

## GENDER EQUITY: SOME SOCIAL REFLECTION IN PRESENT SCENARIO IN INDIA

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### ABSTRACT

Women and girls constituting half of the planet's population. Irrespective of the nature and form of society, women have always been its integral and inseparable part but they have been suppressed, oppressed, and treated as subordinates and not equal to their male counterparts in different fields of activity. In almost all respects they are the largest excluded category. Gender equality refers to the equal rights, responsibilities and opportunities of women and men as well as boys and girls whereas gender equity refers to fairness of treatment for women and men, according to their respective needs which is considered equivalent in terms of rights, benefits, obligations and opportunities. Equity leads to equality. In present scenario we need gender equity rather than gender equality. According to the Global Gender Gap Report released by the World Economic Forum (WEF) in 2011, India was ranked 113 on the Gender Gap Index (GGI) among 135 countries. The Human Development Report (1995) reveals statistical data of women all around the world that women have only 1/10<sup>th</sup> of the global income. They own 1/100<sup>th</sup> of the means of production. Nearly 70 percent of the women live below the poverty line and do not participate in any discussion making process either political, social or economic perspective. For gender equity in India, women or girls must get online. The constitution not only grants equality to women, but also empowers the state to adopt measures of positive discrimination in favour of women to ensure equity. In this present paper researcher try to highlight the social reflection of gender equity in the present scenario in India.

Keywords: Women, Gender, Equity, Equality, Empower.

### **Introduction:**

According to International Labour Office (ILO), 2000 the concept of gender equity refers to fairness of treatment for women and men, according to their respective needs. This may

include equal treatment or treatment that is different but which is considered equivalent in terms of rights, benefits, obligations and opportunities. The concept of equality however required equity, German philosopher and social scientist Friedrich Engels in his classic writing "Origin of the family, private property and the state" states that "Women was the first being that tasted bondage. The woman was a slave before slavery existed" women and girls constituting half of the world's population. There are a great many difficulties that many Indian women face which include poverty, female feticide, sexual harassment, violence, lack of education, various discriminations at home and society, job skill training, technical backwardness etc. Gender equity is about fairness that is making up for the gap between gender bias and reality. Gender mainstreaming is a very useful strategy. It overlays the gender lens across any action, policy and much more. Social equity is the pre-condition and pathway to realizing social equality. Gender equity includes all those essentials and necessary steps to be put in place to create a level playing field for empowerment of women and girls. It constitutes legislations, policies, programmes, provision and budgets eliminate barriers in accessing and benefiting from development resources on the basis of gender. Gender equity provides some special or additional measures to overcome historical and current disadvantages. It ensures institutional mechanisms for participatory planning, implementation and monitoring. Gender equity puts the focus on fairness and justice regarding benefits and needs for women and men, girls and boys. Gender equity is used for example within education, health, politics, economic growth, social and humanitarian sectors referring to the equal distribution of resources based on the needs of women. Gender equity in this context refers to the fact that a gender analysis of these needs is necessary as they in many respects may be different for girls and boys, women and men. Gender bases discrimination and violence affect about half of women and girls around the world (UNICEF, 2014). Discrimination and violence stem from inequitable gender biases and perceptions that all formed at very young ages and influenced by family, society and societal norms. The adolescents begin to form their own gender equity attitudes and perceptions by the time they reach middle school. The question of women's rights looms large, cutting through all the layers of social stratification.

### **Need and Significance of the Study:**

Women account for half of the existing human resource of the world. Their discern second rate mostly confined to the four walls of the house further propagated the submissive locale

of women to men. While a struggle for nationalism changed legal landscape of women's right through the colonial era, the post colonial era in India has been marked by sweeping changes such as globalization, neoliberal policies and the leaps and bounds in technological development. This has expanded women's participation in the public sphere. When we talk about gender equity, an opportunity is not limited simply on the basis of gender but correcting for gender biases so that economic outcomes improve for all. The present study has a great need and significance to determine the extent of gender equity in political, economic, academic and social sphere of development in India.

### **Objectives of the Study:**

The objectives of the present study are:-

- To differentiate the gender equity from gender equality.
- To ascertain the extent of equity in the field of education in India.
- To assess the extent of equity made by Indian legislature.
- To assess the extent of equity in the field of health.
- To acknowledge the extent of equity in over all society in India.

