

## **ILS Law College, Pune Webinar On 'Collaborative Activism in the Sphere of Gender Equality: Some Reflections on Vishaka Mechanism**

The ILS Law College, Pune is commencing a webinar series from July 31, 2020, to celebrate the birth centenary year of Chief Justice Shri Y.V. Chandrachud.

Vishaka v. State of Rajasthan is a locus classicus in the context of combating sexual harassment of women at workplaces.

*In what circumstances the Supreme Court engaged collaboratively with the Bar and the Executive to evolve a legal regime to fill gaps in law in the context of sexual harassment, and is there any different story behind evolution of Vishaka mechanism* - are some of the questions which we intend to grapple with, in this intellectually stimulating webinar.

The event showcases a diverse panel of the following distinguished speakers, who have each paved stones in the path that is the law of gender equality, making the dream of an equal world that much closer. The panellists are:

### **1. Hon'ble Chief Justice Ms Gita Mittal:**

Hon'ble Chief Justice Gita Mittal is currently serving as the Chief Justice of the Jammu & Kashmir and Ladakh High Court. Her Ladyship was the Chair of the Delhi High Court's Mediation and Conciliation Centre and served on committees that dealt with complaints concerning sexual harassment, working conditions, performance assessment of judges in subordinate courts, and judicial training. Madame Justice also served on a committee concerning the implementation of legal guidelines that governed child witnesses in cases concerning sexual offences.

In 2011, along with Justice R. Midha she passed a significant ruling concerning the rights of transgender individuals, holding that a woman with a congenital hormonal anomaly had been unfairly discriminated against when she was prohibited from joining the Sashastra Seema Bal (a border patrol organisation) as a female constable. (*Faizan Siddiqui vs. Sashastra Seema Bal 2011 (124) DRJ 542*). In 2018, she held that advertisements prohibiting women from applying for recruitment to the Indian Territorial Army violated the Territorial Army Act, 1948, which allows men and women to apply. (*Kush Kalra v. Union of India MANU/DE/0027/2018*)

In May 2020, Hon'ble Madame Justice Mittal wrote to the Government of India in her capacity as Chief Justice of the Jammu and Kashmir High Court for the Creation of CAT Bench in Jammu and Kashmir.

### **2. Ms. Meenakshi Arora, Senior Counsel, Supreme Court of India**

She was also the standing counsel for the Election Commission of India. In September 2013, full bench of Supreme Court headed by then Chief Justice of India P. Sathasivam designated her as a senior counsel/senior advocate being only the fifth woman to be designated so.

She was one of the members of the drafting committee which drafted the regulations The Gender Sensitisation & Sexual Harassment of Women at the Supreme Court of India (Prevention, Prohibition and Redressal), Regulations, 2013 to protect and provide grievance redressal to women lawyers from sexual harassment at the Supreme Court.

Ms. Arora will forever be remembered to have represented a women's organisation in Vishaka vs State of Rajasthan, a landmark case that banned sexual harassment in the workplace, and reinforced the status of international law in Indian courts. She was the Standing Counsel for the State of Himachal Pradesh in the Supreme Court from August 1998 to November 2002 for criminal cases. Since July 2006, she has been representing the Election Commission of India and the Delimitation Commission in the Supreme Court.

**3. Ms. Vrinda Grover, Advocate & Women's Rights Activist, Supreme Court of India**

Vrinda Grover is a lawyer, researcher, and human rights and women's rights activist. Time magazine identified her as one of the 100 most influential people in the world in 2013. Ms. Grover has appeared for the victims in prominent cases such as the Soni Sori rape-torture case, 1984 anti-Sikh riots, 1987 Hashimpura police killings, 2004 Ishrat Jahan case, and the 2008 anti-Christian riots in Kandhamal.

She contributed to the drafting of the 2013 Criminal Law Amendment to the law against sexual assault; the Protection of Children from Sexual Offences Act, 2012, and the Prevention of Torture Bill, 2010, a law for protection from Communal and Targeted Violence. In the aftermath of the 2013 Muzaffarnagar Massacre, she represented seven of the gangrape survivors of communal violence.

She has actively engaged with UN human rights mechanisms including the Universal Periodic Review and UN Special Rapporteurs, UN Women India Civil Society Advisory Group; is a bureau member of South Asians for Human Rights (SAHR); a founder member of the Working Group on Human Rights in India and the UN (WGHR). She is also on the global board of The Fund for Global Human Rights. She also played an influential role in criticism of the "two-finger test" for survivors of sexual violence in India.

**4. Ms. Nidhi Goyal, Disability Rights Activist & Founder & Executive Director, Rising Flame**

Nidhi Goyal is an Indian disability and gender rights activist who has been appointed to the UN Women Executive Director's advisory group. Goyal is the founder and director of Mumbai-based NGO Rising Flame and works in the areas of sexuality, gender, health and rights for women and girls with disabilities. She is also the first blind female stand-up comedian in India.

Goyal advocates for issues around sexuality and sexual and reproductive health and rights for women and girls with disabilities. Nidhi has been appointed to the UN Women Executive Director's advisory group currently the president of Association for Women's Rights in Development (AWID). She is a member of the core group on persons with disabilities and elderly persons by the National Human Rights Commission in India. Rising Flame has been involved in the #MeToo movement and the campaign 'My Tale

Too', which aims to rewrite the narratives of popular movies or novels with disabled people in the lead.

Goyal was given the Neelam Kanga Award by National Association for the Blind, India, in January 2016 and the Superwoman of the Year award by ABP News in March 2018. Goyal co-authored a report for the international human rights research and advocacy organization, Human Rights Watch, titled "Invisible victims of sexual violence: Access to justice for women and girls with disabilities in India". The report looks at the challenges that women and girls with disabilities who have survived sexual violence face when accessing legal aid and justice.

**5. Dr. Devika Singh, Advocate, Founder & Lead Legal (Pan India) – Cohere Consultants**

Advocate Devika Singh is the Founder and Practice Head of Cohere Consultants, a pan India boutique practice on laws that relate to gender, diversity & inclusion at the workplace, and also India's first legal practice on gender discrimination.

Devika lead the Gender Rights, Gender based Violence & Law Enforcement Domain at the National Mission for Empowerment of Women, Ministry of Women and Child Development, Government of India. She has contributed to the drafting and passage of the Act on sexual harassment in the workplace. She is a registered practitioner with the Bar Council of India and on the rolls of solicitors of England and Wales. She holds an LLM from Kings College London for which she was awarded a full scholarship by the DFID, UK and a PhD from the VU University, Netherlands.

She aided the drafting and passage of the amendment to the Maternity Benefit Act in 2017. She has also been an advisor to the Government of India on laws protecting children from sexual offences, amendments to the IPC, laws on human trafficking and laws to protect women from domestic violence. She recently advised the Parliamentary Select Committee on the Surrogacy Regulation Bill. Dr. Singh has the unmatched distinction of advising on 1800+ PoSH cases since the subject law came into effect. She is a guest faculty at the CBI Academy, Police Training Academy, Delhi and the National Labour Institute.