INDIA

In 2010 India launched the National Mission for Empowerment of Women (NMEW). Its mandate includes facilitating the co-ordination of all programmes connected to women’s welfare and their socio-economic development across all Ministries and Departments. In addition, a National Resource Centre for Women has been set up and acts as a central repository for available information and research on all gender related issues. India ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1993.

1. Discriminatory family code

India is a pluralistic society and its constitution allows personal laws. Personal laws vary according to religion, with India’s plural legal system accommodating a combination of civil, religious and customary laws. The 1855 Hindu Marriage Act and the 1956 Hindu Succession Act govern the Hindu population. The 1937 Muslim Personal Law Sharia Application Act and the 1986 Muslim Women’s Protection of Rights on Divorce Act govern the Muslim population. Christians and Parsis are governed by the Christian Marriage Act and the Parsi Marriage and Divorce Act.

Under civil law, the minimum age for marriage is 18 years for women and 21 years for men. However, it is also governed in practice by customary law, which can provide for a lower age. For example, the Muslim Personal Law (though not codified) gives Muslims the authority to determine when marriage is acceptable, which if typically understood to be the age of puberty. Notwithstanding the legal marriage age, India continues to account for the highest number of early marriages in the world, despite legal and policy commitments to eliminate the practice. According to United Nations data from 2006, 27.6% of girls between 15 and 19 years of age are married, divorced or widowed. India’s most recent national health and demographic survey found that 46% of all marriages in India are early marriages, with rates varying from region from 11% to 60.

India pledged to eliminate early marriage by 2010 in its 2005 National Plan of Action for the Girl Child and adopted the Prohibition of Child Marriage Act (PCMA) in 2006, which establishes penalties for the marriage of girls below 18 and boys below 21 and renders such marriages

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1 CEDAW (2005), p.93
2 The Muslim Personal Law (Shariat) Application Act, No. 26 of 1937, India Code (1937)
3 CRR (2013), footnote 108.
4 WHO (2013)
5 UN (2012)
7 UNFPA (2012), p.29
voidable. However, NGOs working in the area of early marriage note that implementation of the PCMA has been weak. For example, the PCMA makes underage marriages voidable, (not automatically void), only by judicial authority; which may serve as a barrier for girls who lack the autonomy to access and pay for legal services. Further, passage of the PCMA does not clarify whether it supersedes personal laws, which has led to ambiguity concerning whether the minimum ages of marriage and the status of early marriages as voidable should be universally applied, or if the ages of marriage and legal statuses of early marriage established under personal laws should prevail.

Indian law requires the consent of both parties for a valid marriage to take place, however public opinion suggests that women may not always exercise this right in practice. Only 26% of those polled in 2007 Pew survey believed that a woman should be free to choose her spouse; 24 percent believed that a woman’s family should choose for her, and 49% responded that they should share the responsibility.

Legally, both spouses have equal rights within marriage. However in practice, fathers are considered to be the ‘natural’ head of the family and to exercise parental authority. In cases of divorce, courts are instructed to take decisions regarding child custody in the best interests of the child. However, the 2005 CEDAW report notes a trend whereby in most cases, Family Courts award custody of small children and of girls to mothers, while fathers are more often awarded custody of boys and of older children.

Rights to divorce differ for those who chose to marry under religious law. While Muslim men have the right repudiate (i.e. divorce unilaterally) their wives; Hindu divorce may be equally predicated on wrongdoing (such as adultery); and Christian marriages can be dissolved by a man for any reason, while Christian woman can only initiate divorce on the grounds of adultery. The civil law provides that women are entitled to maintenance as part of divorce. However, the Muslim Women (Protection of Rights on Divorce) Act 1986 restricts maintenance to Muslim women, by requiring the husband to give ‘a reasonable and fair provision, and maintenance’ to his ex-wife only within the Iddat period (before she remarries).