### **Methodology:**

This present study is based on qualitative data collected from secondary sources like books, journals, articles, thesis, university news, website and expert opinion. The researcher used descriptive analytic method for this study.

### **Findings:**

Research tried to draw attention on some points like:-

If gender equality is the end, gender equity is the means. Gender equality does not mean that women/girls and men/boys will become the same but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female. The concept of equality however requires equity. Gender equality has to be established as a crosscutting issue in international development. Gender equality and gender mainstreaming in family, society and law has been the phenomenon of modern times. Gender equality is not only a fundamental human right but a necessary foundation for a peaceful prosperous and sustainable world. In simple word gender equality mean ending all discrimination against women and girls. In other words, it is also known as equality of the sexes, is the state of equal case of access to resources and opportunities regardless of gender including economic participation and decision making process; and the state of valuing different behaviours, aspirations and needs equality regardless of gender. Yet despite progress, women and girls around the world and especially in India do not fully experience equal rights.

The concept of gender equity refers to “fairness of treatment for women and men according to their respective needs. This may include equal treatment or treatment that is different but which is considered equivalent in terms of rights, benefits, obligations and opportunities (ILO, 200). Gender equity refers to fair opportunities for everyone to attain their full health potential regardless of sex. We need gender equity now in India. Although women and girls constituting half of the world’s population but still they are forced to suffer discrimination in all regards. Gender equity allows everyone to participants in all social, political and economic decision making process regardless gender. If gender equity is about fairness, then it is making up for the gap between gender bias and the ground reality. It is a big question in front of us that how we can hack the system to give women an equitable shot. In India, the constitutionally guaranteed equality for women is often contradictory to the harsh societal reality of the land and its cultural norms.

### **Gender Equity in Education:**

Female education has long been acknowledged to have strong correlations with other dimensions of human and social development. Despite strong economic and social evidence of the high return to female education most of the communities continue to under invest in female education relative to male education. Even as the thresholds of schooling completion increase with significantly narrowing gender gaps in primary education in particular discrimination against girls in secondary and higher education remain an issue.

Table 1.1 : Literacy Rate in India

Sl. No.	Year	Male	Female
1.	1901	9.8	0.7
2.	1911	10.6	1.1
3.	1921	12.2	1.8
4.	1931	15.6	2.9
5.	1941	24.9	7.3
6.	1951	24.9	7.3
7.	1961	34.4	13.0
8.	1971	39.5	18.7
9.	1981	46.9	24.8
10.	1991	63.9	39.2
11.	2001	76.0	54.0
12	2011	82.14	65.46

Source: Census Report of India, 2011.

Table 1.2: Enrolment Status of Girls' Education in India from 2012 to 2015

Years	Primary	Upper-Primary	Secondary	Higher Secondary
2014-15	48.19%	48.63%	47.47%	47.06%
2013-14	48.20%	48.66%	48.63%	46.57%
2012-13	48.36%	48.77%	48.33%	46.09%

Source: DISE and U-DISE Data 2012-15

Table 1.3: Annual Average Dropout Rate of Girls in Elementary and Secondary Level

Years	Primary	Upper-Primary	Secondary	Higher Secondary
2012-13	4.66%	4.01%	14.54%	Not Available
2013-14	4.14%	4.49%	17.79%	1.61%

