



INDIAN CONSTITUTION, WOMEN'S RIGHTS AND EMPOWERMENT: A GENDER PERSPECTIVE

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Abstract

According to the provisions of the Constitution of India, it is a legal point to grant equality to women in the society in all spheres just like male. The Department of Women and Child Development functions well in this field for the proper development of the women and child in India. Women are given a top place in India from the ancient time however they were not given empowerment to participate in all areas. They need to be strong, aware and alert every moment for their growth and development. The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favor of women. Within the framework of a democratic polity, our laws, development policies, Plans and programs have aimed at women's advancement in different spheres. India has also ratified various International Conventions and Human Rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in 1993. Women Empowerment can be referred to as strengthening the social, economic and educational status of women. It means creating an environment where there is no violence or gender discrimination and where women have equal rights in community, society and workplace. Today, there is a rape every 29 minutes, a case of molestation every 15 minutes and a dowry death every 4 hours. This is, inhuman for a nation that prides itself for all the dignity it gives to its women as part of its culture and traditions. Every woman has a right to live, and right to live with dignity and freely. In the present times, various crimes against women are prevalent in India, including be it domestic violence, cruelty, desertion, or stalking, rape, harassment, extortion or other crimes. Though we have laws protecting women in India yet, the women both in Urban and Rural India face constant threats both online and offline and continue to face discrimination or other unfair acts and crimes whether at home or at their workplace.

Key words: Constitution, Equality, Empowerment, Gender, Women

Introduction

Women empowerment is not limited to urban and even women in remote towns and villages are now increasingly making their voices heard loud and clear in society. While it is true that women, to a large extent, do not face discrimination in society today, unfortunately, many of them face exploitation and harassment which can be of diverse types: emotional, physical, mental and sexual. They are often subjected to rape, abuse and other forms of physical and intellectual violence. Women's empowerment in India is heavily dependent on many different variables that include geographical location (urban/rural), educational status, social status (caste and class), and age. Policies on women's empowerment exist at the national, state, and local (Panchayat) levels in many sectors, including health, education, economic opportunities, gender-based violence, and political participation. However, there are significant gaps between policy advancements and actual practice at the community level. One key factor for the gap in implementation of laws and policies¹ to address discrimination, economic disadvantages, and violence against women at the community level is the largely patriarchal structure that governs the community and households in much of India. As such, women and girls have restricted mobility, access to education, access to health facilities, and lower decision-making power, and experience higher rates of violence. Political participation is also hindered at the Panchayat (local governing bodies) level and at the state and national levels, despite existing reservations for women.² The impact of the patriarchal structure can be seen in rural and urban India, although women's empowerment in rural India is much less visible than in urban areas. This is of particular concern, since much of India is rural despite the high rate of urbanization and expansion of cities. Rural women, as opposed to women in urban settings, face inequality at much higher rates, and in all spheres of life. Urban women and, in particular, urban educated women enjoy relatively higher access to economic opportunities, health and education, and experience less domestic violence. Women (both urban and rural) who have some level of education have higher decision making power in the household and the community. Furthermore, the level of women's

1 The Constitution of India, arts. 14, 15, 16. 39(a), 39 (d); Commission of Sati (Prevention) Act, 1987 ; The Protection of Women from Domestic Violence Act, 2005.

2 The Constitution of India, arts. 243 D (3), 243 D (4), 243 T (3), 243 T (4)

education also has a direct implication on maternal mortality rates, and nutrition and health indicators among children.³

Among rural women, there are further divisions that hinder women's empowerment. The most notable ones are education levels and caste and class divisions. Women from lower castes (the scheduled castes, other backward castes, and tribal communities) are particularly vulnerable to maternal mortality and infant mortality. They are often unable to access health and educational services, lack decision-making power, and face higher levels of violence. Among women of lower caste and class, some level of education has shown to have a positive impact on women's empowerment indicators.⁴ Social divisions among urban women also have a similar impact on empowerment indicators. Upper class and educated women have better access to health, education, and economic opportunities, whereas lower class, less educated women in urban settings enjoy these rights significantly less. Due to rapid urbanization and lack of economic opportunities in other parts of the country, cities also house sprawling slum areas. Slums are informal sprawls, and most times lack basic services such as clean water, sanitation, and health facilities. Additionally, slum dwellers mostly work in unorganized and informal sectors, making them vulnerable to raids by the state, abuse by employers, and other forms of insecurity. Women and children in slums are among the most vulnerable to violence and abuse, and are deprived of their basic human rights. As a result of a vibrant women's movement in the last 50 years, policies to advance human rights for women in India are substantial and forward-thinking, such as the Domestic Violence Act (2005), and the 73rd and 74th Amendments to the Constitution that provide reservations for women to enter politics at the Panchayat level. There are multiple national and state level governmental and non-governmental mechanisms such as the Women's Commission to advance these policies, and the implementation of these policies is decentralized to state and district-level authorities and organizations that include local non-governmental organizations. The policy/practice gap in India cuts across all sectors and initiatives as a result of rampant corruption and lack of good governance practices. State-level governments claim a lack of resources, and the resources

