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Single, But Not Alone

Towards a National Policy
for Single Women



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Towards a National Policy for Single Women

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The draft policy for women released in 2016 by the Ministry for Women and Child Development speaks about a “comprehensive social protection mechanism” to address the vulnerabilities of single women, and to create opportunities and improve their overall conditions. The draft policy recognizes single women to include widows and separated, divorced, deserted and never-married women. ActionAid Association (AAA) has published this draft National Policy for Single Women to elaborate the policy framework to realise the vision of a society where single women enjoy equal rights, opportunities and freedom, irrespective of their caste, class, ethnicity, sexuality and religion, and lead a life with dignity, respect and as equal citizens of the country, without discrimination and stigmatization. The objective is to provide an agenda for Union and State Governments, policy makers, civil society organisations and the women’s movement to work together to build a society that enables women to have an identity distinct from that of her father, husband or son, based on the recognition that single women experience a unique form of marginalisation.

ActionAid Association has been working with single women for over two decades now, working together to build collectives of single women and enabling them to claim their rights and entitlements. For AAA an understanding of the vulnerabilities and the issues faced by single women came from the humanitarian work conducted during the Super Cyclone in Jagatsinghpur, Odisha in 1999 and as a response to the earthquake Gujarat in 2001. AAA interventions in Gujarat saw for the first time a focussed effort to protect the rights of single women as one of the most vulnerable groups, in a time of heightened vulnerability. This happened through the efforts of the disaster response team, Sneh Samuday, during and immediately following the disaster, to strengthen vulnerable groups’ access to rights and relief provided by the State Government. The Sneh Samuday’s continuing work with single women saw the creation of the Ekal Nari Shakti Manch, which played a critical role in the formation of the National Forum for Single Women’s Rights, which has been working to influence policy on single women. It is from the experiences of the collectives, the organisations and the national forum that the draft policy for single women draws its insights.

This document, therefore, lays out an agenda for protecting and promoting the rights of single women through interventions in six broad areas:

1. Freedom from stigma and discrimination faced by single women.
2. Security against sexual and gender-based violence.
3. Access to basic services, including education and health.
4. Access to livelihoods and social security.
5. Access and control over property and other resources.
6. Participation in governance and decision-making.

The draft National Policy for Single Women that follows seeks to set out an agenda for change to empower and strengthen the struggles of single women in their quest for justice and dignity.

DRAFT NATIONAL POLICY FOR SINGLE WOMEN

1. Preamble

This policy is a commitment to encourage, enable and empower single women. It is a step towards recognizing and promoting the individual agency of women, whose rights continue to be largely defined in a relational context to their families, especially to male members. On the other hand, women who are outside the institution of marriage by choice or by their circumstances are isolated and marginalised for not conforming to patriarchal social norms.

The policy aims to address the social and cultural vilification and economic marginalization of single women in India. It intends to challenge and rectify the invisibilisation and ostracization that single women are subjected to, including from their families. It envisages a comprehensive, inclusive, and rights-based approach to address the diversity and breadth of problems faced by single women in India due to their status of being 'single'.

The policy is designed as complimentary and necessary addendum to strengthen the National Policy on Empowerment of Women of 2001. The government has adopted several steps towards women's empowerment keeping in line with its agenda of inclusive and sustainable development.

But this agenda can only be fully realized by ensuring that women, including single women, are able to live with security and dignity. They must have equal access to opportunities in the social, economic, and political spheres, with equitable access and ownership of resources, and with the freedom of decision-making both outside and within their homes.

The government must enact and implement laws and policies, starting with this policy, to enable single women to claim their rights and entitlements. It must undertake initiatives to end the stigma and discrimination attached to single women. It must adopt measures to combat the perceptions and

stereotypes in society of single women being helpless and vulnerable and empower them to thrive as equal members of the society.

2. Context

Census 2011 suggests a sharp rise in the percentage of single women in the country. The numbers have gone up from 51.2 million in 2001 to 71.4 million in 2011, an increase of 39 percent in the last decade. This includes widows, divorcees, unmarried women, and women who are separated from their husbands.

Government figures also suggest that the number of women-headed families is growing. Today, nearly 20 percent households are headed by single women as per the Census 2011 data.

