

ACTIVITIES 2011-12

WSC received initial funding from the University Grants Commission. It was further supported by SWISS AID, India. Following is the report of the activities carried out by WSC during the inaugural year of its functioning. Dr. Jaya Sagade was appointed as the first Director of WSC. Ms Archana More joined WSC as Coordinator on 1st July 2011.

CONFERENCES/MEETINGS/SEMINARS/WORKSHOPS:

1. Meeting

Topic: Discussion on Plans of the Center and exploring the possibilities of collaborative efforts with them.

Date: 29th June 2011, Friday

WSC called a meeting of Educational Institutions, NGOs and Civil Society members at ILS Law College on 29th June 2011 to share with them the establishment of UGC sponsored WSC and discussion to plan the activities in the coming year. Around 30 members attended the meeting and congratulated ILS Law College for getting WSC. They all said that the law college getting WSC is something that was long awaited and knowing the contribution of ILS in this area, everybody expressed a great hope of doing more work for promoting women's legal rights. They gave various suggestions for undertaking the activities. Dr. Jaya Sagade and Ms Archana More shared with members the proposed plan of WSC and also made announcement regarding the International Conference on Feminism and the Law to be held in February 2012.

2. Training Workshop

Topic: Sexual Harassment of Women at the Workplace

Date: 12th August 2011, Friday

WSC organized a training workshop on "Sexual Harassment of Women at Workplace" (SHAWP) on 12th August 2011 at ILS Law College. Dr. Sanjay Jain, Shri. Shrikant Malegaonkar, Smt. Vinita Palkar were the resource persons. Dr Sanjay Jain shared information and his views about connection between Gender and Sexual Violence. He narrated in brief the Supreme Court judgment in Visakha's case. Smt. Vinita Palkar explained various facts and myths about sexual harassment of women particularly about SHAWP. She expressed the need for legislation to curb this evil. Shri. Malegaonkar, a practising lawyer, who has experience in training management persons on this issue, explained the procedures to be followed by the complaints committee, role of the employer and employees. Each session was followed by a discussion. The training was very fruitful as it updated the participants on the functioning of Vishaka Committees and the disciplinary action that has to be taken by the Management.

3. State Level Consultation

Topic: Right to Abortion, Sex Selection and Eugenics

Date: 28th Nov 2011, Monday

WSC organized a State level consultation on “Right to Abortion, Sex Selection and Eugenics” on 12th August 2011 at ILS Law College. The reasons for organizing this consultation was to discuss the declining sex ratio and the role of law, bringing in the complexities of the issue of right to abortion and opposition to sex selective abortion, as well as the legal sanction to abortion on the basis of disability of the fetus. Students, academicians, researchers, activists, medical practitioners, lawyers and representatives from educational institutions and NGOs participated in the consultation.

Manisha Gupte, founder – MASUM, in her key note address shared the socio-cultural aspects of the declining sex ratio. She shared her experiences of the campaign against sex selection that was initiated during nineteen eighties. She also shared her experiences of filing Public Interest Litigation along with CEHAT in the Supreme Court for effective implementation of the Pre Natal Diagnostic Act. Manisha very forcefully brought out the various dimensions of the problem and complexities involved in the issues. Her address was very well received and it laid a path way for discussion during the entire day.

Ms Archana More gave the feminist perspective of right to abortion.

Prof. Iina Sen, Director – Women’s Studies Center, Wardha Unviersity shared the demographic aspects of the sex selective abortion. She also brought in the complexities of the issue and discussed the international perspectives.

Dr. Charulata Bapaye, M.D. (Gynecology) gave the medical perspective of abortion. She also answered many questions which were particularly raised by the students. Dr Anjali Radkar, Associate Professor from Gokhale Institute of Politics and Economics shared the demographic aspects and social impact of sex selective abortion.

Dr Soumitra Pathare, psychiatrist and disability rights activist, emphatically said that sex selection is a practice of eugenics. The medical practitioners owe the responsibility of it. He also pointed out that the provision in PCPNDT allowing abortion on the ground of eugenics is contrary to the Convention on Rights of People with Disabilities that India has ratified and a clear violation of human right of people with disabilities.

