

Single women's Charter of Demands

8 March 2023

To enable a life of dignity for all single women we demand,

SYSTEMATIC dismantling of the social structures and institutional barriers that prevent self-reliance and self-actualisation.

RECOGNITION of the different needs of 'Single women' and subsequent policy intervention including by law, to create an enabling environment for their self-reliance to minimise their dependence on the family, society, and the state.

'Single' women experience 'singleness' (and therefore discrimination) in different ways. They have different needs which should be addressed in their specificities by the state mechanisms, mindful of their life stage and age group. In addition to support for economic independence and physical safety which all single women, including those single by choice, require,

- a) Widows, require specific support to overcome stigma and cultural barriers in addition to the above.
- b) Widows of hate crimes (caste, religion-related) require additional socio-economic rehabilitation and enhanced protection.
- c) Acid attack survivors, require lifelong medical care for their well being, protection, and continuing legal support to secure maintenance.
- d) Separated, divorced, never married women require psycho-social support.
- e) Women with disabilities, who need caretakers, especially when there is no family (more acute later in life).
- f) Fisherwomen, when the fate of their husbands is in legal limbo for seven years require relief and psycho-social support.
- g) Trans and other single women facing religion and culture sanctioned discrimination and stigma require support of secular state institutions.

ENABLING LEGISLATION that focuses on, and addresses the issues of, single women, with clear entitlements, social security measures, and delivery standards for single women; the responsibility and accountability of the state functionaries,

and mechanisms for delivery. ¹ Being single should be recognised as a category needing special attention under Article 39A of the Constitution of India.

The legislation should explicitly recognise single women as *legal heads of households*, with all the attendant rights including financial and heritable rights of land, movable and immovable assets, and cash flow.

The legislation should encompass *comprehensive provisions for compensation and liability*, if need be with a separate Code exclusively for the purpose. Several women are 'single' due to crime - the murder of their husbands in caste atrocities and due to disfigurement by acid attack. The law should hold the perpetrator accountable and liable for the lost opportunity, trauma, lifetime medical care, intergenerational cost, and punitive damages. The present system of 'solatium', ex gratia, relief, and rehabilitation by the government using tax revenue is an important immediate first step, but insufficient. The perpetrator needs to be held accountable, with proportionate economic consequences and personal liability.

ADMINISTRATIVE sensitivity

Single women need to support themselves and their dependents despite several barriers - social, economic, and legal. Most of the barriers are administrative and bureaucratic, which can be easily removed. Shaming them when their spouse has just passed away and in other vulnerable situations happens too often to be dismissed as aberrations, but must be acknowledged as an intrinsic characteristic of the state mechanisms as they presently exist.

The state mechanisms must be made sensitive to the particular needs of single women. ID Cards and any other documents to be received by the single woman (eg: Widow certificate), are to be delivered personally to the woman by the competent authority either at the usual place of residence of the woman or at the nearest government office.

The provision of *identity cards should be automatic based on transparent criteria.* For instance, never married women above a certain age, or widows on the

¹ Article 15(3) provides the state the power to make any special provision for women and children.

production of marriage certificates and husband's death certificate. Verification should only be for those who do not have the requisite documentation.

They could be issued automatically to:

- a) Divorced women – As soon as the divorce is final.
- b) Widowed women – Immediately upon the death of a spouse.
- c) Separated women, deserted, abandoned women – Separated from husband for at least a year.
- d) Women with missing spouses – Within a year of registering a missing person complaint.
- e) Unmarried women – Above 30 years of age.

Single women must be legally recognized as the heads of households in all respects. They must also be the first claimant of land and housing titles.

Official documents to be in the woman's name.

All government documents to be made available to single women exclusively in their name.

Job cards such as MGNREGA Cards must be separate, and exclusively, in single women's names.

EMPLOYMENT and LIVELIHOODS

Single women need to support themselves and their dependents - leading to the truism that all single women are working women. An enabling environment should be created for their employment starting from skilling, recruitment, safety in transit and workplace including transportation and public spaces, childcare, and grievance redress mechanisms.

