

Suggestions on

“Tamil Nadu STATE POLICY FOR WOMEN 2021 Draft by Department of Social Welfare and Women Empowerment, Government of Tamil Nadu”.

Women’s Groups/ Organizations in Tamil Nadu welcome the initiative of the Government of Tamil Nadu to draft a state policy for women through a consultative process, and for inviting comments on the draft. It is an excellent effort and touches upon a very broad spectrum of issues. There are several progressive aspects in the draft, which will qualitatively transform gender relations. The key is execution – for which formal institutional mechanisms, targets, milestones and timeframes are required.

An important omission to be rectified

However, we are deeply disturbed that the Tamil version of the policy draft was available only for six days before the deadline for comments. Asking for suggestions without releasing draft in Tamil will not reflect the decentralized participatory consultation process of all stakeholders. This has deprived women from several sections of society – disproportionately those from socially excluded communities – who are not conversant in English to provide their input on the draft policy. The Tamil draft should be widely circulated to get more grassroots perspectives; and to have intensive reflections with different sectors for bringing the issues and concerns from women’s point of view.

Since this policy will be in force for ten years, we urge the government to extend the deadline for providing feedback, and conduct consultations on the draft with women from the underserved and excluded so that it will become an inclusive POLICY.

Other key omissions

- Framework: An addition pillar – **governance** – should be added (similar to SDG 16 Institutions) for the policy to be implemented effectively to attain its goals.
- This policy does not have a robust regulatory framework, implementing strategy, and accountable stakeholders for the execution.
- There is inadequate understanding of the feminist economy. Consequently, though the work of women working in household is mentioned, the GDP contribution of women is not taken into consideration.
- In the listing of ‘affected women’, women farmers, women affected by TASMAL, women affected by microfinance, homeless women, especially the migrants and refugees who reside in government camps, and women sanitary workers, should be included.
- The references are inadequate. The benchmarks must be made more explicit.
- Rights and equity are missing, including the equitable right to life, to own property and equal claim over natural resources.
- Clear link to Persons with Disabilities Act 2016.
- Beijing platform of action, CEDAW, both in reference and in implementation benchmarks are missing.
- Partnership with the people is missing and needs to be strengthened to achieve many of the goals.

With the above caveats, we give our initial feedback below.

Overall

- In the stated four pillars of implementation strategies (social, economic, political and emotional); emotional to be changed to PSYCHOLOGICAL; and CULTURE to be included.
- There is a need to include an institutional and regulatory framework in the policy, without which it will only be a toothless statement of intent. It requires SMART targets, timeframes, and milestones.
- Issues of nutrition, including the intergenerational consequences of maternal nutritional status, are inadequately discussed and therefore inadequately addressed.

- The performance of existing state mechanisms (the State Commission for Women, Complaints Committees under POSH, women’s police stations, etc) are not stated in the background notes.
- The stakeholder list must include the State Commission for Women, and define NGOs and their role.
- The present pandemic context which brought to light several social and institutional deficits especially their coverage of, and accessibility to, the underserved social sections, should be detailed so that the acknowledgement underpins the rationale of addressing these gaps on a priority.
- The focus on urban women, women with disabilities and LGBTQ need to be strengthened.
- While the attention paid to sensitising boys in school is mentioned (1.1.1, 1.4.4 and 1.4.5), sensitising men on gender sensitive roles (a greater part of the reproductive work, family planning) should be given more attention. Gender clubs (1.5.5) should be the norm in each village, and should be active in the intergenerational dialogues.
- The active participation of the people is a prerequisite for success. An inclusive, multi-media multi-channel awareness and outreach programme to citizens and communities (especially the underserved) to make them active partners in this endeavour is essential. The outreach should, at the very least, make them aware of their entitlements and how to access them, of the state mechanisms, modalities, timeframe, and standards of service delivery and fulfilment, and of the officials responsible and how to hold them accountable. This combination of an aware citizenry and a responsive government will ensure success.

Preamble/Vision/ Mission etc.

