
The Statuses of Women Rights in India

Dr. D. G Hanumanthappa

Assistant Professor, Department of Political Science, Rani Channamma University
Vidy Sangama, Belagavi, - 591156, Karnataka (India).

ABSTRACT:

The U.N held a millennium summit in 2000 with a robust declaration for bringing about gender equality. The disparity between men and women in India is glaring for historical reasons evolved in stages through changed situations Socio-Economic Fields with greater emphasis on patriarchal in sowed rather than on metriarchical. However, the question before us is whether UN summit of 2000 took into consideration the Socio-Economic relations of India being subsequently led to the wider chasm/rupture between Indian women and men based on Socio-Religious and economic cords leading further is the denigration and denial of her right to life, dignity etc. These papers mainly focus on women's right and attempts to explore the possibilities of bringing uniformity in terms of rights and responsibilities though the women rights in India have evolved in the patriarchal style and hence have patriarchal orientation. Throughout this paper a solemn attempts has been made to discuss the challenges before that Indian women such as female feticide, dowry, trafficking, of girls and denial of their due rights. However, the objectives of the paper are what are the possibilities and practices that could revamp Indian society with gender being equal and secondly, the legal option and constitutional guarantees will be dealt with exploring the possibilities and prospects for Indian women to be equal to men.

Keywords: Women's Rights, Gender equality, family, Empowerment, Challenges, Problems and Prospects.

INTRODUCTION

The fight for women rights could be traced to 17th, 18th and 19th century, the seeds of fight for their sprouted there when the burgeonoisie democratic revaluation did not incorporate the concept of equality, since then the women as a distinct gender staged spectacular battle demanding vociferously the recognition for their rights and pleaded for being treated as human being. Women accomplish multifarious roles as a mother, wife, bread winner, and the care taker of family, recantation to this we have seen warier women like kitturu channamma, Rani janshi laxmi and belwadi mallamma who fought revolutionary against foreign rules to liberate India. The other important role they played and playing is their titanic contribution to the development of a nation involving themselves on par with man in varies fields of economic activates a country. They still face in human treated and passing through wretched experience. With this perspective, the global leadership emerged to recognize women as a human being with positive response to their interests and decided to prioritize certain fields to absorb them to give a new twist to the development paradigm or development process. Those, in 2000 in the UN's millennium development goal, women emerged as core interest group and successfully notched up a substantial space to exploit her own potential to develop herself alongside the development of a nation. The UN's millennium development goal stated in its agenda that

gender equality and women empowerment as one of the millennium development goals to be attained by the year 2015. The women empowerment according to UN's declaration meant that depending upon her ability a woman could take an independent decision concerning her existence throughout her life span and adds further that this latitude would facilitative her success in her life. However, it is unfortunately in India that the women in India still suffer indignity and shrinking scope for exercising her fundamental rights, Hence it is still a deprived section.

This paper explore questions surrounding women's rights in a predominant patriarchal society, further this paper attempts to encapsulate the challenges before women hasted in this paper in the ensuring pages despite her preponderant role in both macro and micro-scope socio-economic activates at domestic and national level. The objective of the paper is to devise certain strategies to be evolved to realize the genuine women empowerment as they are also a potential component of human kind and no less to men in whatsoever field.

PREPOSTEROUS WOMEN'S RIGHTS VIOLATIONS IN INDIA

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

Missing of girl child: The idiom is being used for the first time by the Indian giant-noble laureate economist Amartya Sen in his logical conclusion on imbalanced, disproportioned and lopsided sex-ratio, this phenomena he argues, is accruing because of girl child being sold off to a middle man, who, intern, sells to wealthy section of certain social groups. He used this idiom "Missing child" to reflect existing virulent practice in the women world. Missing child phenomena is largely evident in the northern states of India. This degusting, nerve-raking, anti-human new-fangled practice, outranging the women virtues and statues is wholly disgraceful tom the human conscience. This has assumed till other day a monstrous proportion early because of moral and legal responsibility of pied pro-women rights activist organizations/agencies.

