



Women Empowerment and Indian Constitution

Rajesh Kumar Singhⁱ

Department of Political Science
R.H.S.P.G.College Singramau, Jaunpur (U.P., India)
drrajeshdrrajesh@gmail.com

Abstract

Human development is not possible without the protection and promotion of its rights. All the civilizations of the world have the basics of the ideals of life and culture to develop human rights. The best goal of a state is to make complete development of the personality of the human beings without any discrimination for both women and men, and provide equal opportunities for development, yet, the difference between men and women can be clearly seen in societies globally. All the governments around the world have made many constitutional efforts in their own country to improve the status of women. India is also one of them. This article has attempted an analytical study of whatever constitutional efforts have been made in India for the empowerment of women.

Keywords: Women Empowerment, Constitutional Provision, Political System, Economic Social Status, Sex Ratio, Female Feticide, Maternal Mortality, Discrimination with Female.

Reference to this paper should be made as follows:

Singh, R. K. (2017). Women Empowerment and Indian Constitution. *International Journal of Scientific Research in Education*, 10(5), 573-576. Retrieved [DATE] from <http://www.ij sre.com>.

Copyright © 2017 IJSRE

INTRODUCTION

Woman gave shape to creation. If the rights of women are protected, then the all-round development of the world may be developed. That is why the United Nations has launched several programmes for the welfare of women. In the context of women, the systems of world human rights are implemented through these programmes. Human rights all over the world emphasize protection and enrichment. In the developing countries, the biggest obstacle in the path of progressive development is the inability to meet the expected condition of women. Establishment of the ideal world cannot be done by men only, but the participation of women is absolutely necessary. This can only be possible when the advancement and respect of women is

preserved and cultured. The first conference based on women in this context was in Mexico (1975), Second was Copenhagen (1980), third was Nairobi (1985), and the fourth was in Beijing (1990). The reasons given for the weak position of women in these conferences are that women are not getting equal opportunity to education like their male counterparts. Comparatively, their health may not be better, violence against them, financial weaknesses, not allowing them participate in decision making, not broadcasting the work done by them in the media as well. These are such important factors that are responsible for the miserable situation of women. Regardless, its international organization and the United Nations General Assembly are constantly worried and advocating for their rights and better conditions. Today, with the support of governments around the world and the cooperation of many international organizations, there has been a change in the situation of women, but this change is not very encouraging.

The concept of women empowerment in India duly initiated in the International Women's Conference of Nairobi concluded in 1985, in which women empowerment was emphasized. However, in order to improve the status of women in India, many laws have already passed before independence. Among them are The Bengal Sati Prevention Act (1829), Hindu Widow Remarriage Act (1854) Special Marriage Act (1872), Child Marriage Elimination Act (1929), Hindu Women Property Rights Act (1935) and Hindu Child Marriage Disqualification Law (1956) etc. After achieving independence, the Parliament of India enacted several laws to protect the rights of women such as: Special Marriage Law (1954), Hindu Marriage Act (1955-56), Hindu Child Protection Act (1956), Hindu Child Marriage Resistance Law (1956), Immoral Body Trade Law Act (1961). In the year 1956, the Hindu Succession Act states that, in the property of the father, the daughters should be given the same rights the sons receive. In this act, formerly the children of the dead daughter were given the same rights which the children of the deceased son previously received. In the year 2005, the Parliament passed a bill to protect women from domestic violence in which, provision has been made to provide protection against all forms of family and social violence, including physical, mental, and verbal and sexual harassment of women.

The decision made by the Supreme Court on February 15, 2006, that registration of marriage has been made mandatory, which has provided greater protection to the rights of women. This is a milestone in the direction of empowerment of women at the judicial level. Before that, the National Commission for Women recommended central law on marriage registration, the biggest benefit of this would be that the responsibility of certifying marriages in the event of neglect by the family and husband will be of the court and not of the woman. The details of constitutional arrangements that provide women with equal opportunities for preserving the rights and development of women are as follows:

- In **Article 14**, the person has been ordered to preserve the same protection before the law or to the law. This article applies in the case of both men and women;
- **Article 15** states that any law made by the state in view of the interests of women and children will not be considered against this article;
- **Article 16** states that there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State;
- **Article 23** deals with the prohibition of traffic in women and forced labor;
- **Article 24** deals with prohibition of employment of girl child in factories, etc.;

- **Article 39** states that the citizens, men and women equally, have the right to an adequate means to livelihood; and
- **Article 42** states that provision for just and humane conditions of work and maternity relief. The State shall make provision for securing just and humane conditions of work and for maternity relief.