Universal basic monthly income should be ensured for all single women, through entrepreneurship, cooperatives, employment, and social security, to secure women's economic autonomy in the face of ongoing discrimination in employment and increase their bargaining power in (and beyond) families and communities. It would remove the exclusionary pitfalls and stigma attached to the welfare schemes, as well as avoid the paternalistic and sometimes coercive implementation practices documented for some conditional cash transfers (such as old age pensions).

Training and skill building: new schemes must be implemented exclusively for the training and skill building of single women.

Exclusive job fairs and trade fairs for single women for their employment (placement and recruitment) and for entrepreneurship opportunities.

Incentivise employment of single women, so that they'll be self-reliant and take care of their specific individual needs with a degree of customisation impossible for the state. The state will only need to do gap-filling and can optimise the use of exchequer funds.

Ensure equal opportunity in government jobs: Ensure equal opportunity for single women and recruit them into all levels of the administration, especially in front-facing departments and positions, and at the decision-making levels.² Women need to be 50% of all government jobs, including in state-run companies, public sector undertakings, and under the Mahatma Gandhi National Rural Employment Scheme (MGNREGS). Within this 50%, single women must be recruited as a priority, with single women survivors of heinous crimes the first priority.

Establish single women's cooperatives funded by the state government. The government must ensure a certain percentage of its procurement is from goods manufactured through such cooperatives.³

*Establish without delay a women's bank,*⁴ to 'enhance institutional credit access and availability to women in need through the establishment of a Women's Bank. (வாழ்ந்து காட்டு பெண்ணே)'.⁵

Priority-based loans, and credit support: Single women should be provided collateral-free loans, with subsidies on a priority basis. The present practice of women not being given loans without male family members authorising it, (particularly the husband, brother, father and sometimes even the father-in-law or uncle) needs to be made illegal.

² Article 16 provides for equality of opportunity in matters of public employment.

³ Article 43B deals with promotion of co-operative societies by the state.

⁴ Article 38(2) provides that the state shall strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities, and opportunities,

⁵ Point 8 of the core objectives of the Tamil Nadu State Policy for Women, 2021 (Draft).

Sensitise the Woman's Livelihood Service Centre launched by the Tamil Nadu government under the Tamil Nadu Women's Development Corporation (TNWDC), on the schemes for single women and the needs of single women, so that they can suitably provide details related to livelihood programmes implemented by it, and offer suggestions on preparing livelihood programmes and obtaining funds for implementing them. The call centre should also assist single women in accessing information pertaining to project reports on agriculture and non-agro based industries, availing technical training and filing applications for various schemes implemented by the state government.

SPECIFIC WELFARE SCHEMES

Socio-economic development programmes must be designed to integrate single women into society. Most welfare schemes fail to recognize and address the root cause of the challenges single women face – systemic barriers that block access to resources (including economic and employment resources). All development programmes and welfare schemes (especially community-specific ones), including village development and safety programmes, should have explicit provision(s) for single women, addressing the unique issues they face as single women.

Redefine household: All single women with dependents must be considered 'women-headed households' for the purpose of availing social protection and entitlements.

Ensure that welfare schemes enable the recipient to *meet a defined standard of living* which goes beyond just the bare minimum basic needs.

Enhance the monthly pension uniformly to ₹5,000 + applicable DA as in other government schemes.^{6, 7}

Repurpose the Welfare Board for Widows and Destitute Women⁸ as a single window for all schemes for single women, providing information regarding all

⁶ Socio-economic rehabilitation; Annexure 1, Schedule, Rule 12(4), The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules 1995, as amended to date; It is also the minimum pension for a retired government employee.