Source: DISE and U-DISE data 201-2014

Though girls in India today are more educated than they have ever been the gap in educational attainment, as worsened over time, over the past two decades, the mean years of schooling for girls have almost propelled from just 1.7 in 1990 to 4.7 in 2018. Despite the high rate of improvement in the means years of schooling for girls the gender gap measured as a simple difference male and female attainment has actually increased with time from 2.4 years to 3.25 years. The gender gap widens with progressive levels of education owing to the great barrier to schooling that girls face due to societal norms and deeply ingrained gender stereotypes. The dropout term radically reverses by Class VIII when almost twice the number of girls are dropping out of the schooling system. The lower enrolment of girls in school is a great challenge in gender equity. Poor parents (by wealth or by their mindset) cannot afford on girls for both education and marriage too. Hence girls are perceived as a high maintenance disability right from their birth and investing on their for their up bring education is equated to a zero return on investment as they will to be away all that to another family once they are married. The roots of gender discrimination emerge in the earliest stages of education. According to Annual Status of Education Report "Early Years" more boys than girls' tend to be enrolled in private institutions, where parents incur out-of-pocket expenditure. The preferred choice for girls enrolment is the free government schools and colleges highlighting societal gender biases in exercising school choice. Many researches show that in cultures in which a higher value is placed on education of male child more girls are likely to be taken out of school. Sexual harassment and violence also continue to be major constraining factors preventing parents from freely sending their girls to school. Gender ideologies are open to change and the recent structural shifts in Indian society and economy in an era of economic

liberalization and globalization have created new the aspirations and opportunities which are likely in turn to have had an impact on the demand for female education. There are two driving motivations for education in India is linked to aspirations for salaried occupations and to the marriage market where wide gaps between the educational qualifications of males and females are considered to constitute a risk to the stability of the marriage. Structural changes in both these types of market for employment and marriage are likely to have attendant changes in the demand and length of female schooling.

### **Gender Equity in Health Sector**

In countries like India where women have lower social and economic status than men, women often receive less attention and lower quality of health care than their male counterparts. Girls and women disproportionately experience adverse health outcomes including malnutrition maternal death, suicide and gender based violence (World Health Organization (WHO) 2009 and there is a large gender gap. Relative to boys between 1-2 years of age, girls of the same age in India were found to be significantly less likely to be fully immunized against tuberculosis, polio, diphtheria, pertussis, tetanus and measles (Brooah, 2004). . Boys under five years were also more likely than girls to be taken to a health facility where showing possible symptoms of a treatable illness (Patra 2011). As a result girls had a 36 percent higher mortality rate between 1-4 years of age (Bobbitt-Zeher 2007). Gender norms and stereotype attitudes are a prominent determinant of these negative health outcomes that disproportionately affect girls and women. Men and women share the same right to the enjoyment of the highest attainable standard of physical and mental health. Women are disadvantaged due to social, cultural, political and economic factors that directly influence their health and impedes their access to health related information and care. Now-a-day women in India face a multitude of health problems, which affect the aggregate economy's output. Gender is one of the main social determinants of health which include social, economic and political factors that play a major role in the health outcomes of women in India. Boys are more likely to receive treatment from health care facilities compared to girls. Gender discrimination begins before birth. Female are either aborted or mother's pregnancy can be stressful experience due to her family preference for a son. Rate of admission to hospitals varies with gender with men visiting hospitals more frequently than women. Women utilize health care resources to a lesser degree than men. Boys are more likely to receive immunisations than girls in rural areas, sex of a child leads to different levels of health care being administered in rural areas. A study in 2000 found that nearly 70 percent of non-pregnant women and 75 percent of pregnant women were anaemic in terms of iron

deficiency. The rate of malnutrition increases for women as they enter adulthood also malnutrition increased for ever-married women compared to non-married women. By the year 2022 nearly 70 percent of the world's cancer will come from developing countries with a fifth of those cases coming from India. As a nation, India contributed nearly 20 percent of all maternal death worldwide barriers to seeking care arrival at a medical institution and the provision of quality care, as of July 2005 women represent around of 40 percent of the HIV/AIDS cases in India. Cardiovascular disease is a major contributor to female mortality in India. It was found that among patients with congenital heart disease, women were less likely to be operated on than men because families felt that the scarring from surgery would make the women less marriageable. Indian women suffer from depression at higher rates than Indian men. Women in India have a lower onset of schizophrenia than men. The suicide rate is high among female sex workers in India, who faced numerous forms of discrimination for their gender and line of work.

Table 2: Infant Mortality Rate

Year	Female	Male
2007	56	55
2008	55	52
2009	52	49
2010	49	46
2011	46	43
2012	44	41
2013	42	39
2014	40	37
2015	39	35
2016	36	33

Source: (NFHS) National Family Health Survey.

