less literate than men. According to 2001 census, rate of literacy among men in India is found to be 76% whereas it is only 54% among women. Thus, increasing education among women is of very important in empowering them. It has also noticed that some of women are too weak to work. They consume less food but work more. Therefore, from the health point of view, women folk who are to be weaker are to be made stronger. Another problems is that workplace harassment of women. There are so many cases of rape, kidnapping of girl, dowry harassment, and so on. For these reasons, they require empowerment of all kinds in order to protect themselves and to secure their purity and dignity. To sum up, women empowerment can not be possible unless women come with and help to self-empower themselves. There is a need to formulate reducing feminized poverty, promoting education of women, and prevention and elimination of violence against women.

INTERACTIVE SESSION

An interactive session was held with the participants. In this session the participants raised various questions which were answered by the advocates of HRLN.

Some villagers put their problems and have a discussion with them to clear their views

1. Sk Mumaj Begum, has raised one issue relating to her daughter marriage and violence was taken place in her matrimonial House and we has suggested to lodged complaint against the brutal act taken part of the in laws of the daughter of Sk Mumtaj Begum and she will meet our office regarding this issue.
2. Halima Begum, wife of Late Sukur Ali, of Village and Post Snatoshpur, Police Station-Bauria, District- Howrah, have discuss on issue relating to land matter as she driven out from the right of property which coffered to her through her late Husband and later on she asked to visit the office of HRLN for doing matter before the concerned court.
3. A lady who didn't wants to disclose her problem in front of everyone she revealed her grievance to Learned Advocate Sandipan Das personally about some domestic violence she is facing in her matrimonial home, but she at present not willing to file a case against her in-law, but if condition deteriorate then in near future she is willing to file a case and will take necessary help from HRLN.

Annexure A

Serial No	Name	Email-Id	Mobile No
1	Sk Gajir Rahaman		9674182017
2	Sasadhar Mondal		9674814044
3	Kartick Gayen		9143028821
4	Sk Saheb		8282830049
5	Archna Hazra		7550829469
6	Sarbani Sharma		7278608849
7	Latika Maity		9339467224
8	Chandana Roy		987491387
9	Sk Sarfaraj		8276919619
10	Sk Ajijul		82769191619
11	Sk Mojahidal		8910430711
12	Jiliklata Bera		891430711
13	Sandhya Mondal		7439456811
14	Samir Adhikary		9230379412
15	Sk Mamtaj Begum		9674012506
16	Arpita Chakraborty		8240373186
17	Pinki Begam		9836670591
18	Sahanahaz Begum		9874584979
19	Aparajita Bose	aparajita@hrln.org	8697204258
20	Aishwarya Adhikari	aishwarya@hrln.org	9717285683

21	Aslema Begum		6291321191
22	Sk Azar Ali		9836554882
23	Halima Begum		8585837078
24	Nasida Begum		
25	Choima Malick		8697540012
26	Sandhya Patra		8335927477
27	Suchitra Naskar		9874838091
28	Patal Karan		Do
29	Moslema Begum		9830723440
30	Nasima Begum		
31	Firuda Begum		9874091096
32	Ashoke Ranjit		8777813583
33	Somnath Karar		9733512486
34	Debdutta Sengupta		6291206362
35	Pravati Roy		9836834910
36	Sandipan Das		9038121315
37	Rita Manna		
38	Jahanara Begum		
39	Aparna Purkait		9830723440
40	Sanchita Jadav		8777646606
41	Sabyasachi Chatterjee		9830741882

42	Sk Mujibar Rahaman		8017793450
43	Balaram Sardar		9748123925
44	Pintu Karar		9732483805
45	Anwara Begum		9903591912
46	Samira Khatun		8851629198
47	Mansura Bibi		

Annexure B







vivo S1 Pro
48MP AI Quad Camera

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48MP AI Quad Camera

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48MP AI Quad Camera

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