⁷ The pension schemes by the union government such as the Indira Gandhi National Widow Pension Scheme and Indira Gandhi National Old Age Pension Scheme, or the pension schemes by the state government – which include categories of single women such as destitute widows, deserted wives, and unmarried poor women above the age of 50 – all provide ₹1000 (or less) per month. This arbitrarily fixed amount fails to describe what (basic) needs/ requirements it defrays. Furthermore, there exists no uniform system for calculating a fixed pension amount.

⁸ vide G.O.(Ms) No.56, SW & WE Dept dated: 02.09.2022.

related schemes, and for the application of all documents for single women such as widow certificates, single women ID cards, etc; and schemes for single women such as pensions, skill training, etc.

Prioritise single women in all schemes for women: There are similar provisions under several existing schemes, such as the New Entrepreneur-cum-Enterprises Development Scheme (NEEDS) where women are considered under the category of 'special entrepreneurs' and 50% reservation will be given to women (preferences will be given to destitute widows/ divorcees). Similar prioritisation must be given in all schemes, mindful of single women in underprivileged minorities, persons with disabilities transgender women, women-headed households, destitute women, etc.

Welfare schemes should not be mutually exclusive. Accessing one scheme should not preclude one from receiving benefits from any other scheme. For instance, single women with disabilities need more support than other single women.

Set up a call centre with a toll-free number to assist single women to benefit from social welfare schemes. It must provide counselling and guidance services to all single women. The call centre must be active at least six days a week with regular working hours from 8 am to 7 pm.

HEALTH

Single women need specific physical and mental health care for their needs. It includes provision of attendants - a role that is filled by the family for others.

Free, quality healthcare services, particularly during childbirth. This includes physical as well as mental healthcare.⁹

Free comprehensive health insurance which covers all medical procedures a single woman and/or her dependents require - including but not limited to childbirth- valid in all government and government-aided hospitals.

⁹ Article 47 states the duty of the State to raise the level of nutrition and the standard of living and to improve public health.

¹⁰ The Tamil Nadu government currently runs 28 working women's hostels, and approved 14 more.

District psychiatric advisory boards with special access to single women and their dependents (children in particular).

EDUCATION

Single women, and their children, should be provided with free formal education up to graduation (with no restriction on marriage or remarriage) in government/ government-aided schools and colleges.

SAFETY and SECURITY

Safety and security of single women need to be ensured on a priority basis. This includes not only physical and emotional safety but also psychosocial safety and security. There are several barriers to self-reliance, of which denial of safe-spaces - including residential premises - ranks among the most important and are socially sanctioned. Those that exist, have severe moral policing, social restrictions, censorship or control of mail, and curfew, that not only curtail the autonomy of the women but also force her to forego many employment opportunities and basic recreation. While safe-spaces and security are required, a lot more sensitivity is required in balancing them with an empowering environment so that these residences do not become jails in all but name.

Hostels for working single women: Increase¹⁰ the number of working women's hostels to at least 3 per district, with at least 50% of the capacity in such hostels allocated to single women. Change economic eligibility criteria to monthly income up to ₹35,000 in Chennai, and up to ₹25,000 per month elsewhere. Avoid moral policing, and have flexi-timings dependent on the employment requirements.

Shelters for single women in each district: There are currently 34 One Stop Centres in Tamil Nadu, indicating that there are at least 4 districts without even one shelter. Increase the number of shelters to at least 2 per district, as well as the number of residents per shelter. Increase the number of days shelter is provided from 5 days to 30 days.¹¹ Allow all children of single women (boys up to the age of 10, and all girls) in the shelters.¹²

¹¹ The one stop centres provide temporary shelter for a maximum of five days to women in need, along with their children.

¹² Currently girls of all ages and boys up to 8 years of age may stay with their mothers.

Permanent shelters: Ensure housing/ accommodation for all single women and their dependents. Increase the number of hostels and shelters for single women,¹³ and ensure that all necessities (not just food and shelter) are received by all those who stay there.

Recognise social exclusion and boycotts of single women (within the community, and outside) as a form of economic and social violence.

Prompt and comprehensive rehabilitation and compensation under Criminal Procedure Code 1973 and Special Local Laws (SLL) for single women survivors of gender-based and domestic violence.

