

WOMEN'S RIGHTS IN INDIA: PROBLEMS AND PROSPECTS

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Abstract

United Nation in its Millennium Summit in 2000 declared 'Gender Equality and girls Empowerment' mutually among the eight 'Millennium Development Goal' to be achieved by the year 2015. However these goals are far away from being realized in an exceedingly country like India. Infact often women in India are empty their fundamental right to dignity also, forbear the question of gender parity. this paper explores the questions central to women's right in India that's fundamentally patriarchal in nature. The article attempts to grapple with the few challenges faced by the women in India similar to the dowry, female foeticide, denial of inheritance rights, sale and trafficking of girls etc. the target of the paper is to evolve strategies to empower women uniformly similar to the boys

Introduction

Women emerged as a definite social group within the 19th century primarily because the bourgeoisie democratic revolutions of 17th and 18th century that excluded women from their concept of equality. This distinction was supported gender. Since then women as a commune had waged struggle for recognition of their rights as an individual's being. Women's execute multilateral role within the society i.e. as a breadwinner of her family, as a care taker of her family as a mother, wife, daughter and repair provider to the society. In spite of the actual fact that the women's contribution to the country's development is adequate to that of their male counterpart, still they experience variety of limitations that restrain them from comprehending their potential for expansion. it absolutely was against this background that the government's everywhere the globe felt the necessity to prioritize the interests of girls and their participation at every stage of the event process. Women as a core of concern emerged as a serious theme within the Millennium Development Goal. The Millennium Development Goal are the eight goals set by the global organization in 2000 which is able to act as yardstick to work out the advancement within the direction of the obliteration of worldwide poverty. UN stated that 'Gender Equality and ladies Empowerment' together of the

Millennium Development Goals to be attained by the year 2015. The term Women's empowerment implies the power of the ladies take all the important decisions independently associated with her throughout her generation which will ensure her success altogether aspects of life.

However these goals are off from being realized in a very country like India. Infact often women in India are bereft of their fundamental right to dignity also leave the question of gender equality. this paper explores the questions central to women's right in India that's fundamentally patriarchal in nature. The article attempts to grapple with the few challenges faced by the ladies in India just like the dowry, female foeticide, denial of inheritance, sale and trafficking of women etc. the target of the paper is to evolve strategies to empower women who are as kith and kin as men are.

The paper is split into four sections. The section I lists the areas of women's human rights violation in India. Section II specialize in the steps undertaken by the Indian constitution to guard women's human rights. Section III concentrate on the strategies devised by the govt. and civil society to empower women in India.

Mapping of Women's Rights Violations In India

This section sets out a range of areas of human rights abuse of women in India.

Dowry deaths:

In India the bizarre dowry deaths of the ladies at their matrimonial home has been increasing at a startling rate. Dowry disputes are quite significant issue. The National Crime Records Bureau in India in its report had disclosed that in 2019 around 8233 newly wedded brides were killed for dowry. "The role of husband's reaction to dowry brought at the time of marriage on subsequent experience of marital violence. The substantially reduced risk of experiencing physical and sexual violence among women whose husbands were satisfied with the dowry reflects the strong influence of dowry in determining women's position within the household". In spite of the actual fact that Section 498A of the Indian legal code strongly deals with the person who wrote it for marital cruelty and has declared taking and giving of dowry as a criminal offense it's still been widely practised in India. Infact 'The Dowry Prohibition Act' has not

been adequately put into operation in India. it's been discovered that mostly variety of states neither have a Dowry Prohibition Officers nor do they made it obligatory to stay the record of things given and received.

Domestic Violence:

In spite of the very fact that in India we've 'Protection of ladies from violence Act 2005', violence still remains a heavy problem. Infact a significant scale of violence that a lady is subjected to in India is linked to the domain of domesticity. the explanations for Domestic aggression are primarily ingrained within the patriarchal nature of the Indian society which supports such violence reception. Besides this the matter of alcoholics of husband or desire for endowments or a teenager are a number of the opposite factors chargeable for household brutalities in India. The violence had taken the shape of psychological and physical abuse against women like slapping, hitting, public humiliation, etc. In India the 'Dowry Prohibition Act and therefore the Protection of girls from violence Act and cruelty under Section 498 A of the Indian legal code in 1983'4 declares brutality to a lady in her conjugal house a punishable and non bailable offence that may cause a sentence of up to a few years and fine.