The Hindu Succession Act of 2005 granted Hindu, Sikh, Buddhist and Jain women equal inheritance rights to ancestral and jointly owned property, although enforcement of this law is weak. In 2011 the government reported that the section of the law that denied rights of a

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9 CRR (2013), p.6
10 Prohibition of Child Marriage Act, Art. 3
11 Prohibition of Child Marriage Act, Arts. 2(a), 3
12 Pew Research Center (2007), Question Q.44.
13 CEDAW (2005), p.45
14 CEDAW (2005), p. 45
15 CEDAW (2005), p.4
16 The Hindu Marriage Act of 1955, Section 13
17 UNDP (2010), p.127
18 Muslim Women (Protection of Rights on Divorce) Act 1986, Art. 3 (1)a
19 Oxfam (2013), p.1
widow to inherit her husband’s property upon her remarriage has been repealed. In practice, many women, particularly in northern India, are still deprived of inheritance. A recent survey by UN Women conducted in two states found that only 22% of families surveyed knew about the 2005 amendment that gave women equal inheritance rights. However, even if women are aware of this amendment, they tend to give this right away, for example to their brothers, to avoid any family tensions. In addition, the Muslim population of India may follow inheritance guidelines set out in Sharia law which discriminate against women and girls; daughters, for example, inherit half as much as sons.

More

The practice of dowry is still in use in many areas, notwithstanding the Dowry Prohibition Act of 1961, amended in 1986, which prohibits dowry and penalises the giver, taker and the persons demanding and encouraging it.

Polygamy is legal for the Muslim population, but is illegal for all other groups. The 2005-2006 Demographic Health Survey (DHS) found that 1.7% of married women aged 15-49 were in a marriage with one or more co-wives.

Adultery is a crime under India’s 1860 Penal Code, although it treats adulterous acts by men and women differently. Section 497 criminalizes adultery by a man with the wife of another man ‘without this consent’.

2. Restricted physical integrity

The Protection of Women from Domestic Violence Act 2005 prohibits domestic violence, and specialized court or procedure for cases of domestic violence. Regardless of marital status or the application of different communal family laws, women can secure protective orders and file cases against defendants in the same residence. 2013 amendments to the Penal Code also strengthened prohibitions against certain forms of domestic violence. For example, the punishment for an acid attack that causes harm to the victim will be a minimum term of 10 years’ imprisonment, extendable to a life term, while conviction on voluntarily throwing or attempting to throw acid with the intention of causing damage will incur a penalty of five to seven years. In practice however, the implementation of the law on domestic violence remains weak, due to lack of capacity and resources of police and other agencies, and widespread corruption in law enforcement.

20 CEDAW (2012), p.5
21 UN Women (2012), p.5
22 Basu, Srimati (2001)
23 The Muslim Personal Law (Shariat) Application Act, 1937, Art. 2
24 FAO (n.d)
25 CEDAW (2005), p. 93
26 Measure DHS Statcompiler (n.d.)
27 Arts. 18, 23, 24
28 The Protection of Women From Domestic Violence Act 2005, Art. 5
29 Amendment Act Art. 5, Penal Code Arts. 362A & 362B
30 US State Department (2012)
Reports of spousal violence have increased in recent years, although this may reflect increasing awareness of legal avenues for redress. In 2012 the NCRB recorded 106,527 cases of ‘cruelty by husbands or relatives’, only 15 percent of which resulted in convictions. In the 2006 Demographic and Health Survey, nearly 40% of married women reported having ever experienced physical, sexual, or emotional violence at the hands of their husband or partner, while 24% reported such violence occurred in the previous year. Attempts to combat the problem are frustrated by the fact that, a majority of married people in India view domestic violence as acceptable under certain circumstances. When presented with a choice of seven reasons why a man may be justified in beating his wife, 54% of women and 51% of men agreed with at least one of the reasons, the most common of which was arguing with her husband (about 38%).

In 2013, the Ministry of Health and Family Welfare has promulgated Guidelines and Protocols for dealing with Medico-legal treatment of survivors and victims of sexual violence. Sensitivity, timely intervention and coordination with the police are the defining principles that back these efforts. Also, Lawyers Collective has released in 2014 a publication entitled “Locating the Survivor in the Indian Criminal Justice System: Decoding the Law” to guide and sensitize all stakeholders on legal issues involved in such cases, and to better understand the nuances of the criminal justice system. In addition, the National Legal Services Authority (NALSA) hold sessions for sensitising stakeholders to deal with cases of violence against women, and there is a toll-free 24x7 Women helpline (1091) available for reporting cases of violence against women. There is also an Umbrella Scheme for Protection and Empowerment of Women.

