



Legal Status and Initiatives for Women in India

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Introduction:-Legal protection is being provided to women in India to secure their economic, social and cultural life. These are some of the tasks that show the efforts made by the Indian government in the interest of women's life saving. Dowry Prohibition Act 1961, Maternity Benefit Act 1961, Birth, Death and Marriage Registration Act 1886, Prevention of Pregnancy Act 1971, National Commission for Women Act 1990, Pre-natal Diagnostic Techniques (Prevention of Prevention and Regulation of Prevention) Act, 1999, Protection of Security Domestic Violence Act 2005, Sexual Harassment of Women (Prevention, Prohibition and Prevention) Act 2013, Hindu Widows Remarriage Act 1856, Muslim at Workplace Women (Protection of Rights on Divorce) Act, 1986, Guardian and Wards Act 1890, the Indian Penal Code, 1860, Christian Marriage Act 1872, etc.

The principle of gender equality in the Indian constitution lies in its preamble, fundamental rights, fundamental duties and instructional principles. The Constitution of India not only provides equality for women, but empowers the state to adopt measures of positive discrimination in favor of women. The first international effort that reflects the equality of rights of both sexes is the UN list of the rules. This rule-set reads that the entire human race receives glory and authority from birth. All men and women should enjoy equal freedom and rights without any exception. All his citizens were considered to explore social, economic, cultural and political rights, even in spite of their gender. Discrimination with women is considered to be equal rights of rights and a violation of human dignity. India has created several constitutional and legal measures and special plans, programs, plans, policies to protect gender equality in all social sectors, cultural and political life. After independence, the Constitution of India adopted the parliamentary form of government. Constitution of India guarantees justice, liberty and equality to all citizens. Fundamental rights and guiding principles are the conscience of our



Constitution. The Fundamental Rights and Directive Principles of our constitution have widespread protection in favor of women and have tried to overcome inequalities which exist between men and women. The preamble of the constitution of India resolves to protect all its citizens for the sake of justice, economic, social, cultural, political, expression, thought, belief, freedom of faith and worship, to equality of status and opportunity and to promote them. The Constitution guarantees fundamental rights to achieve this goal. Fundamental rights ensure equality and equal protection of law before the law; Restricts discrimination with any citizen based on religion, race, gender or place of birth Guaranteed the race and equality of opportunity to all citizens. The following are the different provisions in the Constitution that ensure equality between men and women. Article 14, 15 (1), 15 (3), 16, 39 (A), 39 (B), 39 (C) and 42 of the constitution is supreme in this regard.

1. Article 14 guarantees equality before law for women.
2. Article 15(1) prohibits discrimination against any citizen on ground of religion, race, caste, sex, and place of birth or any of them. However special provision may be made by the state in favour of women and children article 15(3).
3. Article 16 guarantees equality of opportunity for all citizens relating to employment or appointment in any office under the state.
4. Article 39(a) guarantees right to an adequate means of livelihood for both men and women (article 39(c)).
5. Article 42 just and human condition of work and special maternity relief.
6. Article 51 says that it is a fundamental duty of every citizen of India to renounce practices derogatory to dignity of women.
7. Article 243(3) added by the 73rd ,74th constitutional amendments guarantees not less than one-third (including the numbers of seats for reserved for women belonging to schedules casts and schedule tribes) of the total numbers of seats reserved for women to be filled by direct election in every Panchayat .

8. Article 243 d (4) states that not less than one third of the total number of offices of chairpersons in the Panchayat at each level are to be reserved for women.
9. Article 243 T (4) says that the reservation of officers of chairperson in Municipalities for the schedule castes and schedule tribes.
10. Article (243d(2) declares not less than one third of the total seats reserved for women shall be reserved for women belonging to schedules castes of schedules tribes.

A. The crime identified under the Indian panel code:-

- 1) Rape (section 376 IPC)
- 2) Kidnapping and abduction for different purpose(section 363-373)
- 3) Homicide for dowry, dowry death or their attempts (section 302/304-B)
- 4) Torture ,both mental and physical (section 498-A IPC)
- 5) Molestation section (354 IPC)
- 6) Sexual harassment section (509 IPC)

B. The crime identified under the special laws: - A number of laws by the government of India have been made to ensure the protection of women and their interests in various fields. Some important acts in this regard are as follows:-

- 1) Special Marriage act ,1954
- 2) Hindu Marriage Act 1955
- 3) Hindu succession act 1956
- 4) Dowry prohibition act 1956
- 5) Medical termination and pregnancy act 1971
- 6) Married women's property extension 1959
- 7) Equal remuneration act 1976
- 8) Immoral traffic (Prevention) act 1956
- 9) Indecent representation of women (prohibition) act 1986



