THE STATUS OF WOMEN’s IN INDEPENDENT INDIA

Abstract:

The status of WOMEN in complex society like INDIA is not uniform. In recent years, the traditional roles of Women have undergone some changes due to economic needs and some efforts were made to bring visibility and mainstream women’s contribution to the overall growth and development of society. This paper investigates whether the Women’s in INDIA are having the same status and rights as we are claiming regarding Equality, Education, Health, Labour, Employment, Marriage and Family life, Race and Gender related, Religion and Culture etc.

The paper explores the prospects and constraints linked to each - If not, who is responsible or really victim of such position – Is Women herself or men dominating society or current legislature or political policies?

The analysis shows that though the conditions in the country are fastly changing, yet Women are still treated, in some respects, in the same old way, yet the perception that Women are second to men has not been erased. Mushroom growth of crimes against Women have been seen, and also Women’s own perception is responsible for changing but not respectful status of Women in INDIA. Still lots of new policies, and awareness is needed.
1. Introduction

The overall development of a country depends upon the maximum utilization of her people, both men and women. The last two hundred years have witnessed a substantial, historically unprecedented, expansion of women’s rights, both economic and political. In India, women comprise nearly half of the total population. With the advancement of time, the fact has now been recognized that without ensuring women’s development, the national development cannot be achieved. In almost all industrialized countries, women went from being the property of their husbands and/or their fathers, with very few legal rights, to possessing the same political rights and most of the same economic rights as men.

Women’s equal participation in political life plays a pivotal role in the general process of the advancement of women. It is not only a demand for simple justice or democracy but can also be seen as a necessary condition for women’s interests to be taken into account. The term status includes not only personal and proprietary rights but also includes duties, liabilities, and disabilities. With regard to the status of women in Indian society at large, no nation has held their women in higher esteem than the Hindus. The status of women in India has been subject to many great changes over the past few millennia. From equal status with men in ancient times through the low points of the medieval period, to the promotion of equal rights by many reformers, the history of women in India has been eventful. In modern India, women have adorned high offices in India including that of the President, Prime minister, Speaker of the LokSabha, Leader of Opposition, etc. The current President of India is a woman. This study is an attempt by me to assess whether women in India are having the same status and rights as we claim in various areas like: equality, political empowerment, educational attainment, employment, marriage and
family life, Race and gender, Religion and culture & health and well-being and explores the constraints linked to each. If not, who is responsible or really victim of such position – Is Women herself or men dominating society or current legislature or political policies.

Following is an attempt to chart this interesting interplay of various forces leading to the rights of Indian women as they stand today, and the challenges ahead.

Indian Constitution: Framework of Equality, formal and substantive, through affirmative action, positive discrimination

Indian Constitution has a substantially elaborate framework to ensure equality amongst its citizens. It not only guarantees equality to all persons, under Article 14 as a fundamental right, but also expands on this in the subsequent Articles, to make room for affirmative action and positive discrimination.

Article 14 of the Constitution of India states that: “The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.” In practice this guarantee has been read to infer ‘substantial’ equality as opposed to ‘formal’ equality, as judicially explained and elaborated upon in several judgments of the Supreme Court of India as well as the Indian High Courts.

The latter dictates that only equals must be treated as equals and that unequal may not be treated as equals. This broad paradigm itself permits the creation of affirmative action by way of special laws creating rights and positive discrimination by way of reservations in favour of weaker classes of society.

This view is strengthened by Article 15 of the Constitution, which goes on to specifically lay down
prohibition of discrimination on any arbitrary ground, including the ground of sex, as also the parameters of affirmative action and positive discrimination:

“Article 15: Prohibition of discrimination on the grounds of religion, race, caste, sex, place of birth or any of them:

(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

(2) No citizen shall on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to:

a) access to shops, public restaurants, hotels and places of entertainment; or

b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of state funds or dedicated to the use of general public.

(4) Nothing in this Article shall prevent the state from making any special provision for women and children.

(5) Nothing in this Article or in clause (2) of Article 29 shall prevent the state from making any special provision for advancement of any socially or educationally backward classes of citizens or for Scheduled Castes and Scheduled Tribes.”

As can be seen, firstly, women are one of the identified sections that are vulnerable to discrimination and hence expressly protected from any manifestation or form of discrimination.

Secondly, going a step further, women are also entitled to special protection or special rights through legislations, if needed, towards making up for the historical and social disadvantage suffered by them on the ground of sex alone.
The Indian courts have also taken an immensely expansive definition of fundamental right to life under Article 21 of the Constitution as an umbrella provision and have included within it right to everything which would make life meaningful and which prevent it from making it a mere existence, including the right to food, clean air, water, roads, health, and importantly the right to shelter/housing.

For instance in Shantistar Builders v. Narayan Khimalal Tortame: (1990) 1 SCC 520), P.G. Gupta v. State of Gujarat((1995) Supp 2 SCC 182), Chameli Singh v. State of U.P.(1996) 2 SCC 549, Nawab Khan’s case (Ahmedabad Municipal Corporation v. Nawab Khan Gulab Khan & Ors.: (1997) 11 SCC 121)), right to education (BandhuaMuktiMorcha v. Unionof India (1984 3 SCC 161), Mohini Jain v. State of Karnataka (1992) 3 SCC 666) and Unnikrishnan J.P. & Ors. v. State of Additionally, though they are not justiciable and hence cannot be invoked to demand any right thereunder, or to get them enforced in any court of law, the Directive Principles of State Policy in Chapter IV of the Indian Constitution lend support to the paradigm of equality, social justice and empowerment which runs through all the principles. Since one of the purposes of the directive principles is to guide the conscience of the state and they have been used to constructively interpret the scope and ambit of fundamental rights, they also hit any discrimination or unfairness towards women.

History

There are very few texts specifically dealing with the role of women; an important exception is the strIdharmapaddhati of Tryambakayajvan, an official at Thanjavur around c.1730. The text compiles strictures on womenly behaviour dating back to the Apastamba sutra (c. 4th c. BCE).
1. Ancient India

Scholars believe that in ancient India, the women enjoyed equal status with men in all fields of life. However, some others hold contrasting views. Works by ancient Indian grammarians such as Patanjali and Katyayana suggest that women were educated in the early Vedic period. Rigvedic verses suggest that the women married at a mature age and were probably free to select their husband. Scriptures such as Rig Veda and Upanishads mention several womensages and seers, notably Gargi and Maitreyi.

Some kingdoms in the ancient India had traditions such as nagarvadhu ("bride of the city"). Women competed to win the coveted title of the nagarvadhu. Amrapali is the most famous example of a nagarvadhu. According to studies, women enjoyed equal status and rights during the early Vedic period. However, later (approximately 500 B.C.), the status of women began to decline with the Smritis (esp. Manusmriti) and with the Islamic invasion of Babur and the Mughal empire and later Christianity curtailing women's freedom and rights.

