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## THE STATUS OF WOMEN IN INDIA A SOCIO-LEGAL PERSPECTIVE

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**Abstract:** Women were worshipped as goddesses and enjoyed equal freedom with higher status in the society. The concept of democracy will only assume true and national legislation that are decided upon jointly by men and women in equitable regards for the interest and aptitudes of both halves of the population. Improvement in the status of women was a solemn pledge made by the founding father of constitution and accepted subsequently by the government from the very start of independent India.

Reservation is one of the measures taken so that women can come out of the shell and have equal opportunity to participate legislation itself cannot transform a society without the help of the supportive agency i.e. Judiciary. The Judicial Review, Judicial activism, social action litigation and duty of enforcement of fundamental rights which the superior court in India has evolved a gender jurisprudence which has given substance blood strengthening and life to the constitutional scheme of protective discrimination in favor of women. It is very much necessary to know your legal rights. The women need to sensitize that once violence begins it will not stop rather continue to escalate, if not protested timely.

**Introduction:** The importance of women has been bestly described by the ancient Sanskrit saying "Yatra Narayastu Pujyante Tatra Tistanti Devata" which means gods live there where woman are worshipped. Women are counted as shakti in Indian mythology. They are also the centre of Family organization in India and considered to be an incarnation of love, peace and security for its members. In Shrimad Bhagavad gita chapter 9 shloka 4 lord Krishna said to Arjuna "He is the father of all types of species that are born in the world " hence there must be any female feticide in the India.

Concept of ownership of land and property were developed with a desire to control women fertility and establish ownership over her reproductive power and her womb was a logically corollary. Within decline in status of women in family and society matriarchal society was replace by patriarchal. In the patriarchal family women were confined to four walls of home and their status declined to as secondary by men strengthened patriarchal values and gave religious sanction to subjugation to women .

**Sexual Violence in Conflict or custody:** Violence against women in police custody in common, and includes sexual violence, inappropriate surveillance, strip reaches conducted by men and demands for sexual acts in exchange of privileges of basic amenities.

**Dowry Murder:** Dowry murder is brutal practice where a woman is killed by her husband or relatives of husband, brother, sister, mother & father in law because her family cannot meet their demand of dowry.

**Traffic king in persons:** Between 0.5 to 2 million people are trafficked annually into situations including prostitution, forced labor, slavery, or servitude. The Indian Constitution is for welfare of women The constitution of India not only grants state to adopt measures of positive disconnection in

favor of women for neutralizing the cumulative socio-economic, education and political disadvantage faced by them Art. 39 of the constitution runs like a golden thread. Which provides that state shall in particular direct the policy towards the securing of adequate means of livelihood to men and women equally. It enunciates that there shall be equal pay for equal work for both men and women it direct that the health and strength of working men and women and that of teenagers should not be abused and that citizens should not be forced by economic necessity to enter avocation unsuited to their age or strength.

It has been obligated upon the state to move endeavors to secure just and human condition of work and maternity relief by Article 42 of the Indian constitution At the same time the constitution of India imposes fundamental duty upon every citizen of India to renounce practices derogatory to the dignity of women. To uphold the constitutional mandate, the state has enacted various legislative measures intended to ensure equal rights, to counter social discrimination and various forms of violence and atrocities and to provide support services especially to working women like sexual harassment (sec 509 IPC) Molestation (Sec 354 IPC), Immoral Traffic (Prevention) Act, 1956, The Maternity Benefit Act, 1961, (Amended in 1995), Dowry Prohibition Act 1961. The Equal Remuneration Act 1976 etc.

**Special Initiative for Women:**

1. **National commission for women:** It is established in Jan 1992, the goat has setup this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendment whenever necessary.
2. Reservation for women in local self government the 73<sup>rd</sup> constitutional amendment Act placed in 1992 by parliament ensure one third of total seats

of women in all elected offices in legal bodies whether in rural area or urban area.

3. The National plan of Action for the Girl Child (1991-2000). The plan of Action is to ensure survival, protection and development of the girl child with the ultimate object of building up a better future for the girl child.
4. National Policy for the Empowerment of women, 2001. The department of women and child development in the Ministry of human resource development has prepared a "National policy for the empowerment of women" in the year 2001. The goal of their policy is to bring about the advancement, development, and empowerment of women.

**Women and Sexual offences :** Rape is not a merely a physical assault but it is often destructive of the whole personality of the victim. The law besides terming sexual relationship of a man with a wife under the age of 18 as rape, also specifies under section 376(1) of Indian Penal code, that if a man commits sexual assault even on his wife, who is above 18 years age, shall be punished with imprisonment which may extend to three years and shall be liable for fine.

**Suggestions and Recommendations:**

1. Men must be encouraged to share domestic work with women to enable them to participate in activities outside their house to as to widen their horizons.
2. women must be made economically independent
3. Domestic labor of women should be considered

**References:**

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2. Shrimad Bhagavad Gita Chapter xiv shloka 4.
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4. Vishal Shrivastava, Analysis of National Policy for Women Empowerment; Human Rights International Research Journal : ISSN 2320-6942 Volume 2 Issue 1 (2014), Pg 150-154
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6. Jam Shilpi, Aggarwal Rohal, (2012), "Justifying women reservation with reference to India".

4. Media should give publicity to various provisions of enactment made whenever necessary.

**Conclusion:** Achieving the goal of equal participation of women and men in decision making will provide a balance that more accurately reflect the composition of the society which is needed in order to strengthen democracy active participation of women and the incorporation of women perspective at various levels of decision. Making it necessary without which the goals of equality, development and peace cannot be achieved at any level. Presently the women's are involved in local self government at gramsabha level for the post of sarpanch by the constitutional amendment that is panchyatraj institutions.

The constitution of India guarantees justice social economic and political. There are several provisions in the constitution to look into welfare of the women and to see their upliftment. Gender justice is integral to social justice. The human rights of the woman are grossly violated in many fields of life. Woman who since ancient ages were respected and worshipped as incarnation of "Shakti" are today victimized and their status have been sufficiently degraded. Justice Krishna Iyer has rightly said "Whatever the paramount parchment of the Constitution may intone, whatever the universal instruments may inscribe, we have miles to go and promises to keep if gender justice is not to be mere hope but sure hope" Thus necessary steps are required to make them aware of their rights to ensure their emancipation. there is an urgent need of change in our outlook towards women.

Nyaya Deep, Vol 12, Issue 4, Oct 2011 and vol xii, Issue I, Jan 2012. National legal service authority website www.nalsa.gov.in

7. Article 15(1) of the constitution of India prohibits the state from moving discrimination. "against any --- grounds only of religion, race, caste, sex, place of birth or any of them, but, clause (3) of Act 15 says : Nothing in Art 15(1) shall prevent the state from moving any special provision for women and children.
8. Prof R.N. Raigada women and the law problems and prospects, the bright law house Rohtak, 1<sup>st</sup> edition, 1996
9. See Art 243D(d); Constitution of India
10. Dr. Sukanta k Nanda, Law relating to Women and Children (Including Juvenile Justice), The Law House, Cuttack.

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