Ms Vidya Bal, Ms Leni Choudhury, Dr Sanjay Jain, Ms Vrushali Magdum, Dr. Jaya Sagade, contributed substantially to the deliberations.

4. International Conference

International Conference on Feminism and the Law: Revisiting the Past, Rethinking the Present and Thinking the Way Forward

Date: 10th to 12th February 2012

WSC in partnership with the University of New South Wales and the University of Technology Sydney, Australia organized an international conference on "Feminism and the Law: Revisiting the Past, Rethinking the Present and Thinking the Way Forward" from 10th to 12th February 2012 in the memory of Prof. S.P. Sathe under the rubrics of "Remembering S.P. Sathe".

Prof S.P. Sathe's contribution to public law is recognized all over India. He was the author of several essays on Feminism. It is, therefore a fitting tribute to him, that the Conference on Feminism and the Law be organized in his honor.

The aim of the Conference was to bring together various stakeholders in the women's movement, namely, lawyers, academicians, students and activists. It explored various themes such as Domestic Violence, Women and Property, Sex Work, Sexual Violence, Marriage and Motherhood, Gender and the Criminal Justice System, Gender and International Law, Teaching Gender, Gender and Education, Feminism and Law Reform, Reproductive and Sexual Rights, Surrogacy, Feminization of Poverty, Feminist Litigation, Gendered Violence and Feminism & Intersectionality, through the paper presented during the course of three days. In all 62 papers were presented.

The Conference witnessed a significant international participation with presenters and delegates from countries such as Australia, Egypt, Canada, China, Indonesia, Iran, Japan, Lebanon, Mauritius, Netherlands, Nigeria, South Africa, Sri Lanka, Turkey, the United States of America, and the United Kingdom. The conference was attended by 37 international delegates from 16 countries and 131 Indian delegates from various institutions.

The Conference was shaped by inputs from stalwarts in women's movement, such as Prof. Ratna Kapur, Ms Flavia Agnes, Ms Manisha Gupte, Prof Margaret Thornton, Ms Pushpa Bhave, Justice Prabha Sridevan and Prof. Rosemary Hunter.

Dr. Jaya Sagade, the coordinator of the Conference, emphasized at the outset that the feminist movement is not a monolith. It is, in fact, shaped by various perspectives and individual women's experiences. Dr. Christine Forster - UNSW, Australia and Dr. Vedna Jivan - UNTS, Australia shared their experiences in this partnership. Inaugural address at the Conference was given by Prof. Rosemary Hunter from the University of Kent, UK and Ms Flavia Agnes from MAJLIS, Mumbai. Prof Rosemary Hunter spoke of the need for open-access journals and related that to feminist ideology. Ms Flavia Agnes spoke of

the dynamics of class, caste and religion that influence the experiences of women in India. She also gave a historical overview of the “Feminist Movement” in India. Shri. Raosaheb Shinde, President of Indian Law Society presided over the inaugural function.

The Second day’s plenary session witnessed Prof. Margaret Thornton deconstructing the ideal academic and speaking about the subjectivity of merit. Ms Manisha Gupte the second plenary speaker spoke of the concept of honor killing and the need to examine it before rushing into the creation of legislation.

The valedictory addresses were given by Justice Prabha Sridevan, Chairperson of Intellectual Property Appellate Board and former judge of the Madras High Court and Ms Pushpa Bhave, former Professor and Head of the Department of Marathi, Ruia College and a Feminist Scholar. Justice Sridevan spoke of a woman’s voice as it is found in judgments and illustrated it with several judgments delivered by the Supreme Court and High Courts. Prof. Pushpa Bhave summarized the deliberations over the three days and provided her analysis of the same. Ms Usha Ganesh, faculty of ILS Law College compered the entire proceedings of the Conference. Ms Archana More proposed the vote of thanks.

The Conference was pleased to host a cultural program in the form of a shadow play on gender violence by the Srishti School of Art and Design, Bangalore which brought to light the sensitive aspects of violence through dance, music and shadow play.