### **Gender Equity in Economic Activity:**

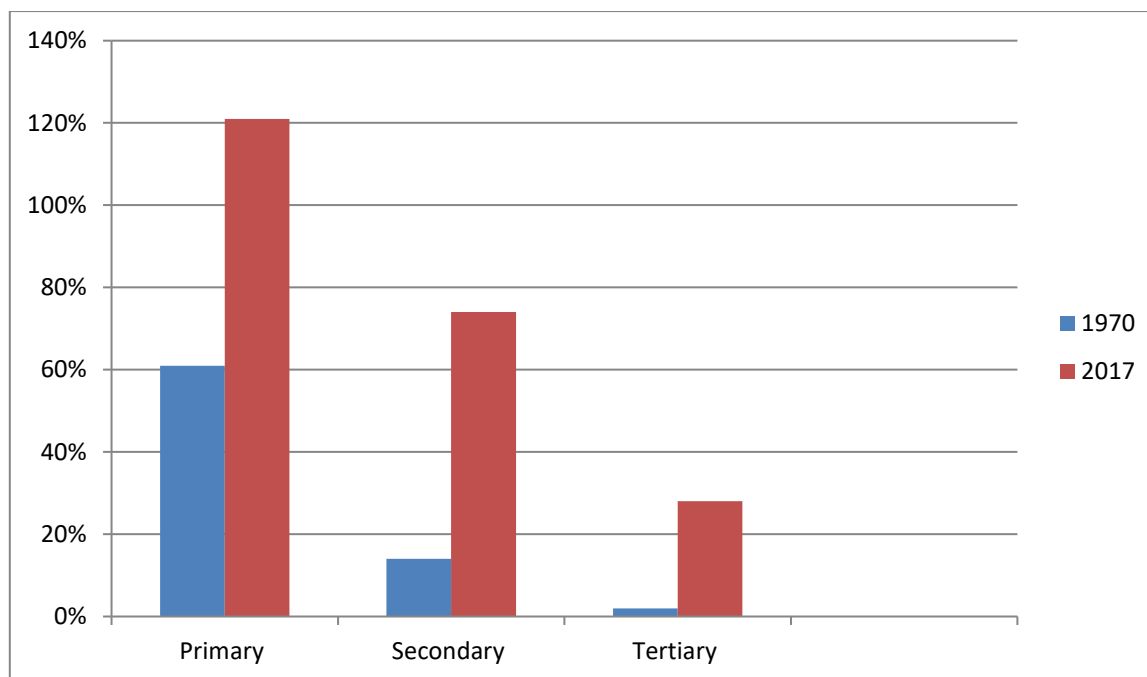
Secure women's equal access to economic employment and livelihood opportunities including through legal and provisions for decent work and equal pay with men, social protection including for informal sector workers and with special attention to vulnerable groups, such as female headed households including girl headed households equal land, property and inheritance rights access to forming support, productive assists banking and financial services technologies and ICT's and the ability to start and register a business and creation of employment opportunities for older women. Gender equity ensures that policies for full

productive and decent employment and livelihood opportunities for youth have a special focus on young women's opportunity. Gender equity prohibits employment discrimination against women based on pregnancy or motherhood. India has one of the lowest labour force participation by women, when compared to countries across the globe just under 18 percent in 2017 compared to 82 percent for men (ILO, India Labour Market Update, July 2017). A global study by Deloitte identified Indian women as holding 12.4 percent of board seats and just 3.2 percent of board chairs in 2017 (Deloitte, Women in the Boardroom: A global perspective-Fifth Edition). The World Bank reported that India has actually seen a decline of female workers in the last 25 years. In the past decade, while Indian GDP has grown by around 6 percent there has been a large decline in female labour force participation from 34 percent to 27 percent. The male-female wage gap has been stagnant at 50 percent and 27 percent gender pay gap in white-collar jobs. Marriage and motherhood can almost be a certain death knell for a women's career.