- 10) Muslim women (Protection of Right on Divorce) act 1986
- 11) Family courts act 1984
- 12) Hindu widows remarriage (repeat) act 1983
- 13) Factory act 1948
- 14) Hindu succession act 1956 with amendment up 2005
- 15) The Hindu women's right to property act 1937
- 16) The maternity benefit act 1961 (amendment 1995)
- 17) The prohibition of child marriage act 2006
- 18) The criminal law(amendment) act 1983
- 19) The protection of women from domestic violence act (PWDVA) 2005
- 20) Sexual harassment of women at workplace (prevention, prohibition and redressal) bill 2012

Women and Education

Education of women in India plays an important role in improving the quality of life in the country. A high female literacy rate improves the quality of life both at home and outside by encouraging and promoting education of children and especially women's children and reducing infant mortality rates. Many studies have shown that low levels of female literacy rates result in high levels of reproduction and infant mortality rate, poor nutrition, low earning potential and the ability to make decisions within a home. The low educational level of women has also been shown to adversely affect the health and living conditions of children. A survey conducted in India showed results that supported the fact that infant mortality rate were contrary to the female literacy rate and the educational level. The survey also suggested the relationship between education and economic development. In India, it was found that there is great disparity in female literacy rate in different states. Emphasis was laid on the education of the independence movement leaders as an essential tool for the education of nation building by the leaders of the country because overall education system has been reviewed throughout the era of independence.



The first important step raised by the leaders in the Nehruvian era (1947-64) was Dr. To establish a university education commission (UEC) under the chairmanship of Radhakrishnan It should be remembered that the Commission devoted a full chapter to the education of women while discussing various dimensions. However, some decades ago the opinions of the male commissions on the role of women went beyond those ideas which dominated the wisdom.

The importance of education related to women was felt in the first five year plan (1951-56), as well as the need to adopt special measures to solve them. Later, a toning of ambiguity about women's education has been down, although they continue to be given the domestic role. The Secondary Education Commission (Mudaliar Commission) of 1952-53 maintains little bias regarding gender discrimination. On the issue of education of girls, the Commission reiterated that in a democratic society where all citizens have to disrupt the differences of their civil and social obligations, which can bring changes in the standard of intellectual development achieved by girls and boys, it is not envisaged.

National Committee on Education of Women (NEWE), popularly known as Durrashai Deshmukh Samiti (1958-59) was one of the most important committees formed to consider the question of women's education. Focus for this committee was shifted from higher education to school education. The main aim of the committee was to pay attention to the difficulties which hindered the progress of the girl's education, as well as to make recommendations to the government that the way it can be brought with the boys. Hans Mehta Committee was established in 1962 on the difference of course for girls and boys. It reviewed the historical development of co-education discrimination during the last 150 years in official policies and public outlook. According to this, the responsibility of the existing gap between the education of girls and boys is in the continuation of traditional attitudes and values which present the girls in physical and intellectual form as inferior to boys. Ability and the firmness of such ideas through existing practice of determining topics for girls, which strengthen the biennial facility of tasks and roles between men and women. At the same time, to recommend co-education in elementary and secondary stages and to freedom of education or selection of different institutes, the main recommendation of the committee was the Home Science and Professional Courses that should be made available to girls and boys. There is a similar way. The Education Commission (1964-



66) is commonly known as the Kothari Commission, who deeply studied the role and education of education in the process of national development for a secular, socialist and democratic society, supported the idea of Hansa Mehta and Durgabhai Deshmukh committees, and commented that "the role of women in the modern world increases beyond home and children. She now has her own career Programming is adopting and is shared equally with men.

The Commission had the mandate to inquire about education at all levels and from various facets, yet the fact is that only two pages are devoted to the education of women and there are only a few paragraphs for their higher education. The report begins with mentioning special efforts required for the expansion of women's higher education, although the general feeling is that women have entered the portal of university education and all the concerns are ending at once. With such an advanced sense of optimism, the Commission gave only two suggestions for increasing the education of women and the provision of hostels.

Right to Education for Children Free and Compulsory Education Act: The Indian Parliament passed the Right to Education Act (RTE) on August 4, 2009. This Act describes the modalities of the value of free and compulsory education for children of 6-14 age groups in India under Article 21A of the Indian Constitution. India became one of the countries (135 of total) which have made education the fundamental right of every child because this act came into force on 1st April 2010.