As the number of single women has increased, their participation in social and economic spaces has also gone up. In a paper published in 2017, Professor Ghosh and Professor Ranjan used data collected by the India Human Development Survey (IHDS) to show that for women who had been married in 2005 but divorced, separated or abandoned by 2011, workforce participation rose from nearly 26 percent in 2005 to over 47 percent in 2011. At the same time, average workforce participation for women across India was estimated at 27 percent in 2011.

But single women continue to face abuse, discrimination and isolation at different levels such as in their family and in the society.

They face legal and normative barriers in accessing and owning property and other assets, and often face issues in accessing basic services such as education and health.

They are at high risk of sexual and gender-based violence as they are perceived to be weak in the absence of a male partner or due to abandonment by their families. They are also disproportionately targeted through practices such as witch branding.

Single women also face many restrictions in terms of what they can and cannot do. Their movement, participation and appearance in public spaces, and their interpersonal interactions are tightly guarded and controlled as

an instrument of controlling their sexuality. Their agency is denied both within and outside the family.

The marginalization of single women is further intensified at the intersection of class, caste, physical or mental disability, sexuality, ethnicity and religion. It is compounded by the systemic lack of access to livelihoods, education, income, assets and property, inheritance, and family support.

The Constitution of India recognizes women as equal citizens. It guarantees fundamental rights to all women irrespective of their circumstances and their caste, religion, class etc. The government is mandated to take affirmative action to realize these rights for all women.

India is also signatory to several international Conventions and Agreements, such as the 2030 Agenda, Convention on Elimination of all Forms of Discrimination against Women (CEDAW), 1979, the Universal Declaration of Human Rights, 1948, and the Covenant on Economic, Social and Cultural Rights, 1976, which set forth the social, political, cultural and economic rights of women.

This policy recognizes that marginalization of single women is perpetuated by denying them access to property and other resources and thereby maintaining their dependence on their partner or families. It therefore, lays out an agenda for protecting and promoting the rights of single women through interventions in six broad areas:

- i) Stigma and discrimination.
- ii) Sexual and gender-based violence.
- iii) Access to basic services, including education and health.
- iv) Access to livelihoods and social security.
- v) Access and control over property and other resources.
- vi) Participation in governance and decision-making.

3. Vision

A society where single women enjoy equal rights, opportunities, and freedoms irrespective of their caste, class, ethnicity, sexuality, and religion;

and where they lead a life with dignity, respect and as equal citizens of the country, without discrimination and stigmatization.

4. Mission

Ensuring single women's recognition and equal participation in socio-cultural, political and economic spheres, including in decision making spaces and institutions of governance.

5. Objectives

Challenging patriarchal social norms which determine a woman's worth and potential through her relationship with a male spouse or other male members of her family.

Establishing a comprehensive definition of single women encompassing all categories, and not restricted only to widows.

Creating enabling conditions for political, economic and social independence and assertion by single women.

Facilitating the access, control and ownership of land, property and other resources for single women.

Addressing all forms of violence against single women through strengthening of policies, legislations, programmes, institutions and community engagement, with special focus on addressing witch branding, Devadasi system and caste-based sexual exploitation.

Ensuring recognition of single women as separate category in government data including (but not exclusive to) NCRB, Census and NFHS.

6. Scope and Definition

The policy envisages a comprehensive definition of single women, which includes: -

- » Widows
- » Divorced women

- » Unmarried women above the age of 35
- » Separated women – all women who have been living without their partner for at least one year.
- » Missing husband / “Half-Widow”, women who have had no contact with their spouse for at least one year

The policy covers all groups of single women, as the stigma and discrimination they face cuts across lines of religion, class, ethnicity, caste and sexual orientation. This includes discrimination in inheritance and in accessing livelihoods.

But it also acknowledges that single women from historically deprived sections such as Dalit, Tribal and Muslim communities are further disadvantaged and marginalized. Therefore, it includes special provisions to ensure their dignity and security.

7. Identification and Certification

The policy proposes the following process for certification of single women so that they may be able to access their entitlements: -

- » In rural areas: The gram panchayat would undertake certification of a woman as ‘single’ after a process of self-declaration. This process must be carried out under the supervision of local government workers such as teachers, nurses, aanganwadi workers, postmen etc or NGO staff working in the ward.
- » In urban areas: The Ward Councillor or municipal ward members would undertake certification of a woman as ‘single’ after a process of self-declaration. The process must be carried out in the presence of local government workers or NGO staff working in the ward..

8. Priority Areas

As mentioned in the section on the Context the agenda for protecting and promoting the rights of single women need to focus on six broad areas. This section details the nature of the interventions needed in each of these priority areas.