Sati:

Although Sati, an action whereupon the exercise of setting widows on the funeral pyres of their spouse, was barred within the pre-colonial India by social reformer Raja Rammohan Roy, but this practice continued to prevail in post-colonial India. The discourse on sati was invigorated within the post-independence India in 1986 when a young bride from Rajasthan named Roop Kanwar was assail the pyre of her husband. As a consequence, in 1987, the Sati Prevention Act was passed which declared the practice of sati a criminal offense that capital punishment also can incline to the perpetrators of such crime. The act also declared that the 'glorification' of sati by erecting a temple and worshipping of the deceased women as a god is additionally prohibited. However certain section of individuals perceives this law as interference in their right to practice the dictates of their religion.

Female foeticide:

The position of ladies goes on with the practice of infanticide, foeticide, sex-selective abortion which has become common due to the amniocentesis technology, and mal-nourishment among girl children. In India it's estimated that around "10 million female foetuses are aborted within the last 20 years". "The child sex ratio in Punjab declined from 894 in 1961 to 793 in 2001. In Haryana, the

child sex ratio plummeted from 910 in 1961 to 820 in 2001." In spite of the particular incontrovertible fact that the government. of India have declared pre-birth sex determination through the use of amniocentesis as unlawful, still Illicit termination of female foetuses by untrained nurses and staff is widely prevalent particularly in Northern states of India like Haryana, Rajasthan and Punjab. of those have resulted within the escalation of maternal deathrate.

Education:

Education is one in every of the foremost critical areas of empowerment for ladies. Although the proper to education under Article 21 of the Indian Constitution have made it compulsory for the government to produce free education to everybody, the high rate of women's education continues to be a far off dream. In spite of the particular indisputable fact that Sarva Shikshya Abhiyan to an extent has been successful in bringing the girl child back to the schools, yet their retention rate within the varsity is lower as compared to their male counterpart. in spite of everything it has been found that there is a gradual drop out of the girl students as they move up to the upper classes. this can be often particularly true within the agricultural areas in India. the foremost reasons associated with this may be that the parents expect girls to look after the siblings while they're at work, working with the fogeys as seasonal labour during the cultivation period and managing the household work while the parents are at work, the parents take more interest in boys education as against the women as they feel that the ladies are to be married off, increasing cost of education etc. Thus the universalisation of primary education in India remains a remote daydream for the women.

Rape:

In India there has been a serious increase within the numbers of rape cases within the last 10 years. keep with National Crime Records Bureau, in 2012, 25000 rape cases were reported. In India within the agricultural areas, particularly in Northern India, the upper caste people use mass rapes as a way to possess power over the members of the lower caste groups. The brutal gang rape case in Delhi had led to the passage of a stricter Law i.e. The codification (Amendment) Act 2013 to accommodate the rape cases in India.

Societal violence against women:

The communities and societies in India in most of the places are bound up with patriarchal normative universe from which women could hardly get true justice. The religious communities, village communities or the unreal communities like

professional bodies are hardly epitome of equality between men and girls. fairly often the religious communities have made the lifetime of the women worse by forcing them to adopt conservative practices that are harmful to women.

Protection of Women's Human Rights by the Constitution of India

The constitution of India confers special rights upon women. The constitution makers were cognizant of the subordinate and backward position of girls within the society. They made some efforts for uplift of ladies in our society. The state is directed to produce for maternity relief to female workers under Article 42 of the Constitution, whereas Article 51-A declares it as a fundamental duty of each Indian citizen to renounce practices to respect the dignity of girls. Indian Parliament has passed the Protection of Human Rights Act, 1993 for the correct implementation of Article 51-A. Indian Parliament over the years have taken significant steps for through legislations to attain the goal of empowering the ladies in India. the numerous among them are the Equal Remuneration Act, the Prevention of Immoral Traffic Act, the Sati (Widow Burning the rights of) Prevention Act, and also the Dowry Prohibition Act etc. other than these, the 73rd and 74th Constitution (Amendment) Acts 14 provided for 33% reservation for girls in both panchayat and Nagarpalika institutions furthermore as for the positions of chairpersons of those bodies. These two amendments removed the bottlenecks from the paths of ladies empowerment at the local level. of course it's been found that the Karnataka sends maximum number of ladies to the PRIs followed by Kerala and Manipur. so as to facilitate equal participation of girls at the national and state level politics, the bill providing for 33% reservation of seats for ladies in national and States legislatures has been introduced in Parliament. Besides this, the govt in India have enacted a spread of laws like Dowry Prohibition Act, Sati prevention Act etc to ensure the rights of the ladies.