Although reformatory movements such as Jainism allowed women to be admitted to the religious order, by and large, the women in India faced confinement and restrictions. The practice of child marriages is believed to have started from around sixth century.

2. Medieval period

The Indian woman's position in the society further deteriorated during the medieval period when Sati among some communities, child marriages and a ban on widow remarriages became part of social life among some communities in India. The Muslim conquest in the Indian subcontinent brought the purdah practice in the Indian society. Among the Rajputs of Rajasthan,
the Jauhar was practiced. In some parts of India, the Devadasis or the temple women were sexually exploited. Polygamy was widely practiced especially among Hindu Kshatriya rulers. In many Muslim families, women were restricted to Zenana areas.

In spite of these conditions, some women excelled in the fields of politics, literature, education and religion. Razia Sultana became the only woman monarch to have ever ruled Delhi. The Gond queen Durgavati ruled for fifteen years, before she lost her life in a battle with Mughal emperor Akbar's general Asaf Khan in 1564. Chand Bibi defended Ahmednagar against the mighty Mughal forces of Akbar in 1590s. Jehangir's wife Nur Jehan effectively wielded imperial power and was recognized as the real force behind the Mughal throne. The Mughal princesses Jahanara and Zebunnissa were well-known poets, and also influenced the ruling administration.

Shivaji's mother, Jijabai was deputed as queen regent, because of her ability as a warrior and an administrator. In South India, many women administered villages, towns, divisions and heralded social and religious institutions.

The Bhakti movements tried to restore women's status and questioned some of the forms of oppression. Mirabai, a female saint-poet, was one of the most important Bhakti movement figures. Some other female saint-poets from this period include Akka Mahadevi, Rami Janabai and Lal Ded. Bhakti sects within Hinduism such as the Mahanubhav, Varkari and many others were principle movements within the Hindu fold to openly advocate social justice and equality between men and women.

Shortly after the Bhakti movement, Guru Nanak, the first Guru of Sikhs also preached the message of equality between men and women. He advocated that women be allowed to lead religious assemblies; to perform and lead congregational hymn singing called Kirtan or Bhajan;
become members of religious management committees; to lead armies on the battlefield; have
equality in marriage, and equality in Amrit (Baptism). Other Sikh Gurus also preached against
the discrimination against women.

3. Historical practices

Traditions among some communities such as sati, jauhar, and devadasi have been banned and are
largely defunct in modern India. However, some cases of these practices are still found in remote
parts of India. The purdah is still practised by Indian women among some communities, and
child marriage remains prevalent despite it being an illegal practice, especially under current
Indian laws.

**Sati:** Sati is an old, largely defunct custom, among some communities in which the widow was
immolated alive on her husband's funeral pyre. Although the act was supposed to be a voluntary
on the widow's part, it is believed to have been sometimes forced on the widow. It was abolished
by the British in 1829. There have been around forty reported cases of sati since independence.
In 1987, the RoopKanwar case of Rajasthan led to The Commission of Sati (Prevention) Act.

**Jauhar:** Jauhar refers to the practice of the voluntary immolation of all the wives and daughters
of defeated warriors, in order to avoid capture and consequent molestation by the enemy. The
practice was followed by the wives of defeated Rajput rulers, who are known to place a high
premium on honour.

**Purdah:** Purdah is the practice among some communities of requiring women to cover their
bodies so as to cover their skin and conceal their form. It imposes restrictions on the mobility of
women, it curtails their right to interact freely and it is a symbol of the subordination of women.
It does not reflect the religious teachings of either Hinduism or Islam, contrary to common belief, although misconception has occurred due to the ignorance and prejudices of religious leaders of both faiths.

**Devadasis:** Devadasi is a religious practice in some parts of southern India, in which women are "married" to a deity or temple. The ritual was well established by the 10th century A.D. In the later period, the illegitimate sexual exploitation of the devadasi's became a norm in some parts of India.

4. **British rule**

European scholars observed in the 19th century that Hindu women are "naturally chaste" and "more virtuous" than other women. During the British Raj, many reformers such as Ram Mohan Roy, Ishwar Chandra Vidyasagar, Jyotirao Phule etc. fought for the upliftment of women. Peary Charan Sarkar, a former student of Hindu College, Calcutta and a member of "Young Bengal" set up the first free school for girls in India in 1847 in Barasat, a suburb of Calcutta (later the school was named Kalikrishna Girls' High School).

While this list might suggest that there was no positive British contribution during the Raj era, that is not entirely so, since missionaries' wives like Martha Mault née Mead and her daughter Eliza Caldwell née Mault are rightly remembered for pioneering the education and training of girls in south India - a practise that initially met with local resistance, as it flew in the face of tradition. Raja Rammohan Roy's efforts led to the abolition of the Sati practice under Governor-General William Cavendish-Bentinck in 1829. Ishwar Chandra Vidyasagar's crusade for the improvement in condition of widows led to the Widow Remarriage Act of 1856. Many women reformers such as Pandita Ramabai also helped the cause of women upliftment.
Kittur Chennamma, the queen of the princely state Kittur in Karnataka, led an armed rebellion against the British in response to the Doctrine of lapse. Abbakka Rani the queen of coastal Karnataka led the defence against invading European armies notably the Portuguese in 16th century. Rani Lakshmi Bai, the Queen of Jhansi, led the Indian Rebellion of 1857 against the British. She is now widely considered as a nationalist hero. Begum Hazrat Mahal, the co-ruler of Awadh, was another ruler who led the revolt of 1857. She refused the deals with the British and later retreated to Nepal. The Begums of Bhopal were also few of the notable female rulers during this period. They did not observe purdah and were trained in martial arts.

Chandramukhi Basu, Kadambini Ganguly and Anandi Gopal Joshi were few of the earliest Indian women to obtain educational degrees.

In 1917, the first women's delegation met the Secretary of State to demand women's political rights, supported by the Indian National Congress. The All India Women's Education Conference was held in Pune in 1927. In 1929, the Child Marriage Restraint Act was passed, stipulating fourteen as the minimum age of marriage for a girl through the efforts of Mahomed Ali Jinnah. Though Mahatma Gandhi himself married at the age of thirteen, he later urged people to boycott child marriages and called upon the young men to marry the child widows.

Women played an important part in India's independence struggle. Some of the famous freedom fighters include Bhikaji Cama, Dr. Annie Besant, Pritilata Waddedar, Vijayalakshmi Pandit, Rajkumari Amrit Kaur, Aruna Asaf Ali, Sucheta Kriplani and Kasturba Gandhi. Other notable names include Muthulakshmi Reddy, Durgabai Deshmukh etc. The Rani of Jhansi Regiment of Subhash Chandra Bose's Indian National Army consisted entirely of women including Captain Lakshmi Sahgal. Sarojini Naidu, a poet and a freedom fighter, was the first Indian woman to
become the President of the Indian National Congress and the first woman to become the governor of a state in India.