Establish a rehabilitation ecosystem for single women by the state in partnership with civil society organisations.

POLICE and LAW ENFORCEMENT

State mechanisms, aware of and sensitive to, the challenges facing single women are essential for their self-reliance and independence. The police are often the end of the line - much more than the judiciary - in justice delivery, and for protection. The mechanism as it exists today is not fit for purpose, and often trivialises crimes against women. Stalking (both never married and separated) which often results in more gruesome crimes such as acid attacks, disfigurement, and murder, is on the rise, but almost never recorded. The gap between the recorded cases of rape, attempt to rape, disrobing, and other crimes against women are evidence of distrust of the police at best and the suppression of recording (when possible) and trivialisation (when suppression is not possible) of crimes against women at worst.

Draft standard operating procedures for police and all law enforcement, consolidating all available statutes, case laws, good practices, and legal procedures to deal with cases involving single women.

¹³ Currently, 36 Swadhar Greh/Short Stay Homes with a capacity of 1080, are run by NGOs in Tamil Nadu (financed 60:40 by the union and state governments) to provide shelter, food, clothing, counselling, training, medical support and legal aid to women in difficult circumstances. Each home can accommodate 30 women along with girls till the age of 18 and boys till the age of 12 years. The women can stay up to five years, and women above 60 years of age are shifted to old age homes.

Sensitise all law enforcement departments on gender issues, on the touchstone of the Human Rights Act, and the international standards of human rights set by the Convention to Eliminate all forms of Discrimination Against Women (CEDAW), the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Social, Economic, and Cultural Rights (ICESCR), and the Convention on the Political Rights of Women – all of which have been signed by India. *Educate police personnel* on the issues faced specifically by single women and how they can be addressed.

Promptly register complaints filed by single women as a First Information Report, (FIR), keeping in mind the right of Zero FIR, and ensure that no discretionary powers are exerted by the police. All cases registered must include references to the Indian Penal Code, 1860 (IPC) as well as Special Local Laws (SLL) such as the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in instances where the complainant is a woman from a scheduled caste or scheduled tribe.

Prompt disciplinary and legal action should be taken against police who refuse to register cases or harass or disrespect the complainants.

Investigation and filing of chargesheets should be time bound, without delay. Appoint a liaison officer to the complainant for all criminal cases filed by single women.

Adopt a strict policy against relatives and other community members who harass single women under the disguise of culture, tradition, or religion.

Constitute monitoring committees with women personnel for the safety of women – with special focus on single women – and *deploy vigilance patrols* in areas where groups of single women predominantly reside, to take preventive measures against gender-based crimes.

A FEMINIST JUDICIARY

The judiciary is literally the court of last resort for single women, most of whom cannot afford the cost of litigation - from the advocates fees to the delays. Therefore it is imperative that, in the immortal words of Supreme

Court Justice D Y Chandrachud, all courts must *incorporate feminist thinking in the way they deal with the law.*

Draft Standard Operating Procedures for all courts, particularly family court, consolidating all available statutes, case laws, good practices, and legal procedures to deal with cases involving single women. This includes a code of conduct for all related personnel including the judge, clerk, and any other court staff. Special attention is to be given to protocols and practices regarding single mothers.

Proactive, prompt, and time bound action in cases involving single women. If the victim is a single woman, her presence in court should be exempted unless absolutely necessary. Furthermore, judgments in maintenance and divorce cases should ensure that the rights to alimony and property are fully accessible to single women.

Child-friendly environment in courts: All courts, especially including family courts, must ensure a child-friendly environment when the presence of a child of a single woman is required in court, for whatever reason.

Constitute monitoring committees with adequate civil and judicial powers to monitor the proceedings in cases involving single women (particularly in family courts).

LEGAL SUPPORT

As per section 12(c) of the Legal Services Authorities Act 1987, all women are entitled to free legal services. This needs to be made more accessible to single women.