Apart from this, in India, National Commission for ladies had been established in 1990 to seem into the women's problem. NCW have engaged them to handle the cases regarding the violation of women's rights. they need pressurised the govt to pass stricter laws to house the rape cases, violence and to make a separate criminal code for the ladies etc.

Strategies of Women's Empowerment in India

The women in India are positioned at a receiving end primarily because they have remained unaware of their fundamental civil and constitutional rights. Patriarchal system impinges on every sphere of a woman's life. In such a situation often a

majority of them are forced to only accept the traditional practices that are detrimental for both their and their children's development. Although women have acquired level of monetary and political autonomy and consciousness about their rights, yet they experience helplessness in bringing about basic changes for eliminating gender inequalities from the society. The National Commission for ladies have haunted the cudgels for ladies' right and have vociferously demanded a separate criminal code for girls and enhanced punishment for offences against women. The proposal for creating a separate criminal code for girls was designed to produce quick justice to the aggrieved women and speed up the conviction rate. However, this proposal didn't garner support among the govt. and are shelved.

A multi-layered strategy must be developed to assess the core causes of violence against women. The state and society must provide instantaneous support to victim-survivors to form sure that the victims can keep it up with their existence. In handling the matter of violence against women innovative levels of coordination and integration must be built up between government, civil society and so the family. The state occupies a central position in initiating positive policies to complete discrimination against women. In India it had been state which initiated the first reform measure when after lot of debate it reformed the Hindu Succession Act in 1956 during which women got equal right to inheritance. Continuous extensive unconditional financial additionally as emotional assistance must be provided to the women by both the formal set-up of the state like system, police, medical and health care sectors etc, similarly as from the informal networks like family, friends, fellow citizens, and native community groups. the thought of self-reliant independent women taking independent decisions of her life are going to be achieved only by educating women which can help them in achieving economic independence, additionally as knowledge and awareness about their rights. Special emphasis must be provided in educating women's on the legal and Human rights provided to them by the constitution. a well-known feminist writer Martha Nussbaum argued that the key to development of girls is to provide them with the duvet of justice.

The subsequent official organization under state that deals with the victimised women in India is that the Police. Often the crimes against the women go unregistered because of the insensitive nature of the police in handling those issues. Therefore formal Training and gender sensitization of police a requirement be done so there is no consequential

oppression of girls at their hands. The judiciary which is liable for providing justice to the aggrieved women should even be sensitized on gender issues. the eye of judges and so the advocates on the sensitive gender issues is possible on condition that they are taught about them in law schools.

The women's organizations must try and empower women by changing the attitudes of the society towards the harmful traditional practices. one in every of the foremost vital tasks of the numerous women organizations and NGOs is to help women in rebuilding their lives and confidence. These goals are often achieved providing the women are adequately educated about their legal rights and are economically independent enough to want independent decisions of their own life. Such programmes if done within shelter homes can provide both counselling and a connection among the women's who were victimised.

Violence against women are often curtailed only cultural norms and attitudes towards the women is also changed that change should be made within the college curriculum. Curriculum that educates the students at the varsity, college and university level on issues like human rights and gender issues should be included in their study material. "Curriculum reform that works towards eliminating the gender stereotyping in schools (teaching about women's contributions in history class, eliminating sex stereotypes in textbooks, promoting girls participation in sports) are important steps in achieving gender equality".

The violence against the women in India is often supported and perpetuated by the indigenous cultures and also the religious leaders. Therefore the indigenous communities must try to put up mechanisms and methods that eliminate such age

old ruthless practices against the women. The religious leaders and researchers must review the sacred manuscripts and doctrines with a thought of to encourage egalitarianism and self-respect for women.

Conclusion

Thus in brief, the Millennium Development Goal on gender equality and women's empowerment will be realised in India only the standard practices like female infanticide, dowry deaths, honour killings by khap panchayats, force, or regulatory offence is eliminated. it's only then that gender equality and women's empowerment can become a reality.

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