**Position of Women’s in Independent India**

Women in India now participate in all activities such as education, sports, politics, media, art and culture, service sectors, science and technology, etc. Indira Gandhi, who served as Prime Minister of India for an aggregate period of fifteen years is the world's longest serving woman Prime Minister.

The Constitution of India guarantees to all Indian women equality (Article 14), no discrimination by the State (Article 15(1)), equality of opportunity (Article 16), equal pay for equal work (Article 39(d)). In addition, it allows special provisions to be made by the State in favour of women and children (Article 15(3)), renounces practices derogatory to the dignity of women (Article 51(A) (e)), and also allows for provisions to be made by the State for securing just and humane conditions of work and for maternity relief. (Article 42).

The feminist activism in India picked up momentum during later 1970s. One of the first national level issues that brought the women's groups together was the Mathura rape case. The acquittal of policemen accused of raping a young girl Mathura in a police station, led to a wide-scale protests in 1979–1980. The protesters were widely covered in the national media, and forced the Government to amend the Evidence Act, the Criminal Procedure Code and the Indian Penal Code and introduce the category of custodial rape. Female activists united over issues such as female infanticide, gender bias, women health, and female literacy.
Since alcoholism is often associated with violence against women in India, many women groups launched anti-liquor campaigns in Andhra Pradesh, Himachal Pradesh, Haryana, Orissa, Madhya Pradesh and other states. Many Indian Muslim women have questioned the fundamental leaders’ interpretation of women's rights under the Shariat law and have criticized the triple talaq system.

In 1990s, grants from foreign donor agencies enabled the formation of new women-oriented NGOs. Self-help groups and NGOs such as Self Employed Women's Association (SEWA) have played a major role in women's rights in India. Many women have emerged as leaders of local movements. For example, MedhaPatkar of the Narmada BachaoAndolan.

The Government of India declared 2001 as the Year of Women's Empowerment (Swashakti). The National Policy For The Empowerment Of Women came was passed in 2001.

In 2006, the case of a Muslim rape victim called Imrana was highlighted in the media. Imrana was raped by her father-in-law. The pronouncement of some Muslim clerics that Imrana should marry her father-in-law led to widespread protests and finally Imrana’s father-in-law was given a prison term of 10 years, The verdict was welcomed by many women's groups and the All India Muslim Personal Law Board.

In 2010 March 9, one day after International Women's day, Rajyasabha passed Women's Reservation Bill, ensuring 33% reservation to women in Parliament and state legislative bodies.

**Current Scenario**

Some Bright Spots

- India has world's largest number of professionally qualified women.
• India has largest population of working women in the world.

• India has more number of doctors, surgeons, scientists, professors than the United States

WomenAchiever

With the help of these social reformers women of India slowly started recognizing her true potential. She started questioning the rules laid down for her by the society. As a result, started breaking barriers and earned a respectable position in the world. Today Indian women have excelled in each and every field from social work to visiting space station. There is no arena, which remained unconquered by Indian women. Whether it is politics, sports, entertainment, literature, technology everywhere we can hear applaudes for her.

Politics

Women of India are highly active today in this area. Sarojini Naidu, Vijaylakshami Pandit, Sucheta Kriplani were the torchbearer for the women of India. Mrs. Vijay Lakshmi Pandit was the first Indian woman to hold a post in the cabinet. Thus paving the way for other women. The most important name in the category of women politicians is Mrs Indira Gandhi. She was the one who made world stop and notice the talent and potential of Indian women. She was the first women Prime Minister of independent India. Today her daughter-in law Mrs Sonia Gandhi is following her footsteps and leading the Indian National Congress.

Other women who have made their name in politics of India are Shiela Dixit, Uma Bharti, Jayalalitha, Vasundhra Raje, Mamata Banerjee and Mayawati.
Sports

Indian women have achieved great laurels for the nation in every sport. Whether it is cricket or hockey India have national women team for every game. Indian women cricket team has won Asia Cup of 2004 and 2005 and made country proud. Some women sports icons of India are:

- P.T. Usha (Athletics)
- Kunjarani Devi (Weight lifting)
- Diana Edulji (Cricket)
- Sania Mirza (Tennis)
- Karnam Malleshwari (Weight lifting)

Art and Entertainment

This arena is full of Indian women. We have many names to boast of like M.S. Subbulakshmi, Indian Nightingale Lata Mangeshkar, Asha Bhosle as famous singers. Madhu Bala, Rekha, Aishwarya Rai as Bollywood queens. Today Indian woman is a painter, an actor, a singer, and a beauty queen.

Literature

In past women of India used to write, but their work did not get the recognition. Today they are getting their dues. Arundhati Roy, Anita Desai, Kiran Desai, Shobhaa De, Jhumpa Lahiri are famous names in Indian literature. Not just in India now these women are recognized all over the world. Arundhati Roy has been awarded with the Booker Prize of 1997 for her work "God of
Small Things”. Kiran Desai has been given Booker Prize of 2006 and Jhumpa Lahiri got recognition in the form of Pulitzer prize.

**Corporate Divas**

Kiran Majumdar Shaw is the undisputed corporate queen of India. She is the richest Indian woman. She is the MD of Biocon India. She is the wealthiest entrepreneur of India Kiran wanted to become a doctor but could not get admission in medical colleges but even then she did not lose courage and went on to become India's first woman 'Brew Master' and subsequently corporate queen. Another names in this list include Vidya Mohan Chhabaria, Chairperson of Jumbo Group, Naina Lal Kidwai, Vice Chairperson and Managing Director of HSBC Securities and Capital Market, Sullaijja Firodia Motwani and Mallika Srinivasan.

**Social saints**

The Indian saint of today's times Mother Teresa is the name which every Indian whether rich or poor is familiar with. She was the person who used to consider the smile of her countrymen as her wealth. She worked for those whom even their own families have deserted. She did not care whether she is in the company of a person suffering from communicable disease or whether it is day or night. Whenever or wherever one needed her she was present. She opened various homes for these people most famous of which is 'Nirmal Hriday'. It is open to everyone irrespective of caste, creed or religion.

Another important names working for the cause of people includes Aruna Roy who worked for the save RTI Campaign and Medha Patekar who is associated with Narmada Bachao Andolan.
Universal Queens

Indian women have not just made their mark on earth but they have engraved their name in the whole universe by flying to space. Kalpana Chawla, who was the member of Colombia Space Shuttle, which exploded on its way back, was the first Indian women astronaut who visited space station. And now following on her footsteps another women of Indian origin Sunita Williams has become the second one to be the member of International Space Station crew.