In response to the public outcry following the death of a 23 year-old woman gang raped in New Delhi, the Government of India passed specific ‘anti-rape’ provisions into the criminal law, via the Criminal Law (Amendment) Act 2013. Under the Amendment, the Penal Code now provides for a sentence of seven years to life imprisonment and a fine for rape; ten years to life if the crime is committed by a person in a position of trust and authority such as police officers, a relative, guardian, or teacher; and provides for capital punishment if the act causes the victim’s death or leaves her in a permanent vegetative state. Gang rape is made punishable by a prison term of from 20 years to life and a fine. The Act also seeks to strengthen access to justice by making public servants who improperly conduct investigations in gender-based violence crimes, subject to a punishment of from six months to two years of imprisonment and a fine; and

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31 CEDAW (2005), p.7
32 NCRB (2012)
33 IDHS (2006)
34 IIPS and Macro International (2007), Tables 14.15.1 and 14.15.2
35 Ministry of Health and Family Welfare (2013)
36 Ministry of Women and Child Development (2013)
38 http://nalsa.gov.in/
40 Amendment Act Art. 9, Penal Code Art. 376
41 Amendment Act Art. 9, Penal Code Art. 376A
42 Amendment Act Art. 9, Penal Code Art. 376D
43 Amendment Act Art. 3; Penal Code Art. 166A
hospital staff who fail to treat victims punishable by a prison term of up to one year and/or a fine.\textsuperscript{44}

The 2012 Protection of Children from Sexual Offences (POCSO) Act defines and describes sexual offences including sexual assault and provides for strong punitive measures against offenders. It offers protection for all children including girls who are victims of offences defined under the Act and lays down child friendly procedures for investigation and handling of such cases.\textsuperscript{45}

Although these provisions are far reaching and improve access to justice for rape victims, one UN Expert has stated that they do not go far enough to address the systemic inequality that fuels sexual violence.\textsuperscript{46} In addition the amendments still fail to criminalize rape within marriage, which is not covered by the Indian Penal Code unless it involves a girl below the age of 15.\textsuperscript{47} There is also a question of whether the courts are resourced and able to implement the new provisions; given findings by the US Department of State that legal avenues for rape victims are inadequate, and overburdened.\textsuperscript{48} In addition, families frequently discourage reporting of rape: their attitudes tend to be about ‘family honour’ rather than the plight of the rape victim.\textsuperscript{49}

According to figures from the federal Home Ministry’s National Crime Records Bureau (NCRB) 24,923 cases of rape in 2012 were reported, up from 22172 cases in 2010 (a 12.4% increase),\textsuperscript{50} with a 24% conviction rate. Yet, it is difficult to establish whether incidences of rape have increased or if there is more reporting.\textsuperscript{51} The police also reported 8,233 cases of dowry death in 2012, and 38,262 cases of kidnapping and abduction.\textsuperscript{52} Notwithstanding these high figures, reported cases still represent only a fraction of actual cases, as under-reporting of sexual crimes remains a serious problem, especially for India’s most vulnerable women. For example, extremely high rates of sexual assault and abuse of female sex workers in India have been recorded.\textsuperscript{53} Also, the lack of sanitation facilities in India means that many women find themselves vulnerable to sexual assault.\textsuperscript{54} 55

Sexual harassment, often called ‘eve teasing’, remains a significant problem in India. Following the high profile case of sexual harassment decided by the Supreme Court in 2009, India developed sexual harassment guidelines for workplaces, including the establishment of commissions that are at least 50% female to receive and act on complaints of sexual harassment.\textsuperscript{56} The Sexual Harassment of Women at Workplace (Prevention, Prohibition and

\textsuperscript{44} Amendment Act Art. 3, Penal Code Art.166B
\textsuperscript{46} OHCHR (2013)
\textsuperscript{47} The Criminal Law (Amendment) Ordinance, art. 8, No. 13 of 2013, India Code (2013)
\textsuperscript{48} US State Department (2012)
\textsuperscript{49} Agnes, Flavia (2013).
\textsuperscript{50} NCRB (2012)
\textsuperscript{51} Sen, Samita (2013)
\textsuperscript{52} NCRB (2012)
\textsuperscript{53} Beattie (2010). p. 476
\textsuperscript{54} DNA India (2014).
\textsuperscript{55} Akram, M. (2013).
\textsuperscript{56} UN Women (2011), p.17
Redressal) Act was enforced on 9 December 2013. In addition to civil penalties for sexual harassment in the workplace, the Criminal Law (Amendment) Act of 2013 created a new offense of sexual harassment inserted in the Penal Code, and created voyeurism and stalking offenses.

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**More**

According to the US Department of State, so-called ‘honour’ killings remain a serious problem in India, particularly in the states of Punjab, Haryana, and Uttar Pradesh, with one report estimating that more than 1000 women and girls are killed this way each year. Women and girls were killed for marrying or being in relationships without their families’ or village elders’ consent, or for marrying outside their caste.