Existing Provisions	Recommendations
Preamble	
	The preamble needs to acknowledge the present circumstances, especially the regression of rights and quality of life due to the pandemic.
	Nutrition, violence against women and girls must be explained elaborately in the preamble itself before entering into the policy draft so that the context and the response is clear.
Guiding Principles	
In the current drafting team of the Tamil Nadu State Women’s policy, only certain sectors of women are represented.	If the committee is formed to address issues of women or sexual offenses more than 75% should be women members representing all sectors. Any committee constituted by the State, its departments or boards or public sector undertakings or local bodies should comprise at least 50% women members.
Enhancing access to all services, health, education, employment, skilling and training	Shelter and housing to be included in this section. Women friendly infrastructure such as 1. Restrooms in all public areas and buildings (whether privately or publicly owned) with adequate safety, lighting and privacy. 2. Adequate special buses at all times.
It is stated about “empowering women and girls to enter high end opportunities in high growth sectors”	Some deeper analysis is required to understand the bulk of women dependency in agriculture, transnational agreements and its impact on women’s labour. These multinational companies are not covered by labour laws. We need to understand in the name of encouraging women’s employment we cannot stand against women’s labour rights.
Core Objectives	
	Add: 50% women at all levels of employment, including governing boards.
	Add: Eliminate gender pay gap.

Existing Provisions	Recommendations
Support to at least 1000 women student researchers every year especially in STEM from amongst disadvantaged sections of society	The support to women student researchers should not be restricted to STEM (Science, Technology, Engineering and Mathematics), should also include law, medicine, and social sciences .
	Shelters for homeless women established in all the local government institutions to ensure dignified rescue and rehabilitation of women in homeless situations.
Bringing down the school dropout rate and increasing enrolment.	The quantitative data is no more relevant with Corona context since we see more child labour and child brides on the ground. The digital gap has made a section of the students exit the education system. The online education is largely ineffective. We need studies on the education crisis of the 'should be in school' children continuing their education.
"encourage private public sector listed companies, quasi government organisations to provide 50% women in leadership positions".	Increasing to 50% is good, but the enabling provisions need to be given more publicity.
Stakeholders	
	The State Commission for Women should be included as a stakeholder.
	Recognise women residing in informal settlements (slums, homeless clusters) as a stakeholder as over 30% of the urban population resides in slums and other informal settlements
The key stakeholders in implementing policy would be ... NGOs in the field, Citizen Organisations, and Community based organisations.	In the present context the civil society organisations (NGOs, Citizen Organisations, and Community Based Organisations) addressing Human Rights and Women's Rights are facing major issues like cancellation of their licenses (FCRA). The State Government needs to clarify its stance on it and the support to the civil society.

Chapter 1. Social

Existing Provisions	Recommendations (Social)
1.1 Education and Research Gender sensitive curricula	A gender audit of the present text books would be an useful starting point.
1.1.1 Reduction of gender segregation	While this is an excellent initiative, the same must extend to men and other institutions too.
1.1.2 Interest subvention	When there is no control over fees in private institutions and no state stance against privatisation of education such measures are not going to help. Commitment on budget allocation for government schools and colleges need to be clearly stated.
1.1.3 Provide free/subsidised coaching classes for exams like JEE, CAT, UPSC, TNPSC and for higher management and technical courses to encourage women's participation	Extend this provision for NET, SLET, TET, IAS, MSRB,
1.1.4 Safety and sanitary audit shall be conducted to arrest the phenomenon of child marriage...	Explanation for 'sanitary audit' to be provided