Data says there are not enough women entrepreneurs yet in India. According to a survey despite a substantial rise in the number of women joining the workplace in India gender equity continues to suffer. There are not more than 5 percent women in senior management roles. According to the survey, 42 percent female respondents said they face managerial bias whereas 33 percent female believe that there are different performance standards and expectations for male and female employees working at the same level. Gender equity redress the disproportionate burden of unpaid care work on women and girls and inefficient time use related to their gender and reproductive roles including through family-friendly policies for affordable child care support for care of the elderly ill and disabled maternity and paternity leave employment policies as well as access to time and energy saving technologies. Women earn 65 percent of what their male colleagues earn for performing the same work in India. India is not performing well on the index of female entrepreneurship either with only 21.49 percent of the total establishments and 13.41 percent of non-agricultural establishments in India being owned by women. Women employment is concentrated in low-growth, low productivity sectors and the gender wage gap is sticky with the female wage being 60-65 percent of the male wage since the last three decades.

Figure 1: Female Gross Enrolment Ratios ((%)





Source: World Bank, World Development Indicator

Women in India spend up to 352 minutes per day on domestic work more than men 52 minutes. As per the results of the most recent labour force survey conducted by NSSO, the estimated female worker population ratio (%) on the usual status basis in India during 2009-2010 and 2011-12 are 26.6% and 23.7% respectively.

### **Provisions by Legislation and Judicial Protection for Gender Equity:**

The feminist struggle for equal rights has been paved through legislation be it the suffragette movement and the right to vote, to employment rights property rights, rights governing divorce and marriage to child care and medicine legislation based on equal rights affects the very values of society, impacting not just the way we vote but the way we work, live and function as a family the way we access education, healthcare and justice. The constitution provided a foundational basis to the idea of gender justice in India has helped us sustain a struggle for levelling the field all together and has paved the way for enactment of legislations.

1. The constitutional provisions that provide for gender equity in India include Article 14, 15, 16, 39 and 42. Article 14 provides for equality before the law or for the equal protection of the laws. It gives the state freedom to make special provisions for disadvantaged sections of the society which includes affirmative action and special status for women etc.

2. Article 15(1) explicitly prohibits any discrimination on the basis of sex. Under Article 15(3) the state is provided with the power to make special provision for women and children.
3. Article 16 provides for equality of opportunity of all in matters relating to public employment or appointment to any office; it specifically forbids discrimination on the grounds of sex.
4. Article 39 provides for securing the right to an equal means of livelihood for both men and women and that both men and women have the right to equal pay.
5. Article 42 provides for securing just and human condition of work and for maternity relief.

There are numerous legislations that have specific provisions to address women and their interests thereby providing a strong legislative basis for gender equity in India. These are:-

1. Maternity Benefits (Amendment) Act, 25017: The maternity amendment extends paid maternity leave for women employees with less than two surviving children from the original 12 weeks to 26 weeks. A maximum of 8 weeks can be taken before the expected delivery date and the remaining after childbirth. The women expecting their third child were also provided with the right to take 12 weeks of paid maternity leave 6 weeks before childbirth and six after. The Maternity Amendment provided for mothers adopting a child below three months of age or “commissioning mothers” to take 12 weeks of maternity leave from the date of receiving the child. Women employees have a right to visit the crèche four times a day including during their rest interval.
2. The Employees State Insurance (ESI) Act, 1948: The objective of the Act is to provide for certain benefits to employees in case of sickness, maternity and employment injury. The act is applicable to all factories. Section 46 of the Act which covers the benefits for employees, has provided for periodical payments to insured women in case of confinement or miscarriage or sickness arising out of pregnancy confinement or premature birth of child.
3. Criminal Law Amendment Act 2013: It came into force on February 3, 2013 amended as well as inserted new sections in the Indian Penal Code with regard to sexual offences. Some of the offences recognized by the Criminal Law Amendment Act are acid attacks, voyeurism, stalking, international disrobing of women and sexual harassment.
4. The Sexual harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013: It was known as Vishaka Guidelines wherein employers were mandatorily directed to provide a mechanism to address and resolve complaints relating to sexual

harassment at the workplaces. The objective of the act is to provide protection against sexual harassment of women at the workplace and for the prevention and redress of sexual harassment and for matters connected therewith or incidental thereto.

