



2015-16

ANNUAL REPORT

Partners for Law in Development



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Partners for Law in Development (PLD), New Delhi

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PLD is a non profit legal resource group founded in 1998 that facilitates assertion of social justice and women's rights. We view law as an essential resource in the struggle for social justice, and gender equality as central to the attainment of social justice. We believe that human rights shape social justice goals by establishing a framework for the realization of the rights of the disadvantaged and the marginalised. Our understanding of rights and dignity of all persons is drawn from human rights law and the constitution on the one hand and the contextual realities of disadvantaged groups on the other. Our thematic areas of work address women's rights in contexts of marginalisation shaped by sexuality, culture, caste, conflict and development. PLD is registered as a public charitable trust under the Indian Trusts Act, 1882 (registration no: 10514/ IV of 16-12-98).

A. CORE STRATEGIES

1. CAPACITY DEVELOPMENT

Our capacity building initiatives are primarily focused on laws relating to sexual violence, with trainings conducted for social workers, state agencies and the judiciary. Owing to external demands, our thematic focus under capacity development was predominantly on sexual harassment of women at workplace, although laws relating to other sexual offences, such as the criminal law amendments of 2013 and POCSO continue to be integral to the training at the state and grassroots levels. Through these trainings, we aim to effect the implementation of the law by equipping social workers in helping women access remedies, state agencies including police in addressing complaints of sexual violence, and judges in gender-sensitive principles of conducting rape trials.

Towards implementation of Sexual Harassment at Workplace

Since the notification of Sexual Harassment at workplace Act in December 2013, PLD has prioritised enabling compliance of the law within private and public institutions and the state governments. In addition to ongoing collaboration with the Department of Women Child Development, Rajasthan to conduct trainings for the ICC/ LCC members across the state, while exploring opportunities with governments of Delhi and Bihar. The following trainings were conducted in this period.



Venue and Date	Number of Participants	Description of target group
PLD's initiative in Delhi		
Delhi 24 th August, 2015	35	Members of ICC, management, HR personnel and other persons having a duty to carry on the work of prevention, prohibition and redressal in social sector, private sector, educational institutions from Delhi, Orissa, Haryana
Women and Child Development Department, Rajasthan		
Jaipur District 26 th – 29 th May , 2015	96	ICC and LCC members
Alwar District 1 st – 2 nd June 2015	76	ICC and LCC members
Bharatpur district 4 th June, 2015	40	ICC and LCC members
Udaipur District 26 th – 27 th October, 2015	81	ICC and LCC members
Dungarpur District 28 th – 29 th October, 2015	115	ICC and LCC members
Ganganagar District 7 th – 8 th December, 2015	40	ICC and LCC members
Hanumangarh District 9 th December, 2015	120	ICC and LCC members
Jhunjhunu District 11 th December, 2015	150	ICC and LCC members
Chittorgarh District 4 th January, 2016	50	ICC and LCC members
Bhilwara District 5 th January, 2016	60	ICC and LCC members
Ajmer District		

7 th January, 2016	70	ICC and LCC members
Naguar District 8 th January, 2016	100	ICC and LCC members
Dausa District 18 th January, 2016	50	ICC and LCC members
Jaipur District 19 th – 20 th January, 2016	100	ICC members
Tonk District 21 th – 22 nd January, 2016	160	ICC and LCC members
Institutional/Organizational trainings		
IIT Delhi 1 st October, 2015 and 30 th March, 2016	200	Fourth and third grade staff, Ph.D. and M.Tech. students
HIPA, Gurgoan 7 th October, 2015	45	Officers and faculties at HIPA
Astha, Udaipur 1 st November, 2015	30	ICC members and field workers who work with the unorganized sector
MDI, Gurgoan 19 th November, 2015	50	Faculty and administrative staff
Sakhi Women's Resource Center, Kerala 16 th - 17 th February, 2016	40 on the 16 th and 10 on 17 th	LCC members, ICC members of government departments, people working with unorganized sector from Kollam and Thiruvananthapuram
Azad Foundation, Delhi 19 th February, 2016	15	ICC teams from Delhi, Jaipur and Calcutta and HR persons of Azad Foundation
IPPF (Planned Parenthood), South Asia Office, Delhi 2 nd March, 2016	10-12	Staffs of IPPF

Supreme Court of India		
13th October, 2016	20-30	Lawyers and administrative staff

Workshops on sexual violence laws

Our workshops combine substantive and procedural aspects of the three new laws on sexual violence to enable partner organisations to access redress, with information on the law and critical



perspectives on gender and sexuality. The interactive format allows for active participation of participants through games, team exercises and group discussions

We continue to work closely with the Mahila Samakya (in Bihar, Jharkhand and Gujarat), conducting a total of 11 state and district level trainings in this period, with their District Resource Person, Junior Resource Person and *nari adalat* members on the three laws on sexual violence.