Existing Provisions	Recommendations (Social)
1.1.11 A common digital repository of the research and studies conducted on gender-oriented themes by educational institutions, research institutes, Government agencies/departments set up.	Common digital repository to include government schemes for women, service providers, helplines etc,
1.2 Health, sanitation and nutrition	The number of PHC and UPHC should be increased, and they should be operational with doctors must be available for 24 hours.
	Women's health – including gynaecological issues – should be addressed at the PHC level.
	Build public toilets according to the population (Separately for men and women) especially in rural areas with adequate numbers; with adequate facilities like running water and lighting – spread over the communities, so that women do not have to walk long distances to reach them.
	Include feeding/diaper-changing rooms in public places
	There has to be a framework to carry out 'gender, sexuality, sexual health, and life skills' education in schools.
	The policy has to commit itself on responsibility of men in contraception.
	'Women Safety Beats' should include deploying women police officers in public spaces frequented by women –entrances of women colleges, schools, parks, places of worship, malls etc.,).
1.2.17	The mental health of senior citizens should be expanded to include their recreation and knowledge sharing engagements.
Section 1.3.1:	It is good to note the mention of transgender persons, noting, however, that the English version has 'transgender' and the Tamil version has 'திருநங்கை', not 'திருநர்', implying only transfeminine persons are included. We need to also address concerns of transmasculine persons (திருநம்பி).
1.3 Intersectionality (the financial implications of) 1.3.4	To remain true to the intersectionality imperative, the additional costs of inclusion needs to be acknowledged and budgeted. For instance, pregnancy grant is Rs 6,000 for women, but physically challenged women need more than that. This additional cost needs to be factored into every budget line.
Section 1.3.6.	Again, it's great that concerns of gender-nonconforming, intersex and trans(feminine) adolescents are being considered; however, it would be good if transmasculine(திருநம்பி) adolescents were also included, and homes for children in need of care and protection under the Juvenile Justice Act were to be made safe for all adolescents.
1.4 Elimination of violence	There should be adequate budget allocation for counselling centres and short stay homes and better networking of civil society organisations with government institutions.
	Capacity building on women's Human Rights need to be carried out for the entire police force. There has to be a capacity building programme for All Women Police Stations.
	The policy should have clear provision for spreading awareness on the existing protective, preventive, and punitive provisions of the law, and the mechanisms for enforcement redress especially with regard to gender-based violence regarding marriages of choice and religion ('love jihad') and caste hatred.

Existing Provisions	Recommendations (Social)
	The policy needs to clearly elaborate an efficient implementing strategy to make the system work. Impunity increases the frequency, intensity, and severity of crime. The law enforcement machinery and administration of justice system must be gender sensitised and well-resourced to be able to act swiftly in prevention and enforcement.
(linked to 2.4.3)	There has to be a clear statement on policy on alcohol, whether welfare measures can be planned with the income of selling liquor. De-addiction services should be made available at the PHC level.
Women in media who are part of #MeToo movement have lost work and they are ridiculed on media.	Robust protection systems, that are gender sensitive, staffed with personnel of proven gender sensitivity need to be in place at the closest level possible to the community.
	Legal Aid has to be made available at the Panchayat level.
Sections 1.4.3, 1.4.4., 1.4.5	Regarding gender equality in educational institutions, we need educational institutions to be affirming of ALL genders and sexualities, including queer, trans and gender-nonconforming students. Here is an opportunity for the TN government to implement the directions of Justice Anand Venkatesh in Sushma &nr. vs. Commissioner of Police (2021).
1.4.8.	Only empanelled counsellors should be appointed.
1.4.10	The single tracking system of violence cases is good, but there needs to be a policy commitment to adequate staff, infrastructure and funding being made available for its effective functioning.
1.6.1 All Single and women-headed households may be given 50 additional person-days of employment under MNREGS	Include Urban Employment Guarantee Scheme
1.7 Legal	The idea that the Judicial Academy shall train at the panchayat level a Community Resource Person who will be able to create awareness on the protective laws for women to produce resource person on community level to give legal trainings should be taken further to initiate and strengthen Mahila Nyaya Panchayats at the community level.
Section 1.7.6	The shelter homes and One Stop Centres need to be urgently oriented on the challenges faced by lesbian, bi, asexual, intersex and other queer women, and transmasculine persons due to family violence. Currently these institutions defer to the parents' wishes in case of any conflict. Another opportunity for the TN government to implement the specific directions of Justice Anand Venkatesh in Sushma &nr. vs. Commissioner of Police (2021) regarding shelter homes.
1.8.4 Cybercrime against women should be elaborated.	YouTube channels, Reality Shows and internet magazines should be regulated balancing privacy and security with freedom of expression, by involving women in media organisations.
1.8.8 Use of media for awareness	Using the intersectionality lens, ensure a multi-media, multi-channel approach so that people with disabilities can also be included in the messaging and awareness programmes.
1.9 Infrastructure	Placing women at the centre of building resilient and inclusive cities by ensuring participation of women in planning and decision-making processes like master plans for gender-sensitive habitat development.
	Address residential vulnerability in urban areas by providing access to adequate housing, water, sanitation and other basic amenities
	The rights of urban and rural poor need to be discussed separately.
In the name of development agricultural lands are usurped	Safeguarding agricultural lands and resources should be stated in the policy.