Indian women have mastered anything and everything which a woman can dream of. But she still has to go a long way to achieve equal status in the minds of Indian men.

VARIOUS AREAS REGARDING RIGHTS OF WOMENS

1. Education and economic development

According to 1992-93 figures, only 9.2% of the households in India were female-headed.

However, approximately 35% of the households below the poverty line were found to be female-headed.

Women worldwide.

Women and Education

- 60% of the 130 million children in the age group of 6-11 years who do not go to school, are girls.

  Approximately 67% of the world’s 875 million illiterate adults are women.

- 3 out of 5 women in Southern Asia and an estimated 50% of all women in Africa and in the Arab region are still illiterate.
Women in India

Women and Education

- Close to 245 million Indian women lack the basic capability to read and write.
- Adult literacy rates for ages 15 and above for the year 2000 were:
  - Female: 46.4%
  - Male: 69%

Education

Though it is gradually rising, the female literacy rate in India is lower than the male literacy rate. Compared to boys, far fewer girls are enrolled in the schools, and many of them drop out.

According to the National Sample Survey Data of 1997, only the states of Kerala and Mizoram have approached universal female literacy rates. According to majority of the scholars, the major factor behind the improved social and economic status of women in Kerala is literacy.

Under Non-Formal Education programme (NFE), about 40% of the centres in states and 10% of the centres in UTs are exclusively reserved for females. As of 2000, about 0.3 million NFE centres were catering to about 7.42 million children, out of which about 0.12 million were exclusively for girls. In urban India, girls are nearly at par with the boys in terms of education. However, in rural India girls continue to be less educated than the boys.
According to a 1998 report by U.S. Department of Commerce, the chief barrier to female education in India are inadequate school facilities (such as sanitary facilities), shortage of female teachers and gender bias in curriculum (majority of the female characters being depicted as weak and helpless).

The following links will further explain the necessity of girls’/women’s education.

**Education is a right**

Everybody has the right to education, which has been recognised since the Universal Declaration of Human Rights (UDHR) in 1948. The right to free and compulsory primary education, without discrimination and of good quality, has been reaffirmed in all major international human rights conventions. Many of these same instruments encourage, but do not guarantee, post-primary education. These rights have been further elaborated to address issues like quality and equity, moving forward the issue of what the right to education means, and exploring how it can be achieved. As a minimum: states must ensure that basic education is available, accessible, acceptable and adaptable for all. (4A scheme) The right of girls to education is one of the most critical of all rights – because education plays an important role in enabling girls and women to secure other rights.

**Cultural changes**

Cultural and traditional values stand between girls and their prospects for education. The achievement of girls’ right to education can address some of societies’ deeply rooted inequalities, which condemn millions of girls to a life without quality education – and, therefore, also all too often to a life of missed opportunities. Improving educational opportunities for girls and women
helps them to develop skills that allow them to make decisions and influence community change in key areas. One reason for denying girls and women their right to an education is rarely articulated by those in charge: that is their fear of the power that girls will have through education. There is still some resistance to the idea that girls and women can be trusted with education. Education is also seen in some societies as a fear of change and now with globalization, the fear becomes even greater- fear to lose the cultural identity, fear of moving towards the unknown or the unwanted, fear of dissolving in the many others.

**Better health**

Basic education provides girls and women with an understanding of basic health, nutrition and family planning, giving them choices and the power to decide over their own lives and bodies. Women's education leads directly to better reproductive health, improved family health, economic growth, for the family and for society, as well as lower rates of child mortality and malnutrition. It is also key in the fight against the spread of HIV & AIDS.

**Poverty reduction**

Educating girls and women is an important step in overcoming poverty. Inequality and poverty are not inevitable. “The focus on poverty reduction enables the right to education to be a powerful tool in making a change in the lives of girls and women. Poverty has been universally affirmed as a key obstacle to the enjoyment of human rights, and it has a visible gender profile. The main reason for this is the fact that poverty results from violations of human rights, including the right to education, which disproportionately affect girls and women. Various grounds of discrimination combine, trapping girls in a vicious downward circle of denied rights.
Denial of the right to education leads to exclusion from the labour market and marginalisation into the informal sector or unpaid work. This perpetuates and increases women’s poverty.”

2. Workforce participation

Contrary to the common perception, a large percent of women in India work. The National data collection agencies accept the fact that there is a serious under-estimation of women's contribution as workers. However, there are far fewer women in the paid workforce than there are men. In urban India Women have impressive number in the workforce. As an example at software industry 30% of the workforce is female. They are at par with their male counter parts in terms of wages, position at the work place.

In rural India, agriculture and allied industrial sectors employ as much as 89.5% of the total female labour. In overall farm production, women's average contribution is estimated at 55% to 66% of the total labour. According to a 1991 World Bank report, women accounted for 94% of total employment in dairy production in India. Women constitute 51% of the total employed in forest-based small-scale enterprises.

One of the most famous female business success stories is the ShriMahilaGrihaUdyogLijjatPapad. In 2006, KiranMazumdar-Shaw, who started Biocon - one of India's first biotech companies, was rated India's richest woman. LalitaGupte and KalpanaMorparia (both were the only businesswomen in India who made the list of the Forbes World's Most Powerful Women), run India's second-largest bank, ICICI Bank.

Women as Workers

- Female share of non-agricultural wage employment is only 17%. 
Participation of women in the workforce is only 13.9% in the urban sector and 29.9% in the rural sector.

Women’s wage rates are, on an average only 75% of men’s wage rates and constitute only 25% of the family income.

In no Indian State do women and men earn equal wages in agriculture

Women occupy only 9% of parliamentary seats.

less than 4% seats in High Courts and Supreme Court.

less than 3% administrators and managers are women.

3. Land and property rights

In most Indian families, women do not own any property in their own names, and do not get a share of parental property. Due to weak enforcement of laws protecting them, women continue to have little access to land and property. In fact, some of the laws discriminate against women, when it comes to land and property rights.

The Hindu personal laws of mid-1956s (applied to Hindus, Buddhists, Sikhs and Jains) gave women rights to inheritance. However, the sons had an independent share in the ancestral property, while the daughters' shares were based on the share received by their father. Hence, a father could effectively disinherit a daughter by renouncing his share of the ancestral property, but the son will continue to have a share in his own right. Additionally, married daughters, even those facing marital harassment, had no residential rights in the ancestral home. After amendment of Hindu laws in 2005, now women in have been provided the same status as that of men.
In 1986, the Supreme Court of India ruled that Shah Bano, an old divorced Muslim woman was eligible for maintenance money. However, the decision was vociferously opposed by fundamentalist Muslim leaders, who alleged that the court was interfering in their personal law. The Union Government subsequently passed the Muslim Women's (Protection of Rights Upon Divorce) Act.