Collaborating entity	Venue and Date	No of participants	Description of target group
Bihar MS	Kishanganj district 28 th -30 th July, 2015	65	Para legals, samuh members from Kishanganj, Purnea, Araria and Kathiyar districts
	Supaul district 1 st to 3 rd August, 2015	25	Para legals, samuh members from Supaul district
	Patna 24 th -25 th November, 2015	36	Para legals, samuh members from 9 districts
Gujarat MS	Gandhinagar 14 th – 16 th September, 2015	61	Nari Adalat members from 31 districts

	Ahmedabad 18 th – 19 th September, 2015	29	Samuh, sangha member, para legal from 13 districts
	Ahmedabad 15 th – 16 th February, 2016	30	NariAdalat members from 19 districts
	Ahmedabad 17 th – 19 th February, 2016	36	NariAdalat members from 20 districts
Jharkhand Mahila Samakhya	Ranchi 27 th – 28 th August, 2015	19	Samuh, sangha member from 11 districts
	Ranchi 30 th – 31 st August, 2015	27	Samuh, sangha member from 15 districts
	Ranchi 27 th – 28 th November, 2015	15	Samuh, sangha member from 15 districts
	Ranchi 30 th – 2 nd November, 2015	31	NariAdalat workers from 2 districts

Gender sensitization with Judiciary

PLD continues to be a part of the resource pool for the weekend training programmes by the Delhi Judicial Academy for the Delhi Judicial Services and the Delhi Higher Judicial Services, through the period 2015-16.

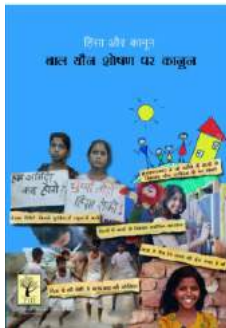
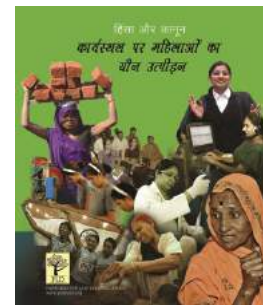
2. CREATION OF RESOURCES

Sexual Harassment at Workplace



PLD created four posters on sexual harassment at the workplace, in Hindi as well as in English. The Hindi versions have been re-printed and disseminated by the Govt of Rajasthan; they have also been translated into Malayalam by Kerala Women's Commission and into Gujarati by Sahiyar. Owing to a high demand, we have re-printed the posters.

Due to an overwhelming response to our resource book— *Hinsa aur Kanoon: Kariyasthal par Mahilaon ka Yaun Utpeedan*, we published a third edition, which importantly provides formats of writing prima facie and final report to be prepared by the ICC. A total of 3000 copies have been printed thus far. PLD has partnered with the Rajasthan government for wider dissemination of the resource book within governmental agencies and departments across districts.



Bal Yaun Shoshan par Kanoon: Resource book on Protection of Children from Sexual Offences Act

This booklet is written in simple Hindi, explains the provisions of the legislation and also outlines the procedures, incorporating provisions of Criminal Procedure Code and Juvenile Justice Act which have a bearing upon POCSO.

Feminist Law Archives

The Feminist Law Archives was also launched at the commencement of the 16 Days of Activism in November 2015. The archives have received an overwhelmingly positive response from activists and researchers from India as well as the overseas.



3. KNOWLEDGE CREATION

Towards victim-friendly responses and procedures for prosecuting rape: a study of pre-trial and trial stages of rape prosecutions in Delhi

Our study of the gender sensitivity of procedures in a rape trial, through the pre-trial and trial stages is now concluded. It is based on monitoring 16 cases of rape across 4 fast-track courts in Delhi, victim interviews and study of case records and desk research of comparative and domestic law. The study has been submitted to the Delhi High Court, Department of Justice, National Legal Services Authority and the UNDP. The publication of the study awaits approval by the Delhi High Court.