5. Decriminalizing of Adultery: Supreme Court of India on 2018 struck down section 497 of the Indian Penal Code that prescribed a maximum imprisonment of five years to men for adultery. This law did not consider the women's will. Though women could not be punished under the provision a husband could prosecute the man who has sexual relations with his wife, even if the wife was a voluntary participation in the act.
6. Women's Reservation Bill: The constitution (108<sup>th</sup> Amendment) Bill is a pending bill in India which proposes to amend the Constitution of India to reserve 33 percent of all seats in the Lower House Lok Sabha and in all State Legislative Assemblies for women.
7. Triple Talaq: Instant Talaq or triple talaq or Talaq-e-Biddat is an Islamic practice that allows men to divorce their wives immediately by uttering the word 'talaq' three times. The Supreme Court of India in its judgement of Sayarabano Vs. Union of India on August 2017, set aside the practice of Triple Talaq better known as Triple Talaq Bill the bill makes all declarations of talaq including in writing or electronic form to be void and illegal.
8. Sabarimala Issue: The Supreme Court on September 2019 permitted entry of women of all age groups to the Sabarimala Temple, holding that devotion cannot be subjected to gender discrimination.
9. Pre Natal Gender Screening: Two laws that prohibit the sex selection of a fetus in India are the Medical Termination of Pregnancy Act 1971 (MTP), as amended in 2007 and the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (PNDT), as amended in
10. There are several laws and schemes which are inhibitive to the cause of gender equity in India like:-
  - Hindu Marriage Act, 1955
  - Protection of Women from Domestic Violence Act, 2005
  - Hindu Widows Remarriage Act, 1856
  - Beti Bachao Beti Padhao Scheme, 2015
  - Equal Remuneration Act, 1976
  - Mahila Samakhya Programme (1989)
  - Kasturba Gandhi Balika Vidyalaya Scheme (2004)
  - Indira Gandhi National Scholarship Scheme (\_\_\_\_\_)

- National Programme for Education of Girls at Elementary Level (2013)
- National Programme for Education of Girls for Secondary Education (2008)
- Saaksahar Bharat (2009)
- Pragati (2015)
- Mid-Day Meal Scheme (1995)
- Padhe Bitiya Badhe Bitiya (2012)
- Ladli Laxmi Yojana (2007)
- Sabla (April 1, 2011)
- Ujjwala Yojana (2016)
- Ladali Yojana (2008)
- Swadhar Scheme (A Scheme for women in difficult circumstances) (2002)
- One stop Centre Scheme (2015)
- Women Helpline Scheme (2015)
- Ujjawala (Scheme for prevention of trafficking and rescue, rehabilitation and reintegration of victims of trafficking and commercial sexual exploitation) (December 2007)
- Working Women Hostel (Introduced in 1972-73 and after amendment re-launched 6<sup>th</sup> April 2017)
- Rajiv Gandhi National Crèche Scheme for the Children of Working Mothers (2006)
- STEP (1986-87, revised in December 2014) (Support to training and employment programme for women)
- Nari Shakti Puraskar (1999)
- Priyadarshini (Pilot Project)
- Mahila E-Haat (7<sup>th</sup> March 2016)
- Rashtriya Mahila Kosh (RMK)/National Credit Fund for Women (NCFW) - 1993

**Conclusion:**

Gender equity means fairness of treatment for women and men according to their respective needs. This may include equal treatment or treatment that is different but which is considered equivalent in terms of rights benefits obligations and opportunities. It allows everyone to participate in all dimensions of social, political and economic decision making process regardless gender. In a very simple word after giving the same opportunities to two groups if one group is lagging far behind the rest, then we have to make some provisions so that both the groups achieve the same, this is called equity. There are a great difficulties that many Indian women face, which include poverty, female feticide, sexual harassment, lack of

education and health care, job skill training. India still ranks 108<sup>th</sup> among 149 countries in the World Economic Forums (WEF) Global Gender Gap Index (2018). A lot need to be done to ensure gender equity in India. However the concept gender equity is also used to separate gender equality from the human rights agenda and avoid talking about women and girls human rights. It has been picked by the conservative actors who emphasize the complementary of women and men, talk about separate but equality and go far in arguing for biologically give3n roles and obligations for women and men's society. In India the constitutionally guaranteed equality for women is often contradictory to harsh reality of society and its cultural norms. Since women constitute half of the human resources so if we want really a developing nation, we must emphasis on gender equity.

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