Dowry deaths: Dowry issues in India sowed has its own unique implications for Indian women, works as a societal stain. This vexatious issue is quite conspicuous in both maternal and paternal households. The dowry deaths in India in 2012 accounted for 8233, according to the national crime records Bureau. Though under section 498 A of Indian penal code taking offering of dowry is illegal and immoral, it is still widely operating cutting across the spectrum of Indian society at cell-shocking rate. This practice virtually muzzling women growth both physically and mentally. This obsolete practice is being practiced eagle-spread in Indian queer social phenomena for the reason that neither the responsible agencies not dealing with issues effectively nor that Indian society is undergoing series transformation in the globally changing perspective of women.

Domestic/household Violence: Though the domestic violence act-2005 was passed to halt some deleterious domestic acts that nettled the peaceful, Co-Existence life of women, the patriarchal social system characterized by male dominance, continued to pinch the right to life of women in India. The major components of such violence are inebriant state of men, a strong desire for male child and endowments and resulted in different forms of violence like slapping, hitting and pillories etc. taking into consideration the psychological and physical violence against women certain lows like dowry prohibition act, domestic violence act were passed under

section 198 A of the Indian penal code in 1983. Declaring brutal acts against women in conjugal house is expressing punishable and non-boilable offence with stringent sentence of up to three years along with fine.

Practice of Sati: It was a glaring practice prevalent in India the most dreadful, vicious disease of human mind that impeded the women progress and made their life uncertain. This in human practice haunted and become night more among the women folk over many centuries. To bridle and exterminate this dreaded psychological and cultural malaise reforms like Raj Ram Mohan Roy worked rigorously day in and day out but it could not be up rooted. The case in point is the Roop kanwar whom was burnt to death after physically thrown on funeral pure of her husband. Thus, this phenomenon continued to exist in both pre and post colonial phase. In 1987 the sati prevention act was passed with legal provision warranting death punishment to the perpetrators of such crimes. The act also declared the prohibition of glorification of sati and building temples in memory of those victims. However, the saddest and most disheartening thing was that it perceived to be obtruding into the domain of religious lactates and practice by certain sections.

Child Marriage: In India although there exist a law barring the marriages of children at primitive age, but it is still being practiced in different parts of India. Resulting in for –reaching implications for girl child’s innocence and formative years of her life and sanelching the child’s physically, mentally and emotional development, resulting in a high IMR.” Child marriage takes away from a girl child the innocence of her formative years of life necessary for physical, emotional and psychological development. Spousal Rajasthan being a self-evident case in India.

Son as a major or potential component of a family: The strong pining for a son to be the bed-rack of Indian family resulted is dreadful damage to the women health. The proclivities for son emerged in family, components of Indian society only when the age old matriarchic family system was metamorphosed with the advent of feudal society charcteriased by land owning and division of it among the families the concept of private property took deep roots while embarking upon huge land as a prideful issue. With all this agriculture become the major occupation and the male’s role got widely recognized. This entire historical process weakened igniminourly, the position of women causing nastily consequences upon women. Thus the formation of patriarchal social unit i.e., family with sole emphasis on male child as an embodiment of socio-economic, seriously rest utter in the utter-neglect of girl-child and women as insignificant entities. Today’s phenomena of women being relegated (a trafficking position) has evolved throughout the historical (World) Process. The issues confronting the women in various aspects of human existence have become convoluted moorings across the historical evaluation of Indian social system, hence, divorcing them both physically and mentally.

Issue of feticide thought: The infant mortality rate is already high in India. The feticide rate is even higher than that, this signifies the lowering statues and sex-ratio of women in India. Amino centesis-technology appears to be lousing a greater damage to the women statues, which successfully defects the sex of fetus before its complete formation in the womb. Thus, the feticide the sex-selective abortion and the mal-mounishrent have often been spoiling, the proportional growth of women population in India. According to one estimate nearly 10 million female fetuses

gets aborted, causing irreversible decline in women population in both Punjab and Haryana is 894 to 793 (1961-2011) and 910 to 820 (1961-2011) respectively. Despite the government lawful ban a pre-sex determination exercise, this practice has not yet been stopped and seem to be widely prevalent in north India. Moreover, these unethical practices have been consistency causing high death toll among women folk in India.