Mapping vulnerabilities of youth in relation to sexuality, early marriage and the law

We commenced a study on understanding the ways by which the change in legal age of sexual consent contributes to policing sexualities of adolescents and young adults, and impacts building agency and leadership in girls. This phase of the project involves primary data collection through field work as well as analysis of case law. The field work has commenced in collaboration with child rights, child protection and women's rights organizations in Delhi, Mumbai and Jaipur, with a resource pool of academics and activists from disciplines of law, sociology and sexuality steering the study. Pilot studies for case documentation have taken place to familiarise partner organisations with methodology and ethical aspects of field work. Case law research has commenced.

4. PERSPECTIVE BUILDING AND ADVOCACY

Witch Hunting

To disseminate, outreach and engage a wider audience in the findings of witch hunting, we contributed to the following events, news reports, wrote submissions and journal articles.

- Centre for Study of Law and Governance, Jawaharlal Nehru University on 28th August, 2015 with Anuja Agrawal and Madhu Mehra presenting findings, and with Usha Ramanathan as discussant. Prof. Neera Chandhoke released the report of the three state study titled Contemporary Practices of Witch Hunting: A Report on Social Trends and the Interface with Law.
- Resource Centre for Interventions on Violence Against Women, School of Social Work, Tata Institute of Social Sciences, Mumbai on 1st October, 2015.
- Conference organized by Action Aid in



Bhubaneswar on 23rd November, 2015.

- Publication of article by Madhu Mehra and Anuja Agrawal, titled 'Witch Hunting in India – Do we need special laws?' in Economic and Political Weekly, 26th March, 2016.
- We contributed towards a film on witch hunting, which was televised in January 2016, and available at: <http://www.channelnewsasia.com/tv/tvshows/insight/a-legacy-of-violence/2415132.html>
- PLD presented a briefing note to the National Legal Services Authority as well as the High Level Committee on the Status of Women to frame informed policy responses to contemporary practices of witch-hunting. Our submissions frame the practice of witch-hunting in the context of governance, administrative neglect and barriers to accessing justice, emphasizing the need for prevention through police involvement, and victim-centric rehabilitation efforts. These two facets contributed by our study find reflection in the state laws enacted in 2015 by Rajasthan and Assam.

Sexuality and Sexual Violence

We organized a roundtable on '*Exploring the Continuum between Sexuality and Sexual Violence*' on 28th April 2015. This roundtable discussed the many ways in which sexuality, sexual rights and sexual violence are inter-related, to critically reflect on the ways our strategies and framing of sexual violence in isolation of these linkages has adversely impacted positive sexuality in the current context. The roundtable was highly appreciated, for initiating and creating space for articulating emerging critiques of dominant discourse on sexual violence, including within the women's movements – especially the over reliance on criminal law and state regulation.

The session wise discussion of the roundtable is available as a report along the four themes:

- Marriage, Sexuality and the Law
- Speech, Sexuality and the Law
- Criminalisation and Sexuality
- Feminist Praxis and Dialogue



[censorship-9068](#).

Two presentations from the session on Speech, Sexuality and the Law, by Nivedita Menon and Siddharth Narain, were extracted by The Hoot for their website, at <http://www.thehoot.org/free-speech/censorship/the-paradoxes-of->

National Workshop on The Journey from Victim to Survivor: Challenges for Justice, on 12-13th February 2016, jointly organized by CWDS and PLD

The workshop explored issues of justice beyond the law, to recognize the importance of as well as critically discuss interventions that enable a victim to journey to survivor-hood to if possible, agents of change. The sessions on compensation, comprehensive crisis support, shelter, counselling, education, skill development and livelihood, and community dialogue, conflict resolution and peace-building initiatives covered the spectrum of interventions. With 80 participants from Jaipur, Mumbai, Bangalore, Chennai, Muzzafarnagar, Lucknow, Baroda, Haryana, Ahmedabad, Delhi, Guwahati and Calcutta, representing work on women's rights, child rights, on Dalits, Muslims, sexual and gender minorities and with disabilities this reflexive and critical engagement was befittingly in memory of Lotika Sarkar, whose endowment to CWDS seeded the event.



State level consultation on implementation of laws on sexual violence in Bihar, on 26th November 2015, co-organised by PLD, Mahila Samakhya and Action Aid



PLD organised a state level consultation in Patna on 'Implementation of laws on sexual violence in Bihar' with state functionaries and civil society organizations. The consultation was attended by 66 members including Chairperson, Bihar Women Commission, and civil society members from the Dalit Adhikar Manch, Action Aid, Bihar Women's Network, Equity foundation and Women Development Corporation.