The ILS Law College hopes that the deliberations that took place in the conference shall chart a course for the future of the women’s movement. We are determined to bring about a publication of the proceedings of the Conference as a first step towards this end.

5. Consultation on Assisted Reproductive Technology and Women’s Rights

Women’s Studies Center and Nisha Dhanagare Memorial Foundation jointly organized a consultation on “Assisted Reproductive Technology and Women’s Rights” on 24th March 2012 at the ILS Law College, Pune.

This consultation was designed to deliberate on the Assisted Reproductive Technology Bill, 2010, Medical aspects of Assisted Reproductive Technology, Critical analysis of the Bill, 2012, Socio-cultural, psychological, ethical aspects of ART and alternatives to ART.

Ms Mona Dhanagare welcomed all the participants on behalf of Nisha Dhanagare Memorial Foundation. Dr Jaya Sagade, Director of Women’s Studies Center, introduced the theme of the consultation and raised number of issues to be deliberated during the consultation.

The first session was on the Medical Aspects of ART and its impact on women's health. Dr. Vaijayanti Patwardhan (Obstetrician and Gynecologist) explained meaning of the ART, artificial insemination, oocyte and embryo donation, surrogacy and other processes that are carried out under the umbrella of ART.

Dr. Pratibha Kulkarni (Obstetrician and Gynecologist) while explaining the complexities of the processes, specifically mentioned which technology can be used at what stage and situation of the reproductive cycle of the woman. She also elaborated the advantages and disadvantages (short term as well as long term) of ART on women's health.

Dr. Anant Phadke a health rights activist chaired the session.

The second session was on the critical analysis of the Assisted Reproductive Technology Bill, 2010. Ms Archana More, Coordinator, Women's Studies Center, highlighted the basic provisions of the bill and rules under it.

Dr. Deepa Paturkar, Dr. Nitish Nawasagaray and Dr. Sanjay Jain (Faculty members of the ILS Law College) raised various contradictions and gaps of the Bill. Dr. Deepa Paturkar explained the Dr. Nitish Nawasagaray highlighted the gaps in the authorities and its jurisdiction that will be created under this act. Dr Sanjay Jain presentation examined the bill in the light of various international conventions like CEDAW, CRC, ICPD etc.

This session was chaired by Principal Vaijayanti Joshi.

The third session was on Socio-cultural, ethical aspects and alternatives to the Assisted reproductive technology.

Dr Karuna Gokhale (teacher, writer and trainer) while discussing the socio cultural aspects of ART, explained that different streams within feminism have different view point on surrogacy and other ARTs. Dr Shirisha Sathe (clinical psychologist and teacher) explained that the administration of the technology on the mother is going to have alarming long term and short term impact on the child born out of it. Ms Sunita Bandewar (expert in bioethics) explained all the ethical aspects involve in all kinds of assisted reproductive techniques and the law related to it. Ms Roxana K (the Executive Director BSSK) explained the ways and limitations of looking at adoption as an alternative to the ART.

This session was chaired by Dr Dhanagare.

Dr Vidyut Bhagwat, Dr Meena, WSC, TATA Institute, Ms Chayanika Shah, feminist activist were among the few who substantially contributed to the discussion during the sessions.

Dr Jaya Sagade took a review of the proceedings of the consultation. Ms Anagha Tambe, Secretary Nisha Dhanagare Memorial Foundation proposed vote of thanks at the end of this consultation.

PROF. S.P. SATHE MEMORIAL LECTURE:

Date: 10th to 12th February 2012

This year's S.P Sathe Memorial Lecture was delivered by Prof. Ratna Kapur, Director of the Center for Feminist Legal Research, New Delhi, on "An Epitaph or Born Again? Critical Reflections on Feminist Engagements with Law in India". She provided a critical overview of the Feminist Movement and spoke of the changes that have come about as a result of women being actors in the neo-liberal space. The lecture was presided over by Prof. Margaret Thornton, Australian National University, Canberra, Australia.