Education: Education is one of the most important areas of empowerment of women. Though the rights to education under Article 21 of the Indian Constitution have made it compulsory to provide free education to everybody, unfortunately, it is still a redeemed object of women. Sarva Shiksha Abhiyan to an extent has been successful in bringing the girl child back to the schools, yet their retention rate in the school is lower has been evident that there is a greater drop out of the girl students as they move up to the higher levels. The main reasons for this is that the parents expects girls to look after the siblings when they are at work, the parents are more in chinned boys education as against the girls as they feel that the girls 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.

Forced evictions and exclusion: In India the widows are forced out of their matrimonial home to feed themselves along with children. On the statues of women the UN Special Reporter argues: "In almost all countries, whether 'developed' or 'developing', legal security of tenure for women is almost entirely dependent on the men they are associated with. Women headed households and women in general are far less secure than men. Very few women own land. A separated or divorced woman with no land and a family to care for often ends up in an urban slum, where her security of tenure is at best questionable". "There is spread-eagled evidence, in India that, women spend more on basic family needs, and at the same time men spend a significant part on alcohol and tobacco, etc.

Sexual harassment and the workplace: The deliberation on sexual harassment of women in their workplace. The passage of the 'Sexual Harassment of Women at Workplace (Prevention, Prohibition act) Bill 2013' However the bill has not been translated into effective implementation. The provisions have not been invoked for social taboos associated with sexual harassment". The women are discriminated against in respect of payment of remuneration for their work. Women entrepreneurs getting credits to start their still a for cry business.

Rape: There in India has been a unsteady increase in the numbers of rape cases in the last 12 years. According to National Crime Records Bureau, in 2012, 25000 rape cases were reported. In the rural areas, particularly in Northern India, the upper caste people involve in mass rapes to have power to subtle the members of the lower caste groups. The nasty and brutal gang rape in Delhi has precipetedly activated the Indian government to pass a stringent low by bringing an amendment to the criminal low to deal with rape cases rigorously.

The Prismatic Societal Attitude: over burdened by traditions and conventions having in themselves a built in conventional rape-spur fiber subject women to brutal rapes. Further, the social communities and religious communities also Lorca women into practicing conservative, unscientific and illegal practices harming her peaceful existence. More often, in India rapes are committed due to chauvinistic command deep rooted feelings.

PROVISIONS FOR WOMEN'S HUMAN RIGHTS IN THE CONSTITUTION OF INDIA

The constitution of India enjoys special rights upon women. The constitution makers, Made some efforts for uplift of women in our society. Article 51-A declares it as a fundamental duty of every Indian citizen to respect the dignity of women. Indian Parliament has passed the Protection of Human Rights Act, 1993 for the proper implementation of Article 51-A. Indian Parliament has taken significant steps for strong legislations to achieve the goal of empowering the women of India. The important among them are the Equal Remuneration Act, the Prevention of Immoral Traffic Act, the Sati (Widow Burning the rights of) Prevention Act, and the Dowry Prohibition Act etc. in addition, the 73rd and 74th Constitution (Amendment) Acts provided for 33% reservation for women in both panchayat and Nagarpalika institutions. Thus two amendments removed the obstacles from the paths of women empowerment at the local level. In fact Karnataka sends maximum number of women to the PRIs after by Kerala and Manipur. The purpose is to achieve equal participation of women at the national and state level politics; the bill providing for 33% reservation of seats for women in national and States legislatures has been introduced in Parliament. Apart from this, the government in India has enacted number of laws like Dowry Prohibition Act, Sati prevention Act etc to secure the rights of the women.

The National Commission for Women has been established in 1990 to deal with the cases relating to the violation of women's rights. Sought to establish separate criminal code to deal with such cases.

PLAN FOR OF WOMEN'S EMPOWERMENT IN INDIA

The women in India have remained ignorant of their fundamental civil and constitutional rights. In Patriarchal society, for women it is difficult to exercise their constitutional rights. Although they have attained some amount of autonomy, they still cannot feel that they are in an egalitarian system, hence Patriarchal system still rules the roost. Forced to accept the traditional practices that are detrimental for them and their children's progress.

The National Commission for Women have taken up the cudgels for women's right and have vociferously demanded a separate criminal code for women and enhanced punishment for offences against women. The proposal for creating a separate criminal code for women was designed to provide quick justice to the aggrieved women and speed up the conviction rate. However, this proposal failed to garner support among the government and have been shelved.