State initiatives and Women

Empowerment of women in India depends upon many different variables that include educational status, caste, age, religion, geographical location color, income, laws, policies and programmes etc. At present, there are so many policies and programmes implemented at national, state and local level in many sectors including education, health, employment and economic opportunities. The main objectives and functions of these schemes/plans/programmes are to provide legal, economic and social facilities to women and to protect the women. The mains schemes, plans, and programmes aiming at women empowerment and gender equality in India at present are as under:-



National Commission for Women:-The national commission for women (NCW) was constituted in 1992 as an apex level statutory body under the National Commission for women act 1990 with a specific mandate to study and monitor all matter relating to the constitutional and legal safeguards provided for women and to review the existing legislation and suggest amendment wherever necessary.

National Policy for the Empowerment of Women 2001:- In 2001, the national policy for the empowerment of women (NPEW) was formulated under the department of women and child development in the ministry of human resource development, as the blue print for the future with the express goal of addressing women's felt needs and bringing about their advancement, development and empowerment.

Planning Process and Women Empowerment: - Earlier the focus of the planning, process has evolved from welfare oriented approach to women's centrality to empowerment module and now to recognize women as change agents.

National Mission for Empowerment of Women (NMEW): - NMEW has launched by president of India on 8th march 2010. It is an initiative taken by Govt. of India for empowerment of women by introducing many schemes and programmes. This mission consists of participating ministries and partners with Panchayati Raj institutions (PRIs), CSOs Central and state govt. in implementation of the activities. NMEW has a national mission authority (NMA) at the apex level under the chairmanship of Prime Minister. NMA comprises 14 partner ministries of govt. of India along with the chairperson of national commission of women (NCW), two CM of States and five representatives from civil society organizations (CSOs).

Rajeev Gandhi Scheme for Empowerment of Adolescent Girls (SABLA):- It was introduced in 2010. It was implemented in 205 districts across the country. SABLA aims at an all round development of adolescent girls of 11-18 years of age by making them self reliant by facilitating, learning, vocational training, nutrition and health education, counseling on family welfare, child care practices, home management, accessing public services and national skill development programmes.



Indira Gandhi Matritva Sahyog Yojna (IGMSY):- It was a conditional cash transfer scheme for pregnant and lactating women. It was introduced in Oct 2010. The scheme ensures favorable environment by providing cash incentives for better health and nutrition to pregnant women. The scheme attempt to partially compensate the pregnant & lactating women for wage loss both prior to and after delivery of the child.

Support to Training & Employment Programme for women (STEP):- The scheme was launched in 1986-87. It aims to make impact on women by upgrading skills for employment and income generation especially in SC/ST households and families below poverty line. The scheme provides significant facilities to both rural and urban women such as health, child care, legal and health literacy, elementary education, gender sensitization, training for skill development, marketing linkages and access to credit facilities.

Hostel for Working Women (HWW):- This scheme aims at providing safe and affordable hostel accommodation to working, single working women, women working at places away from their home town & women being trained for employment.

Swadhar-A Scheme for Women in difficult Circumstances:- It was launched during the session 2001-02 under the Ministry of Women and Child Welfare for the benefit of women who are living without any social and economic support in difficult circumstances. The aims of this scheme are to provide food, clothing, shelter, emotional support, specific clinic, legal support and help line to the women and children.

Ujjawala-A comprehensive scheme to combat trafficking:- It was formulated on December 04, 2007 by Ministry of Women and Child Welfare to combat trafficking and sexual exploitation of women at commercial place. The scheme is being implemented mainly through non-government organization. The scheme is focused on prevention, rescue, rehabilitation, re-integration and repatriation.

Conclusion

The Constitution of India is based on the principle of equality and guarantees equal rights and opportunities to its entire citizen. On the one hand, guarantees fundamental rights and freedom, and on the other hand, discrimination prevails on the basis of religion, caste, sex and place of



birth. Women have been deprived of social, economic, civil and political rights in many areas. The actual work of the Constitution over 60 years shows that women are almost half of our total population and the power of voting, but they are not getting what is due to them. They have not been able to participate effectively in various areas including political. The government has taken several steps especially for the empowerment of women in education; Women have been growing well for the last 25 years. Education is the most powerful tool to change the status of women. It is very important for women but, unfortunately, education of women in the male-dominated society has long been neglected. The growth of women education in rural areas is very slow. The difference between literacy rate of men and women has decreased to a great extent, but there is still a big difference between the literacy rate of men and women. Finally, we can say that both in India and Haryana, there has been a good improvement in the literacy rate of women during the last 15 years, still there is a long way to go in this regard. Several legislative and constitutional provisions have been implemented for the empowerment of women and many schemes and schemes have been started to improve their destiny. There is no doubt that after these many provisions, there has been a qualitative improvement in the situation of women, but their rural counterparts have not got the privilege to realize this improvement in equal measure. Despite all these plans, programs, commissions for women, there are significant gaps between actual practice and policy achievements at the grassroots level.

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