8.1 Addressing Stigma and Discrimination Through Awareness and Capacity Building

- » The issues faced by single women arise due to regressive mindsets and patriarchal attitudes which need to change through the concerted efforts of State and Non-State actors.
- » Therefore, efforts will be undertaken at the state and central levels to review school curriculum and ensure gender responsive curricula aimed at reforming regressive gendered notions.
- » Similarly, efforts will be undertaken at the state and central levels to review existing laws and propose required amendments or pass government orders in order to address violations or barriers to rights of single women.
- » Progressive media campaigns are vital tools in challenging stereotypes, disseminating information, and generating awareness. Therefore, the government will engage with ad and media agencies to formulate campaigns and IEC material in the form of PSAs, short films, and ads etc.
- » Special awareness and sensitization programmes will also be initiated to counter myths and cultural taboos associated with the status of single women at the block and ward levels. The target groups would include community members and panchayat officials. Street theatre and local radio and other such interesting media will be used to generate interest.
- » Legal aid cells will be established at the district level to take up issues of violence and discrimination against women, including single women. The performance of the cell would be reviewed and incentivized through an annual award.
- » All government training institutions will include courses to sensitize and motivate civil servants and other government officials on gender issues. This will enable them to respond appropriately to gender-based violence and other gendered challenges created by socio cultural norms, unequal economic development, climate change etc.

8.2 Security Against Sexual and Gender-based Violence

- » A comprehensive national law will be formulated to abolish witch-branding and rehabilitate and support survivors, as this practice

disproportionately targets single women belonging to marginalized sections of society.

- » Other practices that encourage widow oppression and exploitation of single women such as the Devadasi system will be strictly outlawed with proper implementation of the law. For example, more than thirty-six years after the Karnataka Devadasis (Prohibition of Dedication) Act of 1982 was passed, the State Government is yet to issue the rules for administering the law. Pending issues such as these will be taken up on priority.
- » Provisions will be made to enhance the performance of family courts with respect to timely dispensation of cases.
- » A state level fund will be created to ensure that maintenance amount is paid without fail to divorced women who have been awarded compensation by the court, in case their former spouses fail to do so. The government must devise stringent action against former spouses who do not adhere to the maintenance order and recover the amount from them.
- » Single women who have been affected by violence, abandoned or thrown out of their marital or natal homes will be provided access to safe and secure shelters under the One Stop Centre Scheme. These shelters must provide legal help, medical services, counselling services, guidance services such as awareness-building on government schemes and have provisions for short stay. There must also be a process set up for regular monitoring and review of these shelters.
- » Single women will be provided adequate and priority access to shelters including homeless shelters, working women's hostels, rehabilitation homes for women suffering from addiction, mental illness, trafficking or 'destitution'.
- » Special provision will be made to establish adequate number of working women hostels at the district level to create an enabling and conducive environment for working single women to attain economic independence. At least one hostel with capacity of sheltering 100 single women per district is proposed.
- » The functioning of the local complaints committee at the district level will be reviewed and improved. Further, trainings will be conducted with

police officers at the block level to sensitise them to issues of single women and remedial processes.

- » The State Women's Commission must assign a special officer to address the issues of single women in conjunction with other authorities.

8.3 Access to Basic Services, Including Education and Health

- » Children of single women from BPL families will be provided free education in school up to the age of 18 and scholarships will be made available to them for higher education.
- » Single women who wish to continue their education, either through Open Schools and Universities or through bridge courses, will be given scholarships up to 50 percent (up to 80 percent if they are from BPL families) of the total fee.
- » Special provisions will be made to make free health services available for single women and their children. Financial assistance will be provided to single women for their medical treatment in critical illness such as cancer, HIV/AIDs.
- » Single women often undergo severe trauma because of the discrimination and violence they face. There will be a helpline set up to provide counselling and provide reference for severe cases where sustained psychosocial intervention is required.
- » Special life insurance and health insurance schemes will be introduced for single women and for their children up to the age of 21 years.
- » Single women must also be prioritized in schemes such as PDS to ensure their food security.

8.4 Access to Livelihoods and Social Security

- » Single women belonging to BPL families will be provided a monthly pension of not less than INR 3000 -5000 or equal to minimum wages for 15 days, whichever is higher.
- » Single women-led households in both urban and rural areas that are BPL will be provided with ration cards and other relevant documentation under the woman's name.

