

Women and Men in India

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PREFACE

The international statistical community led by the United Nations Statistics Division has been engaged in the process of developing programmes to foster the production of gender statistics and improve their use in policy making and monitoring. The Inter-Agency and Expert Group on Gender Statistics, comprising select UN agencies and national statistical offices, is working to establish a minimum set of gender indicators and guiding the development of manuals and methodological guidelines for the production and use of gender statistics. India, as a member of this expert group, is keenly engaged to improve the production and dissemination of gender statistics in the country. The compilation and release of sex-disaggregated data on various facets of human life is first, but important step in this direction.

The Central Statistics Office (CSO) has been bringing out the publication "Women and Men in India" on a regular basis since 1995. The endeavor in this publication is to focus on such crucial statistical indicators of socio-economic relevance which best portray gender inequality, gender bias and gender discrimination in the Indian society. The present publication brings gender statistics at one place on a wide range of issues - violence against women, economic empowerment, leadership & participation, health, education and human rights. With a view to providing the users with up-to-date data on the issues included in this publication, new tables have been added from the reports of the Annual Health Survey 2010-11 conducted by the Office of the Registrar General and Census Commissioner, India and the Employment-Unemployment Survey 2011-12 conducted by the Ministry of Labour and Employment, Government of India.

I hope that the present issue of the publication, which is 14th in the series, would be extremely useful to planners, policy makers, research workers and academicians. Suggestions for improvement in the publication will be highly appreciated.

I wish to place on record my sincere appreciation for the team of officers - Shri Inderjeet Singh, Deputy Director General, Shri Dhrijesh Kumar Tiwari, Director and Shri Mool Chand Bhaskar, Deputy Director - led by Smt. S. Jeyalakshmi, Additional Director General, Social Statistics Division for their valuable contribution in bringing out this publication.

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IMPORTANT CONSTITUTIONAL AND LEGAL PROVISIONS FOR WOMEN IN INDIA

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. Within the framework of a democratic polity, our laws, development policies, Plans and programmes have aimed at women's advancement in different spheres. 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.

1. CONSTITUTIONAL PROVISIONS

The Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favour of women for neutralizing the cumulative socio economic, education and political disadvantages faced by them. Fundamental Rights, among others, ensure equality before the law and equal protection of law; prohibits discrimination against any citizen on grounds of religion, race, caste, sex or place of birth, and guarantee equality of opportunity to all citizens in matters relating to employment. Articles 14, 15, 15(3), 16, 39(a), 39(b), 39(c) and 42 of the Constitution are of specific importance in this regard.

Constitutional Privileges

- (i) *Equality before law for **women (Article 14)***

- (ii) *The State not to discriminate against any citizen on grounds only of religion, race, caste, **sex**, place of birth or any of them (Article 15 (i))*
- (iii) *The State to make any special provision in favour of **women** and children (Article 15 (3))*
- (iv) *Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State (Article 16)*
- (v) *The State to direct its policy towards securing for men and **women** equally the right to an adequate means of livelihood (Article 39(a)); and equal pay for equal work for both men and **women** (Article 39(d))*
- (vi) *To promote justice, on a basis of equal opportunity and to provide free legal aid by suitable legislation or scheme or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities (Article 39 A)*
- (vii) *The State to make provision for securing just and humane conditions of work and for maternity relief (Article 42)*
- (viii) *The State to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation (Article 46)*
- (ix) *The State to raise the level of nutrition and the standard of living of its people (Article 47)*

- (x) *To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of **women** (Article 51(A) (e))*

- (xi) *Not less than one-third (including the number of seats reserved for **women** belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every **Panchayat** to be reserved for women and such seats to be allotted by rotation to different constituencies in a **Panchayat** (Article 243 D(3))*

- (xii) *Not less than one- third of the total number of offices of Chairpersons in the **Panchayats** at each level to be reserved for **women** (Article 243 D (4))*

- (ix) *Not less than one-third (including the number of seats reserved for **women** belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every **Municipality** to be reserved for **women** and such seats to be allotted by rotation to different constituencies in a **Municipality** (Article 243 T (3))*

- (x) *Reservation of offices of Chairpersons in **Municipalities** for the Scheduled Castes, the Scheduled Tribes and **women** in such manner as the legislature of a State may by law provide (Article 243 T (4))*

2. LEGAL PROVISIONS

To uphold the Constitutional mandate, the State has enacted various legislative measures intended to ensure equal rights, to counter social discrimination and various forms of violence and atrocities and to provide support services especially to working women.