3 NFHS-3 *available at* http://rchiips.org/nfhs/nfhs3_national_report.shtml (last visited on 10 November 2020).

4 Women's Empowerment and Demographic and Health Outcomes *available at* <http://www.measuredhs.com/pubs/pdf/FRIND3/14Chapter14.pdf> (last visited on 25 October 2020).

they do receive are highly susceptible to corruption. Financial corruption hinders the government's ability to invest in social capital, including initiatives to advance women's empowerment. Since the 1990's India has put in place processes and legislative acts such as the Right to Information Act (2005) for information disclosure to increase transparency and hold government officials accountable. Mistrust of political institutions and leaders remains high in the society with corruption and graft allegations often covering media headlines.⁵ In addition to corruption and inadequate resources for implementation of initiatives at the community level, women's empowerment in India is negatively impacted by the pervasive discrimination of women in the family and the community. Discrimination against women in most parts of India (particularly the north) emerges from the social and religious construct of women's role and their status. As such, in many parts of India, women are considered to be less than men, occupying a lower status in the family and community, which consequentially restricts equal opportunity in women and girls' access to education, economic possibilities, and mobility.

Discrimination also limits women's choices and freedom. These choices are further dependent on structural factors like caste and class. Empowerment for women in India requires a crosscutting approach and one which addresses the diversity of social structures that govern women's lives. Identity politics in India is a very critical political instrument, which is both used and abused throughout political and social institutions. There are numerous social movements fighting for the rights of the marginalized, such as the Dalit rights movement, the tribal rights movement, etc. These movements have achieved many gains in assuring representation of the traditionally marginalized communities into mainstream society. Women's rights within these movements are largely unarticulated and thus reinforce inequalities within the very structures from which they are demanding inclusion. Empowerment approaches for women therefore is not only about providing services, but also about recognizing their lived realities of multiple layers of discrimination that hinder their access to services. Similarly, access to education for girls in some of the northern states like Uttar Pradesh and Punjab does not only rely on proximity of schools. Access to education is part of a larger structural concern, including

5 Corruption and Economic Development *available at* <http://www1.worldbank.org/publicsector/anticorrupt/corruptn/cor02.htm> (last visited on 30 October 2020).

the practice of son preference, which creates inherent discriminatory practices. Education initiatives therefore cannot rely solely on building educational infrastructure, but also need to address some of the root causes of discrimination against women and girls which affect the decisions made by parents. Women's security, decision-making power, and mobility are three indicators for women's empowerment. In India, and more so for rural and less educated women, these three indicators are significantly low. Data from the NFHS-3 survey on women's decision-making power shows that only about one third of the women interviewed took decisions on their own regarding household issues and their health. Decision-making power among employed urban women was higher than among rural and less educated women. The survey also found that older married women had more decision-making power than the younger married women. Younger women and girls experience an additional layer of discrimination as a result of their age. Data on women's mobility in India indicates the lack of choices women have, and that urban and educated women have more mobility choices than rural women. The data shows that about half the women interviewed had the freedom to go to the market or a health facility alone. Seventy nine percent of urban women from the highest education brackets and only about 40 percent of rural women without education were allowed to go to the market alone. Mobility restrictions for women are dependent upon how the family and community view women's rights. They also, however, are intrinsically dependent on the prevailing levels of violence against women in the household and the community. Abuse and violence towards women is predominantly perpetrated within the household, and marital violence is among the most accepted by both men and women. Wife beating, slapping, rape, dowry related deaths, feudal violence towards tribal and lower caste women, trafficking, sexual abuse, and street violence permeate the Indian social fabric, and create one of the most serious obstacles in achieving women's empowerment. The gap in policy and practice in women's empowerment is most visible when it comes to the level and kinds of violence women face in India. Despite the policies, laws⁶, and initiatives by civil society institutions, violence against women in India is widespread and the consequences for perpetrators rarely match the crime. Enforcement of laws and sentencing of perpetrators are long and arduous processes, and the gaps in these processes are further widened by corruption. Another gap in implementing laws and

6 The Protection of Women from Domestic Violence Act, 2005; The Indian Penal Code, 1860 (Act 45 of 1860), s.375.

policies on violence against women is the inaccessibility of information on victims' rights among rural and less educated women. Additionally, social stigma and the fear of abandonment by the family play a big role in women and girls' ability or inability to access laws and policies to address sexual and physical violence.