- » A single window system would be created to provide comprehensive support to single women farmers on seeds, equipment, financial services, technology, and market linkages.
- » Single women constituted (more than 50 percent members are single women) and led farmer cooperatives would also be given priority-based loans and hand-holding support under schemes for agricultural cooperatives.
- » Single women who are engaged in fishery, animal husbandry, and forest-based livelihoods will also be provided input and credit support, technical support and training.
- » All single women will be provided separate job cards in their names under MNREGA.
- » Priority will be given to single women for skill-building courses and entrepreneurship schemes such as the National Urban Livelihoods Mission and Aajeevika.
- » These trainings will be made available locally in both urban and rural areas as far as possible, and all training sites will be equipped with childcare services for children up to the age of 14 years.
- » Single women will also be provided with training programmes to build their legal and financial awareness and capacity.
- » Migration facilitation centres and police stations will be equipped with special cells to provide support services to single women.
- » A single window system will be developed to streamline all the government schemes, social security benefits and other policy interventions related to single women.

8.5 Access, Control and Ownership of Land, Property and Housing

- » The policy prioritises the redistribution of land to single women from the most marginalized sections of society under the Land Sealing Act, Forest Rights Act and other similar legislations. It also prioritises their access to common resources.
- » Efforts would be made to ensure single women's rights to property such as agricultural land, homestead land, and collective farming land.

- » With regard to inheritance laws, there must be careful review of prevailing laws and practices which hinder women's access to their inheritance and measures undertaken to address these.
- » Registration processes will be amended to ensure the inclusion of women's names in land and housing registries. In case of single women, the registration must be done in their name.
- » All separated, deserted and divorced women must be entitled to at least half of the assets of the marital home or half of the assets acquired by a couple during the period that they have lived together, regardless of whose name the asset is in.
- » Women engaged in agriculture will be recognized as farmers. Even without direct land title, they should be entitled to access all entitlements as farmers if they are engaged in farming activities.
- » Demarcation of agricultural or homestead land to single women from marginalized communities will be prioritized and special care would be taken to ensure that the women are able to take possession of the land. This includes making sure that the land is undisputed and clear of unauthorized encroachments.
- » Single women will be linked with existing housing schemes to allot houses to them on priority basis. They would be considered as preferential beneficiaries for credit linked subsidy schemes, including all categories of single women in the middle-income group and low-income group segments. Single women would also receive a higher interest subsidy and longer loan tenures.
- » Special provisions will be made to recognize single women as head of the household by the state under various programmes and policies, including recognizing them as first claimant of land and housing titles.
- » Special attention will be given to ensure safe and adequate housing to single women under schemes such as working women's hostels, homeless shelters, and workers' hostels.
- » Special campaigns and awareness building drives will be undertaken to facilitate women's access to inherited property.
- » Trainings will be undertaken for perspective building among government officials at the state and district levels to ensure inclusion of single women during the implementation of housing and land distribution schemes.

8.6 Participation in Governance and Decision Making

- » Maintenance of gender disaggregated data, including on single women, is imperative for formulating affirmative policies for marginalized sections and tracking their progress. Therefore, government departments must ensure gender disaggregation of data under schemes implemented by them.
- » In order to encourage participation of single women in governance spaces, efforts will be undertaken to ensure that single women are present in all meetings at the Panchayat and Gram Sabha and Ward levels.
- » It is important to ensure higher participation of single women in the legislative, executive, and judicial branches. The Women and Child Development ministry and department at the Union and State level and the national and State Commission for Women will work together with NGOs and women's rights activists to devise special provisions to address barriers and encourage their participation.
- » In order to enhance participation and representation of single women in public life, government departments and institutions including police, defence forces, border force and paramilitary will be encouraged to hire single women.
- » Representative bodies such as political parties, trade unions and Women Commission and other statutory bodies will be encouraged to include single women in their decision-making processes.
- » Cooperatives, federations, community-based organizations and NGOs will be encouraged and incentivized to include single women in decision-making roles. For example, NGOs which are headed by single women would be considered favourably for collaboration in the implementation of programmes for the advancement of rights of single women.