Increase the number of legal aid cells in every district, with the aim of accessibility of facilities. All cases involving single women must be attended to as a priority.¹⁴

Set up *district committees to initiate inquiries* on any complaint filed by any single woman in the district.

¹⁴ Article 39A stipulates that the state must ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

Set up local complaints committee in every panchayat, municipality, and corporation similar to those set up at the district level under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and strengthen them with Standard Operating Procedures where single women are involved.

SOCIAL INCLUSION

There is an urgent need to normalise and destigmatise single women so that social barriers that prevent their full inclusion, and social practices that enable their abuse, are delegitimised and eliminated.

Conduct campaigns and awareness programmes for single women and the general public on the social inclusion of single women, their entitlements, and state support mechanisms through multi-media advertisements, announcements, billboards and folk artists.

Create community-based support systems based on needs and assessments to ensure emotional and psychological support for single women, particularly older women. The village libraries and community centres could be an activity hub for seniors.

Initiate public-private partnerships for projects to empower single women, and provide monetary and other incentives to CSOs to work with and/or for single women.

FINANCE

The access, benefit, and control over financial resources has been limited or non-existent for single women. This is among the top denials for single women. There needs to be a comprehensive overhaul of social mores and practices regarding single women and finances - public, household, and personal. The evolution of the family and household from joint families to nuclear families needs to be acknowledged, as also the increasing number of marriages of choice.

Public finance should allot adequate funds for single women (under the budget for women) to implement the welfare schemes and development programmes. Separate budget line or a sub-plan within the gender budget should be initiated.

Heirship by default: Single women should be the primary legal heir of her husband by default, with immediate, unfettered right and access to joint savings.

The parents or larger joint family should not be included by default, but only when they can be proved to have been dependent on their son.

Withdraw Order No. 478 (Revenue and Disaster Management) dated 29 September 2022, that added the father as an heir.

MONITORING AND ACCOUNTABILITY

Periodic data collection by the state: It shall be the responsibility of the state government to collect periodic statistics of single women, in addition to the decadal census. This data should form the basis of a separate budget line and a gender sub-plan for single women.

Special grama sabhas should be convened to discuss the issues of women. In this special grama sabha, a specific agenda item should be the needs of single women, and the budget provisions and expenditures for them. This grama sabha should identify the single women in the village and propose the requisite support for them - whether from existing schemes and welfare measures, or by special customised ones, which the administration can then execute. Further, efforts must be made to ensure the presence and participation of single women in local governance.¹⁵

The district collector should be responsible for the social inclusion of single women and must periodically review the implementation of the welfare measures for single women. The collector must take proactive steps to minimise social exclusion.

Periodic surveys to review efficacy of implementation of the various measures need to be conducted. To start with the following surveys could be conducted:

- The status of implementation of the October 2021 order of the Government of Tamil Nadu recognising single women in the state as ‘family’, who could therefore avail ration cards in their name.

¹⁵ As per section 257 of The Tamil Nadu Panchayats Act 1994, the government may entrust to a panchayat such powers and responsibilities with respect to the preparation of plans for economic development and social justice in relation to the matters listed in Schedule IV. Point 25 of Schedule IV deals with women and child development.

- The number of single women provided with an additional 50 working days of employment under the National Rural Employment Guarantee Scheme.¹⁶

Quarterly assessments of the budget spend must be made, the reports of which should be made public quarterly.

Regular status reports: In the months of June and December, the district collector must submit a status report on single women in the district to the state government, which must be uploaded on to the government website within one week. The status report should include the action taken on the previous period, and the action plan for the next.

An annual report on the status of single women in the state, including policy initiatives, action taken, action plan, finances allocated and spent, must be submitted on or before 1 February every year by the department of women and child development, and inform the policy note submitted by the government as part of the budget.

¹⁶ Point 1.6.1 of Tamil Nadu State Policy for Single Women 2021 (Draft) *All single and women-headed households may be given 50 additional person-days of employment under MGNREGS.*