Gender

The word gender describes the socially-constructed roles and responsibilities that societies consider appropriate for men and women. Gender equality means that men and women have equal power and equal opportunities for financial independence, education, and personal development. Women's empowerment is a critical aspect of achieving gender equality. It includes increasing a woman's sense of self-worth, her decision-making power, her access to opportunities and resources, her power and control over her own life inside and outside the home, and her ability to effect change. Yet gender issues are not focused on women alone, but on the relationship between men and women in society. The actions and attitudes of men and boys play an essential role in achieving gender equality.

Gender inequality

Gender inequality is the main social issue in India in which women are getting back in the male dominated country. Women empowerment needs to take a high speed in this country to equalize the value of both genders. Uplifting of women in all means should be the utmost priority of the nation. Inequalities between men and women in the society generate lots of problems which become a big obstruction in the way to success of nation. It is the birth rights of the women to get equal value to the men in the society. To really bring empowerment, every woman needs to be aware about their rights from their own end. They need to take positive steps and involve in every activities instead of only involving in the household chores and family responsibilities. They should know about all the happenings in their surroundings and country. Gender equality these days seems like a distant sight. While progress has been made, there is a worrying story in numbers from groups like UN Women. More than 2 billion women lack the same work opportunities as men. It would take approximately a century to close the global pay gap at the current rate. Although sex trafficking affects men and women, women and girls make up over 70 per cent

of the victims of trafficking of human beings worldwide.⁷ Gender equality needs to be a priority in the face of that data. Women, if given equal opportunity, can play a major role in enhancing a country's overall development. The principle of equality has been embodied in our constitution as a symbol to denote the laws which are made for the citizen to have the power of this democratic India. In an incredibly diverse society like India, where for every wrong there is a law set which describes the values like social justice, equality, liberty and fraternity cultivated by the Constitution act as the binding force. The Indian legal executive has been working on these matters and keeps on maintaining these guiding principles for the aggregate headway of the general public and guaranteeing equity to each person.

Women's empowerment

Women's empowerment is the process of empowering women.⁸ Empowerment can be defined in many ways, however, when talking about women's empowerment, empowerment means accepting and allowing people (women) who are on the outside of the decision-making process into it. Women's empowerment is the most crucial point to be noted for the overall development of a country. Many celebrities are all for girl power. "This puts a strong emphasis on participation in political structures and formal decision-making and, in the economic sphere, on the ability to obtain an income that enables participation in economic decision-making."⁹ Empowerment is the process that creates power in individuals over their own lives, society, and in their communities. People are empowered when they are able to access the opportunities available to them without limitations and restrictions such as in education, profession and lifestyle. Feeling entitled to make your own decisions creates a sense of empowerment. Empowerment includes the action of raising the status of women through education, raising awareness, literacy, and training and also gives training related

7 10 Facts about Human Trafficking, *available at*: <https://www.humanrightscareers.com/issues/facts-human-trafficking/> (last visited on 12 October 2020).

8 Naila Kabeer, "Gender equality and women's empowerment: A critical analysis o the third millennium development goal" 13-24 (Gender and Development 2005).

9 Aminur Rahman, "Women's Empowerment: Concept and Beyond" (PDF). 13 *Global Journal of Human Social Science Sociology and Culture*. 9. Archived (PDF) from the original on 10 August 2017. Retrieved 11 December 2018. (2013)

to defence ourself. Women's empowerment is all about equipping and allowing women to make life-determining decisions through the different problems in society.¹⁰ Alternatively, it is the process for women to redefine gender roles that allows them to acquire the ability to choose between known alternatives that have otherwise been restricted from such ability. There are several principles defining women's empowerment such as, for one to be empowered, they must come from a position of disempowerment. For example: A stripper no longer has to take off her clothes to get money and now is a receptionist for a respectable company. Empowerment stems from self respect. Furthermore, one must acquire empowerment themselves rather than have it given to them by an external party. Other studies have found that empowerment definitions entail people having the capability to make important decisions in their lives while also being able to act on them. Lastly, empowerment and disempowerment is relative to other at a previous time; therefore, empowerment is a process, not a product.¹¹ Women empowerment has become a significant topic of discussion in development and economics. It can also point to the approaches regarding other trivialized genders in a particular political or social context.¹² Women's economic empowerment refers to the ability for women to enjoy their right to control and benefit from the resources, assets, income and their own time, as well as the ability to manage risk and improve their economic status and well being.¹³

While often interchangeably used, the more comprehensive concept of gender empowerment refers to people of any gender, stressing the distinction between biological and gender as a role. Entire nations, businesses, communities and groups can benefit from the

10 Sarah Mosedale, "Assessing women's empowerment: towards a conceptual framework". 17 *Journal of International Development*. 243–257 (2015)

11 Endalcachew Bayeh, "The role of empowering women and achieving gender equality to the sustainable development of Ethiopia". 2 *Pacific Science Review B: Humanities and Social Sciences*.38 (2016)

12 Sally Baden, Anne Marie Goet *et al.*, "Who Needs (Sex) When You Can Have (Gender)? Conflicting Discourses on Gender at Beijing". 56 *Feminist Review*. 3–25. (1997).