Existing Provisions	Recommendations (Social)
Displacement of urban poor has resulted in loss of livelihood, children dropping out of school, early marriage, increased violence against women and enormous social costs.	Acknowledge and address the impact of evictions and resettlement on livelihood and mobility of women. The policy should unambiguously state that there will be no displacement and that clear in situ title deeds will be given to women in a timebound manner within the first phase of the operational life of this policy i.e. within five years.
1.9.5 Housing	Tamil Nadu being an urbanised state, the policy needs a clear statement on affordable housing in urban centres, as it is an issue for all across the classes
	Recognise residential vulnerability; as over 30% of the population in urban spaces is residing in informal settlements, slums, and homeless clusters. They have specific issues that need to be addressed.
	Introduce gender friendly urban renewal projects in all the urban local self-government institutions, SMART Cities, AMRUT, and programmes implemented by para-state agencies like Chennai Rivers Restoration Project (CRRT) etc.
	Adopt gender-friendly designs (mindful of the needs of women with disabilities and seniors) in all Urban Public Housing Schemes – Consultation with women on housing designs to be made mandatory.
	To ensure 50% of women members in all Residents Welfare Associations facilitated by the Tamil Nadu Urban Habitat Development Board in Urban Public Housing Schemes

Chapter 2. Economic

Existing Provisions	Recommendations (Economic)
2.14 Unpaid care Has been recognised, but concrete proposals are lacking, which makes it a statement of intent rather than a programme of action.	There could be more detailing of this section, for instance on quality child support, affordable quality food by common kitchen, support measures to restart the career after child birth, social protection for women working from home and a campaign on sharing reproductive role by men.
2.16 Joint monitoring system to ensure compliance with existing laws BUT: Existing mechanisms for gender-based violence are inadequate. For instance, the POSH Act has not punished a single individual. The ICC s does not carry out audits.	The joint monitoring mechanism should have at least one third members from women's/ feminist non-government organisations with proven expertise and experience in women's empowerment.
2.16 Flexitime, 2.17 menopause leave, 2.18 Sick leave of 2 days outside CL	Paid leave for women during their menstruation period including in programmes such as MGNREG should be considered.
2.2 Employment	Women in agriculture should be recognised as farmers (with or without land) and be eligible for all social security entitlements as farmers, including membership and leadership of farmers' collectives.
	Special scheme to ensure health, and safety of Cleanliness Workers (Conservancy Workers). More women supervisors to be recruited to prevent harassment at work place.
2.2.1 Empowerment of self	Include martial arts training to improve their self-confidence. The finishing school should be for comprehensive life skills, not only for professional (market) needs.
2.3 Climate Change	Focus should be on 'Climate Resilient Bio-Diverse Farming'
	Urban resilient habitat development programmes to be undertaken in all informal settlements with enhanced participation of women in the resilience plans.

Existing Provisions	Recommendations (Economic)
2.7.5 Environmentally friendly, renewable, non-conventional energy, green energy sources shall be promoted ...	The state has a solar policy and the integration of the implementation of that policy with this needs to be stated, and the mechanisms to monitor effective implementation need to be in place.
2.8 Land ownership	Land reforms should be an integral part of the policy commitment and agenda.
2.11 Farmers and workers	The fact that women are a majority of farmers should be explicitly recognised and programmes for their livelihoods and social protection should be designed specifically for them.

Chapter 3. Political

Existing Provisions	Recommendations (Political)
3.15 Increased protection for political participation of women	The enforcement mechanism for a woman to exercise her power and a SC/ST woman to exercise her power should be in place. The caste dimension needs to be spelt out.
2.3 and 2.73 Management of commons such as water bodies	To manage water bodies, there needs to be provision ADDED under political to bring commons such as land and water under the local government with explicit role for women (such as prescribed in the village development committee). This will need to be within a policy framework for the management of commons, and a commons policy for the state, which is a political / governance imperative.
Urban governance	Initiate and activate Urban Nagara Sabha, with enabling infrastructure to ensure that women actively participate in them.