Although women may be victims of any of the crimes such as 'Murder', 'Robbery', 'Cheating' etc, the crimes, which are directed specifically against women, are characterized as 'Crime against Women'. These are broadly classified under two categories.

(1) The Crimes Identified Under the Indian Penal Code (IPC)

- (i) Rape (Sec. 376 IPC)*
- (ii) Kidnapping & Abduction for different purposes (Sec. 363-373)*
- (iii) Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC)*
- (iv) Torture, both mental and physical (Sec. 498-A IPC)*
- (v) Molestation (Sec. 354 IPC)*
- (vi) Sexual Harassment (Sec. 509 IPC)*
- (vii) Importation of girls (up to 21 years of age)*

(2) The Crimes identified under the Special Laws (SLL)

Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with the emerging requirements. Some acts which have special provisions to safeguard women and their interests are:

- (i) The Employees State Insurance Act, 1948*
- (ii) The Plantation Labour Act, 1951*
- (iii) The Family Courts Act, 1954*

- (iv) *The Special Marriage Act, 1954*
- (v) *The Hindu Marriage Act, 1955*
- (vi) *The Hindu Succession Act, 1956 with amendment in 2005*
- (vii) *Immoral Traffic (Prevention) Act, 1956*
- (viii) *The Maternity Benefit Act, 1961 (Amended in 1995)*
- (ix) *Dowry Prohibition Act, 1961*
- (x) *The Medical Termination of Pregnancy Act, 1971*
- (xi) *The Contract Labour (Regulation and Abolition) Act, 1976*
- (xii) *The Equal Remuneration Act, 1976*
- (xiii) *The Prohibition of Child Marriage Act, 2006*
- (xiv) *The Criminal Law (Amendment) Act, 1983*
- (xv) *The Factories (Amendment) Act, 1986*
- (xvi) *Indecent Representation of Women (Prohibition) Act, 1986*
- (xvii) *Commission of Sati (Prevention) Act, 1987*
- (xviii) *The Protection of Women from Domestic Violence Act, 2005*

3. SPECIAL INITIATIVES FOR WOMEN

(i) National Commission for Women

In January 1992, the Government set-up this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary, etc.

(ii) ***Reservation for Women in Local Self -Government***

The 73rd Constitutional Amendment Acts passed in 1992 by Parliament ensure one-third of the total seats for women in all elected offices in local bodies whether in rural areas or urban areas.

(iii) ***The National Plan of Action for the Girl Child (1991-2000)***

The plan of Action is to ensure survival, protection and development of the girl child with the ultimate objective of building up a better future for the girl child.

(iv) ***National Policy for the Empowerment of Women, 2001***

*The Department of Women & Child Development in the Ministry of Human Resource Development has prepared a "**National Policy for the Empowerment of Women**" in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women.*

Highlights

Population and Vital Statistics

1. As per Census 2011, the population of India is 1210.19 million comprising 586.47 million (48.5%) females and 623.72 million (51.5%) males. Females have a share of 48.1% in the urban population and of 48.6% in the rural population.
2. The average annual exponential growth rate of population during 2001-2011 is 1.64%. The decadal growth rate during the same period stands at 17.64% which is 3.90% less than that during 1991-2011.
3. In the age-group 0-6 years, the share of female child population is 47.8% of the total child population in that age-group. Among the States, this share varies between 45.4% (Haryana) and 49.3% (Mizoram).
4. The sex-ratio (number of women per 1000 men) is 940 in 2011 which shows continued improvement over the sex ratios of 927 in 1991 and 933 in 2001. Among the States, in Census 2011, Kerala has the highest sex-ratio of 1084 and Haryana has the lowest of 877.
5. The mean age at effective marriage for females stands at 21.0 years in 2010. Among the major States, the highest mean age at effective marriage is 22.6 years for Kerala and the lowest is 20.1 years for Rajasthan.
6. Of the 48.7% never married persons in 2010, women had a share of 43.8% compared with 53.5% for men.
7. Total Fertility Rate (TFR) has come down from 3.2 in 1999 to 2.5 in 2010. The General Fertility Rate (GFR) during the same period has decreased from 103.2 to 83.9. The age-specific fertility rate is highest (198.6) in the age-group 20-24 years followed by 156.8 in the age-group 20-24 years and 66.0 in the age-group 30-34 years.
8. Historically, the age-specific mortality rate is the lowest for both males and females in the age-group 10-14 years. The mortality rate among females across all ages is 6.7 and that among males is 7.7 for the year 2010.
9. Out of 150.18 million households in the rural areas in 2004-05, 16.67 million (11.1%) are Female Headed Households. In the urban sector, out of the total of 56.97 million households, 4.85 million (10.9%) are Female Headed.