To implement the rights of women provided in the constitution in a timely manner laws have been made by the Central Government from time to time. Prostitution Act (1955) to emancipate women from prostitution, Unethical Body Trade Act (1959) were passed. The Act of 1959 was amended in 1986. Dowry Prohibition Act (1961) with the aim of ending dowry practice. The Maternity Benefit Act (1961) was implemented to provide women with obstetrical facilities. The Sati Prohibition Act (1987) and Child Marriage Prohibition Act (1976) were implemented.

In 1985, the Department of Women and Child Development was constituted under the Ministry of Human Resource Development. This department acts as the nodal agency for the development of women and children. Sexual harassment and illegal trade of women and children by the Women and Child Development Department, National Action Plan was prepared in 1998 for effective control over other crimes against women. Under this, women who engage in misconduct are rehabilitated and integrated into the society. In order to fulfill this objective, a Central Advisory Committee was formed in the Department of Women and Child Development, which works closely with the members of the Central Ministries headed by the Secretary of the Department. A state level advisory committee was also constituted under the chairmanship of the Chief Secretary or Additional Chief Secretary of the State and Union Territories.

The Central Government established the National Commission for Women in January 31, 1992. It consists of one president and 5 members. All these appointments are done by the President on the advice of the Central Government. The main function of the Commission is to examine cases that are related to the violation of rights of women, while living in the periphery of the Indian Constitution and other popular laws, review constitutional provisions and other topics affecting women and recommend necessary modifications were necessary. This commission also monitors areas in which women rights are violated. The commission fulfills its obligations through voluntary organizations and government agencies.

Central Social Welfare Board has done special work in the field of women empowerment. It was established in August, 1953. This Board has organized a number of programmes in which the socio-economic statuses of women are determined, investment courses for education of women and girls, and raising awareness in rural women. Leisure camps for children are set up to provide services for the children and hostels for kalyan and kindergarten working women in border areas.

The real knowledge of the social status of women in Indian context is revealed by this fact that only 54.16 percent of the women are literate. However, due to illiteracy, this discrimination has continued in the swamps of exploitation and ignorance. The family and governance administration did not have any real effort to get out of this. This fact emerges in news magazines, TV channels, surveys and research texts that.

METHOD

In this article, analytical method was used.

OUT COME

The situation of women in Gramyanchalon is even more pathetic. The female representatives elected under the trilobites, Panchayati through a seminars, outlined the positional indicator of women: as laws are being enacted for the safety of women, the crimes graph of women is soaring. The minimum figures of the National Women Commission demonstrate the reality. In every 24 minutes a woman is a victim of sexual abuse. In every 102 minute in Delude to India, a woman calls for dowry harassment. Notwithstanding various laws, women are not getting equal salaries and facilities to do the same. They do not even have equality in succession and property. The 73rd and 74th constitution amendments, provisions were made for a third of the seats to be reserved for women; this is only found in rural and urban local bodies. They represent less than 10 per cent in the Parliament and state legislatures, so they are not able to make the required reforms in favor of women. And they are neither governed by nor undergoing serious efforts in this direction by different political parties.

CONCLUSION

In the case of gender equality, the situation of different provinces of India is extremely worrisome. If Kerala and Puducherry are abandoned then there is no other province in the country where the number of women can go better than men. After studying both the urban and rural areas of India, it is concluded that the status of women is not improving neither in the villages nor in the cities.

If the situation of women is to be improved upon, then the systems provided by the Constitution will have to be executed in the right sense. Otherwise what they said about them will remain only blank fantasy. The woman is half-hearted as long as her overall development is not there; the imagination of the overall development of this world is in fact a rudimentary thing.

Recommendation

For the empowerment of women the arrangements given in the Indian Constitution must be implemented in a real sense. Laws must be implemented in a real sense and there will be changes in social thinking. Then going somewhere women can be really empowered.

REFERENCE

Government of India (2007). *Citizens fifth Report*. New Delhi: Home Ministry.

 © JSRE

ⁱ **Dr. Rajesh Kumar Singh** is of the Department of Political Science, R.H.S.P.G.College Singramau, Jaunpur (U.P., India). The author can be reached via email at: drrajeshdrrajesh@gmail.com.