Similarly, the Christian women have struggled over years for equal rights of divorce and succession. In 1994, all the churches, jointly with women's organisations, drew up a draft law called the Christian Marriage and Matrimonial Causes Bill. However, the government has still not amended the relevant laws.

4 Gender Discrimination

The Universal Declaration of Human Rights, adopted in 1948, enshrines "the equal rights of men and women", and addressed both the equality and equity issues. In 1979 the United Nations General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) for legal implementation of the Declaration on the Elimination of Discrimination against Women. Described as an international bill of rights for women, it came into force on 3 September 1981. The UN member states that have not ratified the convention are Iran, Nauru, Palau, Somalia, Sudan, Tonga, and the United States. Niue and the Vatican City, which are non-member states, have also not ratified it.
The Convention defines discrimination against women in the following terms:

Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

It also establishes an agenda of action for putting an end to sex-based discrimination for which states ratifying the Convention are required to enshrine gender equality into their domestic legislation, repeal all discriminatory provisions in their laws, and enact new provisions to guard against discrimination against women. They must also establish tribunals and public institutions to guarantee women effective protection against discrimination, and take steps to eliminate all forms of discrimination practiced against women by individuals, organizations, and enterprises.

5. Health

The average female life expectancy earlier in India is low compared to many countries, but it has shown gradual improvement over the years. In many families, especially rural ones, the girls and women face nutritional discrimination within the family, and are anaemic and malnourished. The maternal mortality in India is the second highest in the world. Only 42% of births in the country are supervised by health professionals. Most women deliver with help from women in the family who often lack the skills and resources to save the mother's life if it is in danger. According to UNDP Human Development Report (1997), 88% of pregnant women (age 15-49) were found to be suffering from anaemia.
The health policies, plans, and programmes in India mostly evolved during the national movement against colonial rule. The British authorities set up a Health Survey and Development Committee, commonly known as the Bhore Committee (1946), that was also greatly inspired by the aspirations of the national movement.

**The Concept of Right to Health**

The right to health has clear links to many other rights. The realisation of the Right to Health requires the fulfillment of several interconnected rights of a range of determinants, such as food, education, environment, housing, working conditions, poverty, health care and so on. Unless all these determinants are also addressed, it is not possible to ensure the right to health. The denial or enjoyment of the rights mentioned above can impact a person’s ability to achieve the highest attainable standard of health, and conversely, the health status determines the enjoyment of other rights, i.e., a person who is not ‘healthy’ may not be able to participate fully and actively in economic, social or political activities in society.

Thus, when the State violates one specific right, its interconnectedness to various other rights results in a chain of violations, each of which individually stands as a right, and has its own set of norms and obligations on the state.

For example, The Right to Health is interdependent on the Right to Food.

In Article 97, Sama-Women’s Group for Gender and Health (2005) Advancing Right to Health: The Indian Context,

Beyond the Circle.8424(2) (c) of the Convention on the Rights of the Child (CRC) and Article 12(2) of Convention on the Elimination of Discrimination against Women (CEDAW), the right to food is considered part of the right to health of both women and children.
Therefore, when considering the Right to Health, the above-mentioned Articles should also be taken into account. This is true of all other rights connected to the determinants of health – environment, exclusion, prohibition on the basis of sex, caste, class, education, etc.

Similarly Article 21 of the Constitution of India guarantees the Right to Life of every citizen, and imposes the duty to protect this right upon the state. The Supreme Court of India has previously stated that the right to life includes the right to live with dignity and all that goes along with it, including the right to food.

For example, in response to the writ petition on the ‘Right to Food’ by the People’s Union for Civil Liberties (PUCL), Rajasthan, in 2001, the Supreme Court judged that the state governments are indeed violating Article 21 of the Constitution of India. The Court’s judgment in its very essence recognises the justiciability of the Right to Food, and the protection of this right under the Constitution. The Supreme Court affirmed that where people are unable to feed themselves adequately, governments have an obligation to provide for them, ensuring at the very least that they are not exposed to malnourishment, starvation and other related problems.

In the context of women, therefore, right to health would imply that women’s right to all the determinants be fulfilled. In order to do that the State and all its institutions must analyse and understand the reasons and factors that deny women their rights and try to create the necessary conditions to ensure that these rights are fulfilled.

**National Remedies**

The Constitution of India
The Constitution of India does not explicitly recognise health as a Fundamental Right. However, it recognises the right to life, equality, and freedom of speech, expression and opportunity and to seek judicial redress for enforcement of these rights as fundamental rights. Right to Health is:

Children’s Convention (adopted 1989; entered into force 1990): Convention setting forth a full spectrum of civil, cultural, economic, social, and political rights for children. Women’s Convention (adopted 1979; entered into force 1981): The first legally binding international document prohibiting discrimination against women and obligating governments to take affirmative steps to advance the equality of women included in Article 47 of the Directive Principles of State Policy. These constitutional provisions must be interpreted expansively to understand and ensure women’s right to health.

The Preamble to the Constitution highlights some of the core values and principles that guide the Constitution of India. Although the preamble is not regarded as a part of the Constitution and is not enforceable in a court of law, the Constitution is interpreted in the light of the preamble and in a majority of decisions the Supreme Court of India has held that the objectives of justice, liberty, equality and fraternity stated in the preamble constitute the basic structure of the Constitution. The Preamble directs the state to initiate measures to establish justice, equality, ensure dignity, etc. which have a direct bearing on women’s health.

The following Fundamental Rights contained in Part III of the Constitution are related to women’s right to health and health care.

Right to Equality and Freedom (Articles 14 –17 and 19) ensure the right to equality before the law and equal protection of the law, prohibition of discrimination on the basis of sex, caste, religion, race or place of birth, equal opportunity in matters of employment and abolition of
untouchability. However, the right to equality does not take away the right of the State to initiate affirmative action or provide special provisions for women and marginalized communities (especially women from scheduled castes and tribes). In the context of health, any form of discrimination, be it gender or practice of untouchability, has severe implications for health, preventing or limiting access to basic needs and opportunities that impact health and access to health care.

For example, women are traditionally responsible for fetching water. Depending on the distance of the source of water, the location, the woman’s age, caste, health status and various other conditions at home impact her access to water, which in turn affects her health and the health of others in her family.

*Right to Protection of Life and Personal Liberty (Article 21)* ensures that no person shall be deprived of his/her life or personal liberty, except according to the procedure established by law. While the provision of health services is essential to ensure good health, there are several other factors that influence a person’s health.

The Supreme Court first recognised this in *Bandhua Mukti Morcha vs. Union of India*, a case concerning the living and working conditions of stone quarry workers in Haryana (near Delhi) and whether these living and working conditions deprived them of their right to life. “The court held that humane working conditions were essential to the pursuit of the Right to Life. It lay down that workers should be provided with medical facilities, clean drinking water and sanitation facilities so that they may live with human dignity”
Right against exploitation (Articles 23-24) secures a person or persons against prohibition of traffic in human beings and forced labour, employment of children in factories, mine, or in any other hazardous employment.