**Abortion** is legal in India in cases of foetal impairment, where the woman’s mental or physical health is in danger, in cases of rape and incest, and for economic or social reasons. Sex-selective abortions are a criminal offence. However, significant obstacles to obtaining safe and legal abortion in India still exist, including: prohibitive costs; shortage of trained providers and adequate equipment; lack of confidentiality and informal demands for spousal consent; poor access to facilities; and lack of knowledge about the legal status among women, lawyers, and medical professionals concerning abortion and where to access safe services. As a result, one study has found that of the 6.4 million abortions performed in India annually, 3.6 million, or 56%, were unsafe.

Supreme Court rulings in cases concerning coercive and unsafe sterilization in India have mandated extensive guidelines for sterilizations, with an emphasis on counseling and informed consent. Yet, implementation of these guidelines has been insufficient, and there have been several media reports of sterilization abuses, some resulting in death, throughout the country.

Although India’s Supreme Court has consistently held that maternal health is a constitutional and human right, in practice these rights are often unfulfilled. Reproductive rights advocates have claimed that India continues to have the highest number of maternal deaths in the world

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58 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
59 Amendment Act Art. 7), Penal Code section 354A
60 Amendment Act Art. 7, Penal Code Arts. 354C & 354D
61 US State Department (2012)
62 US State Department (2012)
63 UN (2011)
65 CRR (2012), p.3
66 CRR (2012), p.3
67 Ministry Of Health & Family Welfare, Manual For Family Planning Insurance Scheme 3-4 (2009),
68 CRR (2012), p.5
due to poor quality of maternal health care, the prevalence of unsafe abortions, and barriers to accessing contraception. The World Health Organization (WHO) estimates that 56,000 women and girls in India died from maternal causes in 2010.

In some areas, access to reproductive health services is limited by lack of provision, although there are regional differences. Current use of contraception lags behind the level of knowledge, as roughly half of married women reported using a modern method in 2006. Among women who did not intend to use contraception in the future, 42% did so because they had difficulty or an inability to become pregnant. Overall, 12.8% of women had an unmet need for family planning, either because they desired to space the births of the children farther apart or because they wanted no more children.

India is a source, destination, and transit country for women, and children subjected to forced labour and sex trafficking, with some NGOs observing that the level of human trafficking is increasing, especially from India’s most disadvantaged social strata, including the lowest castes, which are most vulnerable. According to the US State Department, the Government of India does not fully comply with the minimum standards for the elimination of trafficking, and complicity of some government officials in human trafficking remained a serious and unaddressed problem that impeded efforts to adequately fight the crime. In April 2013, the Government amended the Penal Code in a manner that broadened the types of crimes considered to be trafficking and establishing punishment ranging from 10 years to life. The Ministry of Home Affairs continues to establish Anti-Human Trafficking Units, which are responsible for combining law enforcement and rehabilitation efforts. However, some of these local-level units were criticized as being ineffective or only established on paper. The UJJAWALA programme offers support to victims of trafficking and commercial, sexual exploitation, with a focus on prevention, rescue and rehabilitation.

3. Son bias

The male/female sex ratio for the working age population (15-64) in 2014 is 1.07 male(s)/female while the sex ratio at birth is 1.12. There is strong evidence to suggest that India is a country of high concern in relation to missing women. UNDP reports that, as at 2008, India had a total of 42.6 million missing women, with numbers increasing in absolute
250,000 girls in India were thought to be missing at birth in 2008 alone. The 2011 Census found a worrying trend in child sex ratios with only 914 females for 1,000 males, a drop from 927 in 2001. Using data from the 2011 Census in India, after adjusting for excess mortality rates in girls, the estimates of number of selective abortions of girls rose from 0 to 2.0 million in the 1980s, to 1.2 to 4.1 million in the 1990s, to 3.1 to 6 million in the 2000s. The study shows that the problem is in fact growing amongst the middle class which suggests that missing women cannot be attributed to poor socio-economic status.

More

According to data from the 2006-2007 Demographic and Health Survey for India, 41.5% of girls and 45.3% of boys under the age of two had received all their vaccinations. Under-five mortality rates were higher for girls than for boys (79.2 per 1000 live births for girls, 69.7% for boys), while malnutrition rates were equal or slightly higher for girls. Given that in most contexts, rates of under-five mortality and malnutrition are higher for boys than for girls (due to physiological differences between male and female children), this would indicate bias towards sons in regard to early childhood care.