The attainments of drastic reduction in the crime rate against women squarely demand the multi-layered co-ordination strategies across the compounded system. And also demand innovative co-coordinating mechanisms having integrated into those agencies that deal with women related crimes. Co-ordination between government, social society and even family should not be ignored. In 1956, the Indian government, though Hindu allusion act sought to reform the women folk by legally allowing them the right to inheritance. Extension of both financial and emotional assistance from both formal and informal set ups shall entail the independent and secured life of a women. The Politico-economic assistance to the women would render them independent and educated and hence become aware of rights and of self-

existence. It should be noted that a well-known feminist writer once said that the best possible way for women to be protected is to be covered with justice, this implies that giving women a formal legal education is a must for planting her into a permanently secured life.

The official organization like police that deals with the victimized women in India. Judges responsible for providing justice to women victims should be given special training to handle such cases consequently. Both police and judiciary should be inducted into formal training to make them imbibe the principle of justice underlying the term 'justice' and deal those cases (Specifically women cases) with utmost sensitivity. These are all possible only when gender awareness or gender sensitization education is given in all schools, colleges and universities. If police and judiciary implement the law rigorously, the problems at least, partially get redressed.

The women's organizations must try to empower men and women by transforming the attitudes of the society towards the suicidal traditional practices. One of the most important tasks of the women organizations and NGOs is to help women in rebuilding and restoring their lives and confidence. The goal can be realized only when the women are adequately educated about their legal rights and made them economically independent to take conscientious decisions of their own life. Counseling at various levels in the structural system can also help women to be vibrant and enlightened life (victimized women).

Violence against women can be reduced with cultural norms and attitudes towards the women being changed. Change should be made in the school curriculum. That educates the students at the various levels on issues like human rights and gender issues. "Curriculum can work in eliminating the gender gap and lead to women equality in its entirety.

The violence against the women in India is perpetuated by the indigenous cultures. Therefore the indigenous communities must try to introduce mechanisms that eliminate such age-old practices harmful to the women. Religious leaders and researchers must restructure the sacred manuscripts and doctrines to encourage egalitarianism in society for women to be respected.

SUM UP

In short, the Millennium Development Goal on gender equality and women's empowerment can be ushered in India if the following socio-economic evils which have strong cultural back up and the supportive cultural pulp needs to be quarantined to realize the goals of millennium: the traditional evils such as female infanticide, dowry deaths, honor killings, domestic violence, or sexual abuse is eliminated. The only strong stroke like summary elimination could yield place for women empowerment as a reality.

REFERENCES

- i. Sen Amartya, Missing Women, *British Medical Journal*, **304**, 587-588 (1992)
- ii. Sabharwal Sagun, K.G. Santhya and Shireen J Jejeebhoy, Determinants of Marital violence, *Economic and Political Weekly*, **47**, 41-45 (2013)
- iii. Kishwar Madhu, Where daughters are unwanted, *Manushi*, **86**, 15-22 (1995)

-
- iv. Agarwal Bina, Are We Not Peasants Too? Land Rights and Women's Claims in India, *Population Council*, 4 (2002)
- v. Sarpotdar Anagha, Sexual harassment of Women: Reflections on the Private Sector, *Economic and Political Weekly*, 47, 18-23 (2013)
- vi. 6. Sutapa Saryal, Women's Rights in India: Problems and Prospects, *International Research Journal of Social Sciences*, July (2014).
- vii. Mihra Sweta, Women and 73rd Constitutional Amendment Act: A Critical Appraisal, *Social Action*, 44, 16-30 (1997)
- viii. Narayan Shashi S., Gender Equality through reservation in decision making bodies, *Social Action*, 48, 148 (1998)
- ix. Kishwar Madhu, Off the beaten Track: Rethinking Gender Justice for Indian Women, OUP, New Delhi, 200 205, (1999)
- x. Menon, Nivedita(ed) Gender and Politics in India, OUP, New Delhi, 455-460, (1999)
- xi. Agnes, Flavia Law and Gender Inequality: The Politics of Women's Rights in India, OUP, New Delhi, 127-128 (1999); www.anna.iwate-pu.ac.jp
- xii. 12. Sivaramayya B., Status of Women and Social Change, *Journal of Indian Law Institute*, 25, 270 (1983)