The Directive Principles of State Policy (DPSP)

As mentioned earlier, the reference to Right to Health in the Indian Constitution is contained in Article 47, which is consigned to the Directive Principles of State Policy (DPSP) section. With regard to health and health care, Article 47 states that it is the Duty of the State to raise the level of nutrition and the standard of living and to improve public

6. Empowerment

Empowerment of women, leading to an equal social status in society hinges, among other things, on their right to hold and inherit property. Several legal reforms have taken place since independence in India, including on equal share of daughters to property. Yet equal status remains illusive. Establishment of laws and bringing practices in conformity thereto is necessarily a long drawn out process. The government, the legislature, the judiciary, the media and civil society has to perform their roles, each in their own areas of competence and in a concerted manner for the process to be speedy and effective.

These amendments can empower women both economically and socially, and have far-reaching benefits for the family and society. Independent access to agricultural land can reduce a woman and her family's risk of poverty, improve her livelihood options, and enhance prospects of child survival, education and health. Women owning land or a house also face less risk of spousal
violence. And land in women's names can increase productivity by improving credit and input access for numerous de facto female household heads.

Making all daughters coparceners like wise has far-reaching implications. It gives women birthrights in joint family property that cannot be willed away. Rights in coparcenary property and the dwelling house will also provide social protection to women facing spousal violence or marital breakdown, by giving them a potential shelter. Millions of women - as widows and daughters - and their families thus stand to gain by these amendments.

7. Marriage and Family

The family mainly fixes the marriages in earlier India. The scenario in villages is very bad. The girl is not consulted but is told to marry a guy whom her family has chosen for him. They are taught to abide by the whims and fancies of their husbands. Going against the wishes of husband is considered to be a sin. In marriage husband always has the upper hand. The groom and his parents show as if they are obliging the girl by marrying her and in return they demand hefty dowry.

The family is the fundamental and natural unit of society and requires the full protection of the state. Human rights law upholds the positive right of all peoples to marry and found a family. It upholds the ideal of equal and consenting marriage and tries to guard against abuses which undermine these principles. It is not prescriptive as to the types of families and marriages that are acceptable, recognising tacitly that there are many different forms of social arrangements around the world. The family unit can be made vulnerable to social, economic, and political pressures. Human rights law seeks to bolster the family unit by specifying state obligations to keep families together and to reunify them when they have become separated e.g. as a result of refugee crises.
It insists on maternity rights for mothers to allow time and space for the bond to develop between mother and child. It also prescribes detailed standards for the treatment of children who lack parental care and require state intervention and the provision of foster care or adoption.

Rights at Stake

(a) Right to marry and found a family

The family is recognised as the most natural and fundamental unit of society and therefore the right of all to marry and found a family is protected in human rights law. Human rights law does not dictate the types of family unit that are deemed acceptable and in the world today there are many diverse forms of families and marriages.

Whether these rights apply to same-sex couples has become a matter of discussion in recent times. Although human rights law does not make explicit reference to this, a number of its provisions concerning the right to marry and have a family, right to equality and non-discrimination etc. can be interpreted to mean that gay and lesbian couples should enjoy the protection of human rights law.

(b) Equal rights of men and women in the family

Human rights law asserts the equal rights and responsibilities of both men and women at marriage, during the marriage and at its dissolution. However, in many countries round the world, women do not have equal status compared to men in marital and family life. Laws and practices governing the status of women in the family often circumscribe their role in the unit and their legal capacity. The status of women is often determined by their relationship to male
family members and may affect their rights and entitlements e.g. right to inherit family property. In some countries, women’s rights in various areas e.g. nationality and citizenship are curtailed or denied by law upon entering a marriage.

(c) Right to give full and free consent to marriage

Human rights treaties say that no marriage should be entered into unless consent is freely given by the intending spouses. Forced marriages for economic or cultural reasons continue to be practiced in many countries in the world today. Forced marriage of girls under 18 is an area of particular concern. Child marriage is a human rights violations under a variety of human rights. Studies have shown the health risks and prevalence of domestic violence linked to early marriage. There are a number of human rights campaigns aimed at preventing early and forced marriage of children. States are also required by a 1965 treaty to specify a minimum age for marriage. It does not stipulate a minimum age. Nor does the UN Convention on the Rights of the Child which defines a child as all persons under 18 but allows states to specify their own age limits for different matters under national law.

(d) Right to family planning

This right of individuals to freely determine the number and spacing of their children has been recognised by major UN conferences on population and development in Tehran in 1968 and in Cairo in 1994. However, the right has not been enshrined in a legally binding human rights treaty and the whole issue of family planning remains a controversial one for a variety of reasons: fear of coercive family planning programmes; idea that family planning promotes promiscuity; abortion debate and status of the unborn child.
(e) Rights of children to parental care

The rights of children to parental care are specifically protected in children’s rights treaties and governs the obligations of states to ensure children are not separated from the parents without a due judicial process, and to provide support for the parent and family unit. Provisions governing maternity rights no doubt stem from the basic principle that the fundamental bond between mother and child should be supported. A number of treaties emphasise the need to states to provide extra provision for pregnant women, to allow them maternity leave before and after childbirth which is either paid leave or leave with adequate social security benefits.

Human rights law lays down a number of standards governing the treatment of children who do not have parents and covers such issues as fostering, adoption, inter-country adoption. At the heart of these principles is the need to ensure the best interests of the child are met and to guard against the exploitation and abuse of this especially vulnerable category of children. The duty of parents to ensure provisions are made for children at the dissolution of a marriage is also prescribed.

(f) Right to family reunification

Where parents and children are residing in different countries, states are obliged to facilitate contacts and deal with requests to enter or leave a state party for the purpose of reunification in a humane and expeditious manner. Such rights are only to be restricted for reasons of national security and public order. This is a particularly important right for refugees and special procedures exist in most countries to reunify refugee parents with their children. Human rights
treaties oblige states to take special measures to trace the parents of an unaccompanied refugee child and to reunite them together.

8. Religion and culture—

As India is a country of many languages, religions, and cultures, the Constitution provides special measures, in Articles 29 and 30, to protect the rights of the minorities. Any community which has a language and a script of its own has the right to conserve and develop it. No citizen can be discriminated against for admission in State or State aided institutions.