10. Keeping with the past trend, the share of rural migrant females stood at a high level of 47.7% compared with a meagre 5.4% of their male counterparts in 2007-08. The share of urban female migrants was 45.6% compared with 25.9% for males during the same period.

11. 60.8% of the rural migrant females migrated due to marriage followed by 29.4% due to movement of parents/earning member in 2007-08. A high 55.7% of the male migrants migrated due to employment reasons followed by 25.2% due to movement of parents/earning member in the same period.

Health and Well-Being

12. The female Infant Mortality Rate (IMR) was 49 compared with the male IMR of 46 and the overall IMR of 47 in 2010. Among the major States, the highest overall IMR of 62 was observed in Madhya Pradesh and the lowest of 13 in Kerala in 2010.

13. Life Expectancy at Birth (LEB) has increased more among women compared to men. It is observed that in 2002-06 LEB for males was 62.6 years compared to 64.2 years for females.

14. 47.0% of the deliveries took place at a health facility in 2007-08. Share of women who received ante natal care was 76.9% during this period.

15. The Maternal Mortality Ratio has come down from 254 during 2004-06 to 212 during 2007-09.

16. 57.4% women in rural areas and 50.9% women in urban areas suffered from anaemia during 2005-06. The share of anaemic women across the age-groups 15-19 years, 20-29 years, 30-39 years and 40-49 years is centred around 55% during the same period. Among the States, prevalence of anaemia was the highest in Assam and Jharkhand, both at 69.5%, and it was the lowest in Kerala at 32.8%.

17. The share of deliveries in hospitals, maternity/ nursing homes, health centers, etc. is 40.8% while the deliveries assisted by doctors, trained 'dais', trained midwives, trained nurses, etc. constitute another 48.8%.

18. Over 99% of married women know about any of the methods of contraception. The awareness about the female sterilization is very high in both urban and rural areas. The rural women are found to be less aware about the traditional methods of contraception (55.5%) compared with the urban women (62.4%).

19. During 2010-11, the share of unprotected couples was 59.6%. At 26.7%, sterilisation was the most preferred method of family planning followed by IUD at 5.7%, oral pill at 4.1% and CC at 3.9%.

20. 2.2% women in India drink alcohol, 10.8% chew paan masala and 1.4% women smoke currently.

Participation in Economy

21. The workforce participation rate of females in rural sector was 26.1 in 2009-10 (NSS 64th Round) while that for males was 54.7. In Urban sector, it was 13.8 for females and 54.3 for males. Among the States/UTs, workforce participation rate of females in the rural sector was the highest in Himachal Pradesh at 46.8% and in the urban sector, it was the highest in Mizoram at 28.8%.

22. In the rural sector, 55.7% females were self-employed, 4.4% females had regular wage/salaried employment and 39.9% females were casual labours compared with 53.5%, 8.5% and 38.0% males in the same categories respectively.

23. A total of 20.4% women were employed in the organized sector in 2010 with 17.9% working in the public sector and 24.5% in the private.

24. The labour force participation rate of women across all age-groups was 20.8 in rural sector and 12.8 in urban sector compared with 54.8 and 55.6 for men in the rural and urban sectors respectively in 2009-10 (NSS 64th Round).

25. The unemployment rate for women of all ages was 2.4 compared with 2.0 for men in the rural areas in 2009-10. It was 7.0 for women and 3.1 for men in urban areas during the same period. Among the States/UTs, the highest unemployment rate for women in rural sector was observed in Chandigarh (51.1%) and in the urban sector in Dadra and Nagar Haveli (60.0%) in 2009-10.

26. Of the total job seekers registered with employed exchanges, women constituted 32.5% in 2009.

27. The female share of total Central Government employment stood at 10.0% in 2009.

28. The share of female employees in the scheduled commercial banks was 15.9% in 2009 which rose slightly to 16.6% in 2010.

29. In 2009-10, the average wage/salary received by regular wage/salaried employees of age 15-59 years was Rs. 155.87 per day for females compared with Rs. 249.15 per day for males in rural areas. For urban areas, it was Rs. 308.79 and Rs. 377.16 per day for females and males respectively.

30. In 2010, the number of accounts operated by females in all commercial banks was 153.18 crores compared with 487.37 crore accounts operated by males. The deposit amount was Rs. 517209.74 crore for females and Rs. 1838826.25 crore for males.

31. In 2011-12, the share of women swarojgaris in the total swarojgaris assisted under the Swarnjayanti Gram Swarojgaar Yojna (SGSY) stood at 69.4%.