PROF. S.P. SATHE MEMORIAL ANNUAL NATIONAL MOOT COURT COMPETITION:

Date: 24th to 26th February 2012

The Moot Court Competition was a sequel to the three day International Conference. As the theme this year was Feminism, the issue for arguments that was selected was of medical termination of pregnancy. The question was with respect to the abortion of the child of a mentally ill woman, by her guardian, against and without her consent. The moot problem was drafted by Kanika Dhanda, Srishti Agnihotri (both V LL.B.) and Kirti Balasubramaniam (III LL.B.).

The entire moot court competition was co-ordinated by Dr. Nitish Nawsagaray, professor in-charge. This competition was organised by a strong and an able team of 21 student organisers and more than 30 volunteers, of various batches of the college. The student co-ordinators were Aakanksha Nehra and Lakshmi Krishnan (both V LL.B.). The memorials (written submission on behalf of the participating teams) were judged by a student team and a team of professors. The policy for marking penalties for the memorial was designed by Ravi Raghunath (IV LL.B.). The student team consisted of Arjun Uppal, Sonali Dhir, and Jesal Shah (all V LL.B.). Further, the professors who judged the memorials were:

- a) Dr. Deepa Paturkar, (teaching faculty at ILS Law College, Pune)
- b) Smt. Swati Kulkarni (teaching faculty at ILS Law College, Pune),

- c) Smt. Sonali Shrikhande (visiting faculty at ILS Law College, Pune) and
- d) Dr. Payal Thorve (Asst. Professor, Department of Law, University of Pune).

The competition this year took a leap and hosted 36 teams from all over India. They were:

New Law College, BVDU, Pune; NALSAR University of Law; Institute of Law, Nirma University; National Law University, Delhi; Rajiv Gandhi National University of Law, Punjab; Amity Law School, Delhi; KIIT Law School, Bhubaneswar; Rayat College of Law, Punjab; Dr D.Y. Patil College of Law, Mumbai; Campus Law Center, Faculty of Law, Delhi University; Jamia Millia Islamia, Delhi; Children Welfare Center Law College, Mumbai; M.S. Ramaiah College of Law, Bengaluru; Gujarat National Law University; Symbiosis Law School, Pune; ITM Law School, Gurgaon; School Of Excellence in Law, Chennai; Yashwantrao Chavan Law College, Pune; Government Law College, Mumbai; K.C. Law College, Mumbai; Dr. Ambedkar College, Nagpur; University Institute Of Legal Studies, Punjab University; ILS Law College, Pune; P.E. Society's Modern Law College, Pune; Shri Shivaji Maratha Society's Law College, Pune; DES Law College, Pune; Christ University, School of Law, Bengaluru; SVKM's Pravin Gandhi College of Law, Mumbai; Amity Law School, Noida, UP; Dr. Ram Manohar Lohia National Law University, Lucknow; National Law University, Orissa; National Law School and Judicial Academy, Assam; National University of Advanced Legal Studies, Kochi; University of Petroleum and Energy Studies, Dehradun; Rizvi Law College, Mumbai; Dr. Babasaheb Ambedkar College of Law, Nagpur; Marathwada Mitra Mandal's Shankar Rao Chavan Law College, Pune.

The participating teams' registration happened on the January 24, 2012 and consequently, the two preliminary rounds were held on January 25, 2012. The preliminary rounds were judged

by our beloved alumni, as they were spread across two sessions: pre-lunch and post-lunch. Four teams on the basis of their win points and score points proceeded to the semi-finals. The semi-finals were held on the last day of the event, i.e. January 26, 2012. The two courts in the semi-finals had a three judge bench of the following practicing advocates from Pune:

- a) Shri Avinash Ganu
- b) Smt. Mrugandha Joshi
- c) Smt. Pratibha Dalal
- d) Smt. Savita Prabhune
- e) Shri Shriram Gadre
- f) Smt. Viddulata Gawde.