All minorities, religious or linguistic, can set up their own educational institutions to preserve and develop their own culture. In granting aid to institutions, the State cannot discriminate against any institution on the basis of the fact that it is administered by a minority institution. But the right to administer does not mean that the State cannot interfere in case of maladministration. In a precedent-setting judgment in 1980, the Supreme Court held that the State can certainly take regulatory measures to promote the efficiency and excellence of educational standards. It can also issue guidelines for ensuring the security of the services of the teachers or other employees of the institution. In another landmark judgement delivered on 31 October 2002, the Supreme Court ruled that in case of aided minority institutions offering professional courses, admission could only be through a common entrance test conducted by State or a university. Even an unaided minority institution ought not to ignore the merit of the students for admission.

9. Women’s Reproductive Rights
Reproductive rights, that is rights relating to sexual reproduction and reproductive health were first discussed as a subset of human rights at the United Nation's 1968 International Conference on Human Rights. Reproductive rights are not recognised in international human rights law and is an umbrella term that may include some or all of the following rights: the right to legal or safe abortion, the right to control one's reproductive functions, the right to access quality reproductive healthcare, and the right to education and access in order to make reproductive choices free from coercion, discrimination, and violence. Reproductive rights may also be understood to include education about contraception and sexually transmitted infections, and freedom from coerced sterilization and contraception, protection from gender-based practices such as female genital mutilation (FGM) and male genital mutilation (MGM). Reproductive rights are understood as rights of both men and women, but are most frequently advanced as women's rights. Women's access to legal abortions is restricted by law in most countries in the world. Where abortion is permitted by law, women may only have limited access to safe abortion services. Only a small number of countries prohibit abortion in all cases. In most countries and jurisdictions, abortion is allowed to save the pregnant woman's life, or where the pregnancy is the result of rape or incest. According to Human Rights Watch "Abortion is a highly emotional subject and one that excites deeply held opinions. However, equitable access to safe abortion services is first and foremost a human right. Where abortion is safe and legal, no one is forced to have one. Where abortion is illegal and unsafe, women are forced to carry unwanted pregnancies to term or suffer serious health consequences and even death. Approximately 13% of maternal deaths worldwide are attributable to unsafe abortion—between 68,000 and 78,000 deaths annually." According to Human Rights Watch "the denial of a pregnant woman's right to make an independent decision regarding abortion violates or poses a threat to a wide range of human rights." Other groups
however, such as the Catholic Church, the Christian right and most Orthodox Jews, regard abortion not as a right but as a 'moral evil'.

10. Crimes against women

Police records show high incidence of crimes against women in India. The National Crime Records Bureau reported in 1998 that the growth rate of crimes against women would be higher than the population growth rate by 2010. Earlier, many cases were not registered with the police due to the social stigma attached to rape and molestation cases. Official statistics show that there has been a dramatic increase in the number of reported crimes against women.

Sexual harassment

Half of the total number of crimes against women reported in 1990 related to molestation and harassment at the workplace. Eve teasing is a euphemism used for sexual harassment or molestation of women by men. Many activists blame the rising incidents of sexual harassment against women on the influence of "Western culture". In 1987, The Indecent Representation of Women (Prohibition) Act was passed to prohibit indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner.

In 1997, in a landmark judgement, the Supreme Court of India took a strong stand against sexual harassment of women in the workplace. The Court also laid down detailed guidelines for prevention and redressal of grievances. The National Commission for Women subsequently elaborated these guidelines into a Code of Conduct for employers.

According to NCRB ‘Crime in India, 2002’
• 44,098 incidents of sexual harassment were reported.
• 121 women were sexually harassed every day
• 1 woman was sexually harassed every 12 minutes
• An increase of 20.6% was seen in incidents of sexual harassment between 1997-2002

Dowry

In 1961, the Government of India passed the Dowry Prohibition Act, making the dowry demands in wedding arrangements illegal. However, many cases of dowry-related domestic violence, suicides and murders have been reported. In the 1980s, numerous such cases were reported.

In 1985, the Dowry Prohibition (maintenance of lists of presents to the bride and bridegroom) rules were framed. According to these rules, a signed list of presents given at the time of the marriage to the bride and the bridegroom should be maintained. The list should contain a brief description of each present, its approximate value, the name of whoever has given the present and his/her relationship to the person. However, such rules are hardly enforced.

A 1997 report claimed that at least 5,000 women die each year because of dowry deaths, and at least a dozen die each day in 'kitchen fires' thought to be intentional. The term for this is "bride burning" and is criticized within India itself. Amongst the urban educated, such dowry abuse has reduced considerably.

According to NCRB ‘Crime in India, 2002’

Dowry Related Murders

• 7,895 women were murdered due to dowry.
• 21 women were murdered every day.
• 1 woman was murdered due to dowry every 66 minutes.

**Child marriage**

Child marriage has been traditionally prevalent in India and continues to this day. Historically, young girls would live with their parents until they reached puberty. In the past, the child widows were condemned to a life of great agony, shaving heads, living in isolation, and shunned by the society. Although child marriage was outlawed in 1860, it is still a common practice.

According to UNICEF’s “State of the World’s Children-2009” report, 47% of India's women aged 20–24 were married before the legal age of 18, with 56% in rural areas. The report also showed that 40% of the world's child marriages occur in India.

**Female infanticides and sex selective abortions**

India has a highly masculine sex ratio, the chief reason being that many women die before reaching adulthood. Tribal societies in India have a less masculine sex ratio than all other caste groups. This, in spite of the fact that tribal communities have far lower levels of income, literacy and health facilities. It is therefore suggested by many experts, that the highly masculine sex ratio in India can be attributed to female infanticides and sex-selective abortions.

All medical tests that can be used to determine the sex of the child have been banned in India, due to incidents of these tests being used to get rid of unwanted female children before birth. Female infanticide (killing of girl infants) is still prevalent in some rural areas. The abuse of the
dowry tradition has been one of the main reasons for sex-selective abortions and female infanticides in India.

According to NCRB ‘Crime in India, 2002’
Female foeticide in India increased by 49.2% between 1999-2000

Domestic violence

The incidents of domestic violence are higher among the lower Socio-Economic Classes (SECs)

According to NCRB ‘Crime in India, 2002’

- 49,237 women faced domestic violence in their marital homes.
- 135 women were tortured by their husbands and in-laws every day
- 1 woman faced torture in her marital relationship every 11 minutes
- Domestic violence constitutes 33.3% of the total crimes against women
- A steep rise of 34.5% in domestic violence cases was witnessed between 1997-2002


Trafficking

According to NCRB ‘Crime in India, 2002’

- 11,332 women and girls were trafficked
- 31 women and girls were trafficked every day
- 1 woman or girl was trafficked every 46 minutes
The Immoral Traffic (Prevention) Act was passed in 1956. However many cases of trafficking of young girls and women have been reported. These women are either forced into prostitution, domestic work or child labour.

**Problems which women in India have to go through daily.**

There are many problems which women in India have to go through daily. These problems have become the part and parcel of life of Indian women and some of them have accepted them as their fate.