32. The share of women in the person days employed through MGNREGA stood at 48.3% in 2011-12 (all districts with rural areas).

33. According to the pilot Time Use Survey conducted in 18,620 households spread over six selected States, namely, Haryana, Madhya Pradesh, Gujarat, Orissa, Tamil Nadu and Meghalaya during the period June 1998 to July 1999, women spent about 2.1 hours per day on cooking food and about 1.1 hours on cleaning the households and utensils. Men's participation in these activities was nominal. Taking care of children was one of the major responsibilities of women, as they spent about 3.16 hours per week on these activities as compared to only 0.32 hours by males.

Literacy and Education

34. As per Census 2011, 74.0% of the population is literate comprising 65.5% females and 82.1% males. The incremental increase over Census 2001 of 11.8% for females is higher than 6.8% for males.

35. Among the States/UTs, the female literacy rate is the highest in Kerala at 92.0% followed by Mizoram at 89.4%. The highest male literacy rate is observed in Lakshdweep at 96.1% followed by Kerala at 96.0% as per Census 2011.

36. As per NSS 64th Round, 2007-08, of the currently attending students aged 5-29 years, 69.2% females in primary schools, 65.6% females in the middle schools and 56.8% females in secondary and higher secondary schools were attending Government schools. The share of males is across the board lower at 65.4%, 64.0% and 55.6% in the respective categories.

37. Share of females getting free education/ exemption from tuition fee and receiving different types of incentives is higher than that for males in all the three levels of school education. However, the average annual expenditure for females is lower than that of males.

38. The main reasons of females never attending school are 'expensive cost of education', 'not interested in studies', 'education is not considered necessary' and 'required for household work'.

39. The Gross Enrolment Ratio (GER) for females at the primary level stood at 115.39 compared with 115.55 for males in 2009-10 indicating parity in GER. At the middle classes level, the GER for females was 78.30 while that for males was 84.53.

40. The Gross Attendance Ratio for females in the classes I-V in rural areas was 103 compared with 106 for males in 2007-08 (NSS 64th Round). The Net Attendance

Ratio was observed to be 83 and 86 for females and males respectively in the rural areas in the classes I-V.

41. The Drop-out Rates were observed to be 27.25 and 30.25 for females and males respectively in the classes I-V in 2009-10. These were 44.39 and 40.59 in classes I-VIII and 51.97 and 53.38 in classes I-X for females and males respectively.

Participation in Decision-making

42. In 2012, women occupied only 8 out of 74 Ministerial positions in the Central Council of Ministers. There were 2 women judges out of 26 judges in the Supreme Court and there were only 54 women judges out of 634 judges in different High Courts.

43. According to National Family Health Survey–III (2005-06) in the rural sector currently married women take 26% decisions regarding obtaining health care for herself and 7.6% in case of purchasing major household items. 10% decisions are taken by females in respect of visiting their family or relatives. For urban areas, these figures are 29.7 %, 10.4 % and 12.2 % respectively.

44. In the age group of 15-19 years, 46% of women are not involved in any kind of decision making. In the rural sector, 23.4 % females are not involved in any decision-making while, in the urban sector, only 13.9 % of urban resident women are not involved in any decision making. It is found that 32.7% illiterate women, 21.6% unemployed women are not involved in any decision making. For the country as a whole, 59.6% have access to money.

Crimes against Women

45. Cruelty by husband and relatives continues to occupy the highest share (43.4%) among the crimes committed against women in 2011 followed by molestation (18.8%). 15.6% cases are that of kidnapping and abduction, 10.6% of rape, 3.8% of dowry deaths and 3.7% of sexual harassment.

46. 10.4% cases of cruelty by husband and relatives underwent trial by the Courts of Law in 2011 and conviction was done in 8.3% cases. The highest conviction rate of 16.5% was observed for the crime 'importation of girls' and the lowest of 4.0% for 'indecent representation of women'.

47. Out of a total 24270 victims, there were 875 victims who were less than 10 years of age, 1707 in the age-group 10-14 years, 4646 in the age-group 14-18 years, 13264 in the age-group 18-30 years, 3637 in the age-group of 30-50 years and 141 in the age-group greater than 50 years.

48. In 2011, of the total Juvenile Delinquency, 5.8% were girls. Also, the rate of incidence of the crime per lakh population was 2.1.

India in International Arena

49. India ranks 134 in 2011 among 187 countries in terms of the UNDP Human Development Index (HDI) and Gender Inequality Index (GII).