9. Operational Strategies

Operational strategies will be formulated at central and state level for smooth and effective implementation of national single women policy. These strategies are in line with the draft National Policy on Women 2016, and push for a specific focus on single women. Some of the major interventions are proposed as follows:

The Union and State Governments will draw up time bound Action Plans for translating the Policy into a set of concrete actions, through a participatory process of consultation with Union/State Departments of Women and Child Development, National /State Commissions for Women and civil society organisations. The plans will specifically include:

- » Measurable goals
- » Identification and commitment of resources
- » Responsibilities for implementation of action points
- » Structures and mechanisms to ensure efficient monitoring, review and gender impact assessment of action points and policies
- » Introduction of a gender perspective in the budgeting process

National and State Councils are proposed to oversee the operationalization of the National Policy for Women Empowerment. The Councils will also take charge of the Single Women Policy, reviewing its progress once a year. The National Council will be headed by the Prime Minister and the State Councils by the Chief Ministers and be broad in composition having representatives from the concerned Departments/Ministries, National and State Commissions for Women, Social Welfare Boards, representatives of non-government organizations, women's organisations, corporate sector, trade unions, financing institutions, academics, experts and social activists etc.

An Inter-Ministerial Committee (IMC) will be set up at the national and state level. The IMC would be responsible for implementation of the policy and for reporting to the national and state councils respectively. Sector specific subcommittees will also be formed at the national and the state levels, with representation from concerned Ministries/departments, National and State Commissions for women, social welfare board, non-government organizations, women's organizations, corporate sector, trade unions, academics, experts and activists to review the progress made in implementing the policy twice a year.

The Ministry of Women and Child Development will act as a nodal agency for working towards realization of constitutional and international commitments for promoting equality and social justice for single women.

In pursuit of the broad goals, the Union Ministry of Women and Child Development will initiate work towards transforming the institutions, laws, policies, procedures, consultative processes, budgetary allocations, and priorities of the government to take into account the needs and aspirations of single women. A participatory approach for widening and deepening dialogue with other strategic stakeholders will be adopted.

The national, state and district level resource centers proposed under the National Policy for women will be equipped to provide technical support to the Ministry of Women and Child Development in the implementation of the policy.

The roles and responsibilities of the Panchayats and Urban Local Bodies with respect to implementation of single women's policy at ground level will be strengthened. A well-defined communication strategy will be prepared and disseminated to ensure that panchayats and urban local bodies as well as the frontline workers are responsive to the needs of single women. Panchayat and Urban Bodies will be accountable to cater to the needs of single women in their respective villages in rural areas and wards in urban areas respectively.

Fast track courts at district level will be mandated to ensure speedy trial in incidences of violence against single women, land and housing related disputes and other relevant issues pertaining to rights of single women. Among family courts, at least 2-3 judges per bench will be allotted for cases of single women on priority basis.

Participation of civil society organizations, associations, federations, etc., will be ensured in the formulation, implementation and monitoring of policies and programmes impacting single women. Towards this end, women's rights organizations and activists and other civil society organisations will be offered trainings and capacity building programs on gender issues and rights and entitlements of single women.

The Government will promote partnership amongst multiple stakeholders such as public sector undertakings, corporates, academic institution, and judiciary on concerns of single women.

Process of setting up of a gender budgeting cell at union, state, district and

block level to promote gender audit of polices, programs and schemes and suggest and recommend actions to strengthen gender equality will be initiated. These cells will be equipped with strong data base management system for recording of gender outcomes for immediate action and interventions. The cells will be primarily responsible for developing manuals and other informative materials for information dissemination.

The generation and maintenance of single women specific data would be given utmost priority through the policy. Adequate IT-based information systems would be developed to maintain robust data for better planning and policy formulation on gender equality.

National and state government departments shall be provided adequate financial and human resources for smooth implementation of this policy.

Along with gender budgeting, audit techniques will be adopted in a manner which assesses the flow and utilization of programme budgets for single women.

Special provisions will be devised to ensure synergy between personnel of Health, Rural Development, Education, and Women & Child Development departments at the field level and village level functionaries to ensure better implementation of the policy.

Banks and financial credit institutions will also be consulted to create borrowing mechanisms which make adequate credit available for implementation of programmes under this policy in coordination with the Department of Women & Child Development.

Efforts will be made to engage and encourage private sector to develop business strategies in alignment with national development efforts to promote equality for single women. For example, private companies will be encouraged to reserve at least 5 percent of their CSR fund for single women related development projects.

Efforts will also be made to engage and encourage bilateral funding organisations and NGOs to allocate and utilize fund for the empowerment of single women.