Primary and secondary school enrolment and attendance rates are lower for girls than for boys (according to UNICEF), indicating some son preference in regard to access to education. The lack of provision for facilities for girls, such as toilets, reinforces this issue. This disparity become more pronounced with increasing levels of poverty, with the World Bank finding that while boys and girls from the top income brackets participate in school at similar rates, there is a gender gap of almost five years in the bottom income quantile.

4. Restricted resources and assets

Women’s equal access to land and other property are guaranteed by law and have been upheld in several court cases. The Married Women’s Property Act, 1974 (article 4) provides for married women’s earnings to be their separate property. To encourage equal property registration, states have introduced policies that lower property tax rates for women. The Hindu Succession Act of 2005 granted Hindu, Sikh, Buddhist and Jain women (who make up the vast majority of women in India) co-equal inheritance rights to ancestral and jointly owned property, and the same rights as sons, whether they are married or not, to reside in or seek...

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82 UNDP (2010), p.34
83 World Bank (2011), p.15
84 Jha et al (2011)
85 IIPS and Macro International (2007), Table 9.4
86 IIPS and Macro International (2007), Table 7.3, 10.1
87 UNICEF (2013)
89 World Bank, Figure 7
90 CEDAW (2005), pp. 45, 82-83, 92, 94
91 UNDP (2010), p.70
92 Oxfam (2013), p1
partition of the family dwelling house.\footnote{UNDP (2010)} The National Gender Resource Centre in Agriculture has been set up in the Department of Agriculture and Cooperation (DAC), Ministry of Agriculture to promote women’s land access.

Nevertheless, NGOs report that weak implementation of the law has undermined the real impact of the reforms. District court rules have not been revised; officers are not held accountable for seeking female heirs; the law’s implementation is not monitored.\footnote{Oxfam (2013), p.2} In practice, a number of obstacles prevent women from accessing land and non-land assets, including discriminatory inheritance customary practices, limited legal literacy, discriminatory attitudes towards women’s ownership and control of land in the family and community and discrimination in the allocation of land through state transfer programmes.\footnote{Agarwal (2002)} There is limited national data available on women’s ownership of land and property, however one 2012 UN survey of women in two States found: only 12 percent of women respondents reported that they have or believe that they will inherit land; eight percent currently owned land; only four percent of formally titled plots in Muslim families named the woman; and women felt their plot access was most vulnerable if they were to divorce their husbands, had a falling out with their family, or their family incurred debt.\footnote{UN Women (2012), p.5} The National Mission for Empowerment of Women also promotes a model intervention project launched in many districts in India, to ensure the socio-economic development of women in rural areas: A Poorna Shakti Kendra (PSK) is established in villages and offers services to women at the grassroots level, including information on legal rights and entitlements, as well as training and capacity building on leadership.\footnote{National Mission for Empowerment of Women (2014)}

There are no legal restrictions regarding women’s \underline{access to finance and credit}, and women have equal rights to register a business.\footnote{Constitution of India, art 19(1)(g)} In 2012, the Government of India reported that to improve women’s access to the formal banking system, public sector banks were directed by the Reserve Bank to earmark 5% of their Net Bank Credit for lending to women. Credit to women from Net Bank Credit increased from 2.36% in 2001 to 6.29% in 2009.\footnote{CEDAW (2012), p.16} However, in practice, access to finance in India is restricted by lack of access to bank accounts. For example according to the World Bank in 2011, only 26.5% of women held an account at a formal institution, compared with 43.7% of men; and only two percent of women used that account for business purposes, as compared with 6.1 percent of men. Unbanked women respondents cited a family member having an account as one of the reasons they did not possess an account.\footnote{World Bank (2011)} In 2011 the World Bank also found that 6.7 percent of women obtained an institutional loan in 2011, contrasted with 8.6 percent of men.\footnote{World Bank (2011)} Women’s access to credit in India is also restricted in practice due to restricted control over collateral such as land.\footnote{Agarwal, B. (2002)}

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2012 that a number of micro-credit initiatives have been established to increase women’s access to credit, several of which focus on minority women.\textsuperscript{103} However, UNDP has reported that in parts of southern India, where competitive pressures have started pushing multiple micro-loans onto women regardless of the stability of their businesses. This has resulted in indebtedness and backlash.\textsuperscript{104}

5. Restricted civil liberties

There are no legal restrictions on women’s access to public space. Previous restrictions requiring unmarried women to provide their father’s signature on passport application forms have been removed.\textsuperscript{105}