The final round was judged by an esteemed three judge bench, constituting of:

- a) Dr. Durgambini Patel, Asst. Professor, Department of Law, University of Pune.
- b) Smt. Gayatri Jaysingh, Advocate, Bombay High Court and co-founder of HRLN, and
- c) Dr. Medha Kotwal, founder of 'Aalochana'.

The moot court competition was won by the Christ University, Bangalore and they won against Campus Law College, Delhi. The other awards that were won are:

Sr. No. Name of the prize and Team awarded the prize:

1. Semi Finalists National Law University, Delhi Jamia Milia Islamia, Delhi
2. Best Memorial National Law University, Delhi
3. 2nd Best Memorial Christ University, Bangalore
4. Best Student Advocate Neha Sharma; National Law University, Delhi
5. 2nd Best Student Advocate Sukhmani Singh; Campus Law Centre, University of Delhi
6. Best Speaker, Final Round Pranay Kapoor, Christ University, Bangalore
7. Justice V. A. Naik Prize for the Best Team in Maharashtra Dr. D.Y. Patil College of Law, Mumbai

All the above mentioned prizes along with the participating certificates were awarded to the respective teams in the valedictory function, chaired by the abovementioned judges of the final round, Prin. Vijayanti Joshi and Dr. Nitish Nawsagaray on February 26, 2012.

RESEARCH PROJECTS:

1. Preliminary Survey on "Misuse of Section 498A, IPC - Survey of the Police Stations in Pune"

Students of the ILS law College collected data from 6 police stations in the city. From the data gathered we concluded that the police machinery is biased towards women. The police machinery does not very willingly help the women survivor of domestic violence. They pressurize women to reconcile with the perpetrators of violence.

2. Effect of the Protection of Women from Domestic Violence Act, 2005 (PWDV Act) on Women's Rights

Research is being carried out with the help of college students on how PWDV Act has affected women's life. The main purpose of this work is to find information from the Pune based women's organizations about the extent to which reconciliation is taking place between the women facing violence and perpetrators. This project has been

undertaken with a view to finding out the different objectives behind Section 498A and the PWDV Act and how PWDV Act is supporting women in a better manner. It is in progress.

OTHER ACTIVITIES:

Internship Program:

November 2011 to April 2012

Mr. Promod Patole, student from Karve Institute of Social Science, Pune is placed with WSC for practical exposure. He is conducting awareness on family laws and legal provisions related to domestic violence in Ambedkar Nagar, a slum in the city. He is mobilizing the legal support to the needful women in the community.

A small study is being conducted on socio, economic, legal problems of the single women in lower socio-economic strata. He also works with the Legal Aid Center of the ILS Law College once a week.

Website:

Website of WSC was launched www.wsc.ils.edu.

FACULTY REPORTS:

Dr. Jaya Sagade (Director – Women’s Studies Center; Vice-Principal – ILS Law College; Coordinator – Center for Mental Health and Law)

Participation in Seminars:

1. Made a presentation on “Role of Mahila Dakshata Samiti and Protection of Women from Domestic Violence Act, 2005” in the State level Consultation on 18th April 2011 and 26 September 2011 at Police Research Academy, Pune organized by the Police Commissionerate
2. Participated in Drafting of Alternate Women’s Policy for the State of Maharashtra on 27 August 2011 organized by *Stri Mukti Andolan Samparka Samiti*. Contributed a chapter on Women and the Law along with other members
3. Made a presentation on “Legal Aspects of Child Marriages” in a National Consultation on “Child Marriages” 5th Dec 2011 at Vigyan Bhawan, New Delhi organized by the National Commission for Protection of Child Rights
4. Participated in a meeting on “Drafting of the Mental Health Care Bill” on 27th and 28th January 2012 organized by the Ministry of Health and Family Welfare, Government of India, New Delhi

5. Participated in the International Conference on “Feminism and the Law: Revisiting the Past, Rethinking the Present and Thinking the Way Forward” from 10th to 12th February 2012 organized by the WSC, ILS Law College. Presented a paper on “Women’s Cultural Images as Contingent Particular and Universal in enforcement of Gender Equality”
6. Made a presentation on “Legal Aspects of Single Women’s Right” in the State Level Workshop on 24th and 25th February 2012 organized by Tata Institute of Social Sciences - Tulzapur Center, in collaboration with the Indian Association of Women’s Studies