The main problems of Indian women includes:

- **Malnutrition**

  Generally in India, women are the one who eat last and least in the whole family. So they eat whatever is left after men folk are satiated. As a result most of the times their food intake does not contain the nutritional value required in maintaining the healthy body. In villages, sometimes women do not get to eat the whole meal due to poverty. The UNICEF report of 1996 clearly states that the women of South Asia are not given proper care, which results in higher level of malnutrition among the women of South Asia than anywhere else in the world. This nutritional deficiency has two major consequences for women first they become anemic and second they never achieve their full growth, which leads to an unending cycle of undergrowth as malnourished women cannot give birth to a healthy baby.

- **Poor Health**

  The malnutrition results in poor health of women. The women of India are prejudiced
from the birth itself. They are not breastfed for long. In the want of a son the women wants to get pregnant as soon as possible which decreases the caring period to the girl child whereas the male members get adequate care and nutrition. Women are not given the right to free movement that means that they cannot go anywhere on their own if they want and they have to take the permission of male member of family or have to take them along. This results in decrease in women's visit to doctor and she could not pay attention to her health as a result.

• **Maternal Mortality**

The mortality rate in India is among highest in the world. As females are not given proper attention, which results in the malnutrition and then they are married at an early age which leads to pregnancies at younger age when the body is not ready to bear the burden of a child. All this results in complications, which may lead to gynecological problems, which may become serious with time and may ultimately, lead to death.

• **Lack of education**

In India women education never got its due share of attention. From the medieval India women were debarred from the educational field. According to medieval perception women need just household education and this perception of medieval India still persists in villages of India even today. Girls are supposed to fulfill domestic duties and education becomes secondary for them whereas it is considered to be important for boys. Although scenario in urban areas has changed a lot and women are opting for higher education but majority of Indian population residing in villages still live in medieval times. The people of villages consider girls to be curse and they do not want to waste money and time on them as they think that women should be wedded off as
soon as possible.

The main reason for not sending girls to school is the poor economic condition. Another reason is far off location of schools. In Indian society virginity and purity is given utmost importance during marriage and people are afraid to send their girl child to far off schools were male teacher teach them along with boys. The lack of education is the root cause for many other problems. An uneducated mother cannot look after her children properly and she is not aware of the deadly diseases and their cure, which leads to the poor health of the children. An uneducated person does not know about hygiene this lack of knowledge of hygiene may lead to poor health of the whole family.

• **Mistreatment**

In India violence against women is a common evil. Not just in remote parts but in cities also women bear the brunt. They are subjected to physical and mental violence. They are the one who work most but are not given their due. The women is not safe anywhere neither at home nor at workplace. Every hour a woman is raped in India and every 93 minutes a woman is burnt to death due to dowry problem. There are many laws such as The Hindu Marriage Act of 1955, The Hindu Succession Act of 1956, The Hindu Widow Remarriage Act of 1856, The Hindu Women Right to Property Act of 1937, The Dowry Prohibition Act of 1961, to protect women and punishment is severe but the conviction rate of crime against women is very low in India.

• **Overworked**

Indian women work more than men of India but their work is hardly recognized as they
mainly do unskilled work. Their household chores is never counted as a work, if a woman is working in a field to help her husband it will also be not counted as a work. A study conducted by Mies in 1986 states that in Andhra Pradesh a woman works around 15 hours a day during the agricultural season whereas a male on an average works for around 7-8 hours.

**Lack of power** In India a large percentage of women do not have power. They cannot take decisions independently not even related to their own life. They have to take permission of male members for each and every issue. They don't have any say in important household matters and not in matter of their own marriage.

**Marriage**

The family mainly fixes the marriages in India. The scenario in villages is very bad. The girl is not consulted but is told to marry a guy whom her family has chosen for him. They are taught to abide by the whims and fancies of their husbands. Going against the wishes of husband is considered to be a sin. In marriage husband always has the upper hand. The groom and his parents show as if they are obliging the girl by marrying her and in return they demand hefty dowry.

**Dowry**

It's a serious issue. Courts are flooded with cases related to death due to dowry harassment by husband and in-laws. In ancient times women were given 'Stridhan' when they departed from the house of their parents. This amount of money was given to her as a gift which she can use on her and her children but her in-laws did not have any right on that amount. This amount was supposed to help the girl in time of need. Slowly this tradition became obligatory and took the form of dowry. Nowadays parents
have to give hefty amount in dowry, the in laws of their girl are not concerned whether they can afford it or not. If a girl brings large amount of dowry she is given respect and is treated well in her new home and if she does not bring dowry according to expectations of her in laws then she has to suffer harassment. Due to this evil practice many newly wed women of India have to lose their lives.

**Female infanticide/foeticide**

As women were supposed to be and in some areas of India are still considered to be curse by some strata of society their birth was taken as a burden. So in past times they were killed as soon as they were born. In some of the Rajput clans of Rajasthan newly born girl child was dropped in a large bowl of milk and was killed. Today with the help of technology the sex of the unborn baby is determined and if it is a girl child then it is aborted down. In all this procedure women do not have any say they have to do according to the wish of their husbands even if she does not want to abort she have any choice.

**Divorce**

The divorce rate in India is not so high compared to western countries but it does not mean that marriages are more successful here. The reason behind low level of divorce rate is that it is looked down by the society. It is regarded as the sign of failure of marriage, especially of women. She is treated as if she has committed some crime by divorcing her husband. In some communities like Muslims women did not have the right to divorce their husband they were divorced at just the pronouncement of " I divorce you" by their husband thrice and they could not do anything except to be the mute spectator. Recently Muslim Law Board has given right of divorce to women.
After divorce women is entitled to get her "Mehr" for herself and her children's sustenance. In Hindu society women get maintenance for themselves and their children after divorce.

2011 Study of status by country

In the 26 September, 2011 issue of Newsweek magazine a study was published on the status of women in countries around the world. The factors taken into account were legal justice, health and healthcare, education, economic opportunity, and political power. According to the study, the top 10 nations were:

Iceland , Sweden, Canada, Denmark, Finland, Switzerland, Norway, United States, Australia, Netherlands.

FINDINGS AND CONCLUSION

Through this research we have finded that as the time changes womens rights also have undergone a wide changes. Indian women have mastered anything and everything which a woman can dream of. But she still has to go a long way to achieve equal status in the minds of Indian men. With the changes in policies womens have become more powerful in various fields but crimes against womens have grown much with the increase in various rights of womens. Women are still treated , in some respects, in the same old way , yet the perception that Women are second to men has not been erased, Mushroom growth of crimes against Women have been seen , and also Women’s own perception is responsible for changing but not respectful status of Women in INDIA still lots of new
policies, and awareness is needed. Many new tribunals and public institutions are to be establish to guarantee women effective protection against discrimination.

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