Chapter 6 Monitoring, research and evaluation

Existing Provisions	Recommendations (Monitoring, research and evaluation)
6.1 High Level Women Empowerment Committee (HLWEC)	To include the women elected representatives (Minister of the Department of Social Welfare and Women Empowerment, at least 1 MLA and 1 MP - to ensure with SC and ST represented) in the High Level Empowerment Committee Woman Legal Expert Senior Gynaecologist As there is only representation from International Organisations in the committee, it is suggested that one representative from a local NGO is included At least 50% of the committee members should be women. We recommend the VOICE OF GRASSROOTS through the vibrant women activists working for several decades in TN - be included in the HLWEC 1. Ms. Sheelu Francis, TN Women's Collective, Chennai 2. Ms. Bimla Chandrasekar, Ekta, Madurai 3. Ms. Burnad Fatima, TN Women's Forum, Arakonam 4. Ms. Vanessa Peter, IRCDUC, Chennai 5. Ms. Meenakshi Subramanian, Chennai
	A review every 6 months by HLWEC is welcome, but it needs to be a well-planned and well designed, robust monitoring system on the implementation process.
6.2 EVALUATION	We recommend the above team representing the Voice of Grassroots to be part of the Third-Party Evaluation
	Disaggregated data, and indicators and outcomes informed by intersectionality should be used for evaluation.

Existing Provisions	Recommendations (Monitoring, research and evaluation)
6.3 DATA, FINANCE & POLICY RESEARCH	
6.3.1	a. Instead of 'Gender Disaggregated administrative data annually', we recommend Release of 'STATUS OF MARGINALISED WOMEN in TN 2022'; followed by a MID-TERM and END-TERM review during the policy period. b. We recommend GENDER BUDGETING to decentralise at the level of urban and rural LOCAL BODIES. (as done in Kerala since 2004)
6.3.2	a. To build a connect between GENDER BUDGET CELL and Women in TN – Evolve an exclusive “Gender Budget TRACKING REAL TIME DASHBOARD” in the planned WEBSITE FOR WOMEN – so that we can track the flow of funds across districts/ Taluks & Panchayat - for each scheme mentioned in Gender Budget Statement.
6.3.3 6.3.5	The State shall allocate minimum 5 % of its Total Annual 'Gender Budget Statement' exclusively for the new innovative schemes for the marginalised women in TN and the same has to be categorised under PART-C of the GENDER BUDGET STATEMENT. (We completely disagree with the current pattern of 30 percent assumed allocation of each department under Part-C of Gender Budget Statement being released in the recent four years.).
On Outcomes	As done in the SC/ST FUND Acts in our neighbouring states; we demand a 'GENDER BUDGET BILL' for accountability. We strongly recommend the annual Gender Budget Statement be audited by the CAG and the same be presented in the legislative assembly for discussion.

Annexures

Existing Provisions	Recommendations (Annexures)
	Include intersectional data on health, education, housing and livelihood (farming and unorganized women workers).

Conclusion

The draft policy, as it stands, is a statement of intent. Many of these intentions are found in, and can be accomplished by, the proper implementation of existing laws, and the effective functioning of existing state mechanisms. It is the execution that is the key – for which timebound targets, verifiable milestones, and independent monitoring mechanisms are required. It is implementation alone that will distinguish this effort from its predecessors. Multi-stakeholder partnerships are a prerequisite, not an optional extra.

Drafted in consultation with:

Ms. Vanessa Peter (Founder IRCDUC, Chennai)
Ms. Geetha Narayanan (Consultant and Researcher)
Ms. Shanti (SRED)
Mr. Edwin (Programme Director, HRF)
Ms. Meenakshi Balasubramanian (Disability Rights Activist and Founder, Trustee – Equals)
Ms. Assumptha (Founding member, Abhithi Foundation, Pondicherry)
Sr. Josephine Amala Valarmathi (Coordinator, Domestic workers movement)
Ms. Beulah Azariah (Development Consultant, Chennai)
Mr. John. K. Thirunavukkarasu (Managing Director, Rose Trust)
Ms. Kamatchi (Senior Researcher, Social Watch - Tamilnadu)
Ms. Sheelu Francis (President, Tamilnadu Women's Collective)
Ms. Bimla Chandrasekaran (Director, Ekta Resource Centre for Women)