Lectures Delivered:

- Delivered a public lecture on “The Hindu Code Bill” at Satara on 28 Nov 2012 organized by *Sambodhi Pratishthan*
- Participated in a Discussion on “Sex Selective Abortion” on *Aakashvani* - All India Radio on 23rd January 2011

Publications:

- A book on “Child Marriage in India: Socio-legal and Human Rights Dimensions” (2nd Edition, 2011, Oxford University Press, New Delhi)
- Article on “Immoral Traffic Prevention Act” in *Marathi* in *Milun Saryajani* in *Diwali* Special Issue, October 2011

Ms Archana More (Coordinator)

Training and Workshops:

- Conducted two training sessions on ‘Vishaka Guidelines’, for police personnel at the Department of Women’s Studies, University of Pune, on 26th September 2011
- Conducted one day training on ‘Child Marriage - its physical, psychological and sociological adverse effect on women and provisions of the Child Marriage Prohibition Act’, for members of NGO and community leaders at Vikas Deep Prkalpa, Mangaon, Dist. Raigad on 13th October 2011
- Conducted one day training on ‘Implementation of PCPNDT Act’ for members of NGO at the Center for Leadership, Committee of Resource Organizations (CORO), Aurangabad on 12th November 2011

Lectures delivered:

- Made a presentation on 'Linkages of Domestic Violence and Declining Sex Ratio' at 'Consultation on Declining Sex Ratio in Maharashtra' organized by HALO Medical Foundation, Solapur on 13th November 2011
- Delivered a lecture on "Laws related to violence against women" at Consultation on Empowerment of Women organized by Karve Institute of Social Service, Pune and University of Pune on 30 November 2011
- Made a presentation on "Vishaka Guidelines and other Remedies on Sexual Harassment of Women at Workplace" at Interdisciplinary National Seminar on 'Sexual Harassment of Women at Workplace' organized by A.K. Home Science Mahila Mahavidyalaya, Nasik on 14th January 2012
- Made a presentation on 'Laws Related to Women with Special Emphasis on Family Laws and Legal Provisions on Domestic Violence' at seminar on Women's Rights' organized by S.P. College, Pune on 19 January 2012
- Delivered a lecture on 'Empowerment of young women in the modern society' at 'Young Women's Personality Development Workshop' organized by Students Welfare Board, Pune University and Sable College of Pharmacy, Saswad, Pune on 14th February 2012
- Made a presentation on 'Gender and Gender Review of the Schools', for the Head Masters of Schools all over Maharashtra organized by YASHADA, Pune on 15th February 2012

Consultations, Seminars and Rallies:

- Participated in Protest Rally and Demonstration on 'Declining Sex Ratio' organized by *Stree Mukti Andolan Samparka Samiti*, Pune, on 1st July 2011
- Participated in Consultation on 'Alternate Women's Policy for State of Maharashtra' organized by '*Stri Mukti Andolan Samparka Samiti*' Pune, on 20th August 2011
- Participated in Consultation on 'Compensation to the Rape Victims,' organized by Majlis, Mumbai, in association with the National Commission for Women on 28th August 2011
- Participated in Consultation on 'Declining Sex Ratio' organized by PM Shah Foundation, Pune, on 24th Sept 2011
- Participated in Rally on 'Protest against State Intervention to dilute Section 498A', organized by *Stri Mukti Andolan Samparka Samittee* Pune, on 9th December 2011

Publications:

- *Striyansathi Surakshitata: Gharat ani Gharabaheer, in Mahila Dhoran Kase Asawe, by Stri Mukti Andolan Samparka Samiti, Pune, August 2011. Drafted the chapter on violence against women in the alternate women's policy for the State of Maharashtra*
- *Garbhapat: Stricha Hakka ki Maryadit Mubha, article, in Pariwartanacha Watsaru, 16-30 December 2011*