B. CROSS CUTTING INITIATIVES

1. SUBMISSIONS TO NATIONAL AND INTERNATIONAL MECHANISMS

Rights in Intimate Relationships

We made submissions to UNOCHR on the resolution on the Protection of the Family, which preserved patriarchal family forms while undermining rights of individuals within them. Based on PLD's study, our submissions were two-fold: *first*, calling for the recognition of diverse family forms, and *second*, on respect for the rights of individuals within families, such as women, children, the aged, persons with disability, which had been recognized in international human rights.

Regional Consultation on MTR/UPR organized by NHRC on 28th October, 2015

PLD also made written submissions and participated in the Northern regional consultation on the MTR/UPR processes organized by the National Human Rights Commission in Chandigarh.

2. INPUTS AND PRESENTATIONS TO THE GOVERNMENT

CSO Consultation organized by the MWCD for the Commission on the Status of Women session on 29th February, 2016

PLD participated in the CSO consultation organized by the Ministry of Women and Child Development in advance of the 60th Commission on the Status of Women session, where we emphasized the need for victim-centric support services for recovery of women victims of violence.

Submission to Delhi Government task force

We made submissions to the Delhi Government's task force mandated to explore state amendments to criminal laws relating to sexual violence – both at its consultation at the National Law University, Delhi and in writing. We emphasised the need for restoring the age of consent to 16 yrs (increased to 18 in 2012-13) and for amending S.377, such that consensual sex is not criminalized, as well as for removal of the marital rape exception to S.375, IPC, and for developing victim-centric preventive and restorative justice.

Delhi Dialogue Commission on proposed Charter of Women's Rights at Delhi Secretariat on 12th September, 2015

At the Delhi Dialogue Commission of the Delhi government on the proposed Charter of Women's Rights, we called for renewing and strengthening mahila panchayats working in Delhi slums.

Submission to Delhi Commission for Women on Sexual Harassment at the Workplace on 5th December, 2015

PLD's RTI inquiries confirmed that neither District Officers nor Local Complaints Committees were constituted in Delhi, nor was an appellate body notified. We urged the chairperson to take steps to implement the Act, presenting a plan of action for the same.

3. ROLE IN COALITIONS AND WOMEN'S MOVEMENT

Preparatory planning for the 377 curative petition

As part of Voices Against 377, PLD contributed towards preparatory discussions leading to the admission of the curative petition by the three judge bench of the Supreme Court, filed by the coalition against the Suresh Kumar Kaushal.

Meeting with Delhi women's groups on Charter on Women's Rights by the Delhi government

Co-organised meeting of Delhi groups and activists with *Sabeli* to discuss engagement with the Delhi government proposal on Charter on Women's Rights, and other initiatives relating to sexual violence.

4. MEETINGS AND CONFERENCES

Consultation on Provisional findings on special courts under POCSO Act in Delhi

PLD provided inputs at a consultation on 5th December, 2015, organised by Centre for Child and the Law, National Law School Bangalore on the provisional findings of the study of the functioning of the Special Courts under the POCSO Act in Delhi.

National dissemination meet to Share Learning, Practices and Reflection by Community Based Organizations on Enhancing Access to Legal Services and Entitlements organised by Centre for Advocacy and Research (CFAR)

PLD team members were discussants at the session on 'Developing a community centered legal response to address and prevent violence and discrimination: Way forward to empower survivors and vulnerable' on 10th August, 2015. We emphasized the need for sensitising stakeholders such as police, judiciary and others on gender and sexuality.

Consultation on 'Collectivising Adolescent Girls and Organising Adult Women'organised by Sadbhavana Trust

PLD conducted a session of this workshop on 12th January, 2016, on dilemmas and challenges arising from the law in relation to working with adolescents.

Roundtable discussion on India's laws and policies that impact women and girls' health and development outcomes

We participated in an Expert Working Meeting organised by Gates Foundation on 20th January, 2016. Here we drew attention to impact of increase of the age of sexual consent on young adults in consenting relationships, its interlinkages with PCMA and registration of marriage – emphasising instead the need for non-punitive measures that empower adolescent girls holistically rather than focussing only on postponement of marriage.

EGM on Sexuality and Child, Early and Forced Marriage organised by AJWS, International Women’s Health Coalition, CARE and Greenworks on March 8-9, 2016

At this global forum, our participation raised two things – one, the focus on sexuality as a prism to understand child marriage, and second, the need to critique punitive regulation of child marriage and sexuality. We called for shifting the focus away from child marriage (a symptom of a bigger problem) and instead, addressing the key subject, the adolescent, as the recipient of positive inputs and support.