Freedom of speech is generally respected in India, although there are some restrictions on freedom of assembly and association.\textsuperscript{106} There is a very large and well-developed NGO sector in India, including a large number of vocal women’s rights advocates and organisations. According to the 2005 CEDAW report, women’s rights NGOs are active in empowering, mobilizing and organising women, challenging discriminatory and harmful practices such as sex-selective abortion and early marriage, raising awareness and advocating for policy change and for the repeal of laws that continue to discriminate against women, as well as in service delivery, particularly in regard to support to victims of gender-based violence, reproductive health services, and water and sanitation.\textsuperscript{107} However, NGOs have reported that women’s human rights defenders have been targeted for their work, particularly in relation to the rights of marginalized women.\textsuperscript{108} Recently under the Nirbhaya Fund'\textsuperscript{109}, transport specific programmes to ensure women’s security and prevent violence against women are being promoted.

Women and men in India have the same rights to vote and stand for election.\textsuperscript{110} Until 2012, two of the top political positions, the Presidency and the Speaker of the House, were held by women. 62% of respondents to a 2007 poll believe that men and women are equally capable as politicians.\textsuperscript{111} As of 2014, women held 11% of seats in the Lok Sabha (lower house) of Parliament, and 26% of seats in the Rajya Sabha (upper chamber).\textsuperscript{112}

As per the 73rd and 74th Amendments to the Constitution, 33% of seats for panchayats in rural areas and urban local bodies are reserved for women.\textsuperscript{113} In addition, in August 2009 Parliament approved an amendment to the national constitution to increase reservations in the panchayats

\textsuperscript{103} CEDAW (2012), p.8
\textsuperscript{104} UNDP (2010), p.53
\textsuperscript{105} CEDAW (2005), p.92
\textsuperscript{106} Freedom House (2013)
\textsuperscript{107} CEDAW (2005), pp.3, 4, 16, 78
\textsuperscript{108} Asian Human Rights Commission (2013)
\textsuperscript{110} CEDAW (2005), p.53
\textsuperscript{111} Pew Research Center (2007), Question Q.43
\textsuperscript{112} IPU (2014)
\textsuperscript{113} UN (2012), p. 10
(village councils) to 50%.\textsuperscript{114} In March 2010, the upper house of Parliament passed another Constitutional amendment that would reserve one-third of the seats in the national and state legislatures for women, but the measure has drawn strong opposition in the Lower House.\textsuperscript{115} However, UNDP has noted that women panchayat members in India have faced some huge obstacles to participation—some of which have resulted in torture and even death.\textsuperscript{116}

\textbf{More}

India extends \textit{maternity leave} benefits to all employed women for twelve weeks at 100% of their pay, paid for by their employer.\textsuperscript{117} However the large number of women employed informally and in the agricultural sector (and not in the organized, public, or governmental sectors) means that many pregnant women are not covered by this benefit.\textsuperscript{118} In addition, during the last two decades, the greatest increase in women’s employment has been in those sectors where maternity leave provisions do not apply.\textsuperscript{119} The 2011 Indira Gandhi MatritvaSahyagYojna (IGMSY) is a Conditional Maternity Benefit Scheme for pregnant and lactating women offering conditional cash transfers for improved health and nutrition behaviour change. The scheme is being implemented in 52 selected districts on a pilot basis. Pregnant women who are 19 years old and above are entitled to a cash incentive of Rs. 4000 in three instalments to cover the first two live births.\textsuperscript{120} Also, Janani Suraksha Yojana is a scheme aimed at reducing maternal and infant mortality rates and increasing institutional deliveries in below poverty line families. The scheme provides financial assistance of Rs. 500 per birth up to two live births to the pregnant women who are at least 19 years old and belong to the below poverty line households.\textsuperscript{121}

A woman has equal rights to confer \textit{citizenship} to her children in the same way as a man.\textsuperscript{122}

\textsuperscript{114} US Department of State (2012)
\textsuperscript{115} Polgreen (2010), p. A4
\textsuperscript{116} UNDP (2010), p.86
\textsuperscript{117} ILO (n.d)
\textsuperscript{118} CEDAW (2005), pp. 7, 30
\textsuperscript{120} Ministry of Women and Child Development, (2011)
\textsuperscript{121} http://nrhm.gov.in/nrhm-components/rmnh-a/maternal-health/janani-suraksha-yojana/background.html [accessed 27/05/2014].
\textsuperscript{122} Citizenship Amendment Act, 2003, Arts. 3 and 4
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World bank (2011), Global Financial Inclusion Index, “Global Findex”,