Conference on legal awareness programme: Awareness as a tool for justice

PLD participated in a conference celebrating 25 years of Kinoria College, Jaipur where the theme was legal awareness, on 5-6th February, 2016. The presentation recalled debates and issues in the history of law reform relating to domestic and sexual violence.

Lawyers Collective release event of publication titled ‘Learning and Sharing Manual on Violence against Women’

PLD attended the release of Lawyers Collective’s publication titled Learning and Sharing Manual on Violence against Women’ on 8th March, 2016. The event included a panel discussion on ‘Legal strategies towards ending violence against women.’

Meeting on Mahila Samakhya’s impact on Social and Economic Change

PLD attended a meeting on Mahila Samakhya’s impact on Social and Economic Change on 16th January, 2016. The meeting was organised to discuss findings related to the impact of Mahila Samkhya at the grass-root level by two sets of independent evaluations - and to stress the importance of sustaining this programme. PLD shared its work with MS in the states of Bihar, Jharkhand, Gujarat and Assam in relation to violence against women and witch hunting to draw attention to the invaluable role of the MS women as crisis interveners and support providers in the most marginalized contexts.

Meeting on implementation of Domestic Violence Act, 2005 by Action India

PLD highlighted the role of CEDAW in relation to the implementation of PWDVA at a meeting organized by Action India on the challenges that come in way of implementation of the Act on 18th November, 2015. Budgetary issues, lack of protection officers and negative attitude of police, lawyer & judges were discussed.

Meeting by Nanakpura Special Police Unit for Women and Children meeting

PLD attended a meeting organised by the special cell of Delhi police to interact with the members of civil society organizations and activists on 30th November, 2015. The meeting was organized to inform the members about the steps taken by Delhi Police recently for women safety and countering violence against women. PLD raised concerns about persisting delays in lodging FIR, and the lack of victim and witness protection and compensation.

Consultation on ‘A Victim Centric Approach in cases of Violence against Women and Children’ organised by Majlis

PLD contributed to the consultation on ‘A Victim Centric Approach in cases of Violence against Women and Children’ organized by Majlis, Mumbai, on 01 August 2015. PLD drew from its work on monitoring rape prosecutions in special courts in Delhi and shared concerns regarding the inadequateness of present framework of victim protection and the need to engage in dialogue on sexual violence that goes beyond criminal remedies and convictions.

5. PLD IN THE NEWS AND PRINT

- i. *Greed for property and power behind Jharkhand witch hunts*, in Hindustan Times, published on 19th September, 2015
- ii. *Sexual Harassment in Schools: What To Consider as Delhi Police’s Operation Nirbheek Is Implemented Citywide*, in Caravan, published on 14th October, 2015
- iii. *Call to rethink pre-nup plans*, in The Telegraph, published on 24th November, 2015
- iv. *Reflections on the limitation of the call for full criminalization of marital rape*, in Kafila, published on 10th December, 2015
- v. *‘Witch Hunting in India – Do we need special laws?’* in Economic and Political Weekly, Vol. 51, Issue No. 13, published on 26th March, 2016.
- vi. *Identity in Crisis? Marriage not for “keeps”*, in Times of India based on our study on Right in Intimate Relationships, published on 24th June, 2015

C. ORGANIZATIONAL UPDATES

OUR TEAM AND PROGRAMME PARTNERS	
Executive Director	Madhu Mehra
Programme Co-ordinators	Deeksha Gulati (Trainings and Resources) Radhika Chitkara (Research and Advocacy)
Programme Officers	Puja (Trainings) Akhil Kang (Researcher) Preeti Pratishuti Dash (short term, Trainings)
Interns	Dhruv Tejaswi Pankaj Gupta
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Finance	Vipin Kumar (Finance Manager) Ankur Kashyap (Finance Officer) R.K. Sharda (Auditor)
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Bihar	Mahila Samakhya
Jharkhand	Mahila Samakhya
Gujarat	Mahila Samakhya; Kutch Mahila Vikas Sangathan
Rajasthan	Department of Women and Child Development, Mahila Salah evam Suraksha Kendra; Mahila Jan Adhikar Sangathan
Mumbai	Sakhya, Stree Mukti Sangathan
Delhi	Haq, Centre for Child Rights, Global Family, YP Foundation
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Mapping vulnerabilities of youth in relation to sexuality, early marriage and the law	Anuja Agrawal Aparna Chandra Jaya Sharma
GOVERNANCE	
Board of Trustees	Aradhana Nanda Geetha Ramaseshan Jaya Sharma Madhu Mehra Rebecca John
FINANCIAL PARTNERS	
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