13 Oxfam's Conceptual Framework on Women's Economic Empowerment available at <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/620269/gt-framework-womens-economic-empowerment-180118-en.pdf?sequence=7> (last visited on 2 November 2020).

implementation of programs and policies that adopt the notion of women empowerment.¹⁴ Empowerment of women is a necessity for the very development of a society, since it enhances both the quality and the quantity of human resources available for development.¹⁵ Empowerment is one of the main procedural concerns when addressing human rights and development. Gender parity implies that distinct aspirations, needs and behaviours of men and women are valued, favored and considered justly. It does not mean that they both will become identical, but that their duties, opportunities and rights won't rely on if they were born female or male. All United Nations Member States adopted it as one of the Sustainable Development Goals in 2015 as a global effort towards ending poverty, ensuring that all people enjoy peace and prosperity and protecting the planet by 2030.¹⁶ While the world has accomplished improvement heading for women's empowerment and gender parity, girls and women persist to undergo injustice and cruelty throughout the world. India has some of the highest rates of birth discrimination with respect to sex. The startling ratio of 918 girls to 1,000 boys according to Census (2011) prompted the Central Government to deliver the "Beti Bachao, Beti Padhao"¹⁷ initiative to administer the girl child with security, health and education.¹⁸ Throughout every point of their life, women face gender inequality. Hence, the Indian Constitution provides for provisions to combat Gender Inequality.

The Indian Constitution enshrines the proposition of gender parity in its Directive Principles, Fundamental Duties, the Preamble, and Fundamental Rights. Not just does the Indian Constitution guarantee

14 Séverine Deneulin, Lila Shahani, (eds.) *"An Introduction to the Human Development and Capability Approach: Freedom and Agency"* 302-329 (Earthscan, London, 2009).

15 Kamla Gupta, P. Princy Yesudian, *et al.*, "Evidence of women's empowerment in India: a study of socio-spatial disparities". 65 *GeoJournal*. 365-380. (2006).

16 Goal 5: Achieve gender equality and empower all women and girls, *available at*: <https://www.un.org/sustainabledevelopment/gender-equality/> (last visited on 8 October 2020).

17 Beti Bachao, Beti Padhao: Caring for the Girl Child, *available at*: https://www.pmindia.gov.in/en/government_tr_rec/beti-bachao-beti-padhao-caring-for-the-girl-child/ (last visited on 12 October 2020).

18 Sex Ratio in India, *available at*: <https://www.census2011.co.in/sexratio.php> (last visited on 12 October 2020).

women equal rights, but it also authorizes the Centre to take effective inequity actions in support of women. Our laws, growth approach, schemes and initiatives have been aimed at benefitting women in various areas within the context of an egalitarian polity. The Central Government has also endorsed plentiful international treaties and agreements on human rights, dedicated to ensuring equal protection for women. But very few people are aware of these provisions. It is very necessary for everyone to know their rights and remedies in case of violation of the same, especially for those who are exploited. The Indian Constitution enshrines the proposition of gender parity in its Directive Principles, Fundamental Duties, the Preamble, and Fundamental Rights. Not just does the Indian Constitution guarantee women equal rights, but it also authorizes the Centre to take effective inequity actions in support of women. Empowering women is the main motto of the development department because an empowered mother with child makes the bright future of any nation. India is a very famous country known for its cultural heritage, traditions, civilization, religion and geographical features from the ancient time. On the other hand, it is also popular as a male chauvinistic nation. Women are given first priority in India however on the other hand they were badly treated in the family and society. They were limited only for the household chores or understand the responsibility of home and family members. They were kept totally unaware of their rights and own development. People of India used to say this country as "Bharat-Mata" however never realized the true meaning of it. Bharat-Mata means a mother of every Indian whom we have to save and care always.

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favor of women. Within the framework of a democratic polity, our laws, development policies, Plans and programs have aimed at women's advancement in different spheres. India has also ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in 1993.

1. Constitutional Provisions

The Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favor

of women for neutralizing the cumulative socio economic, education and political disadvantages faced by them. Fundamental Rights, among others, ensure equality before the law and equal protection of law; prohibits discrimination against any citizen on grounds of religion, race, caste, sex or place of birth, and guarantee equality of opportunity to all citizens in matters relating to employment. Articles 14, 15, 15(3), 16, 39(a), 39(b), 39(c) and 42 of the Constitution are of specific importance in this regard.

Article 14: It mandates the State to not refuse to any individual, parity before the law or the impartial safeguard of the laws within the country of India. The "equality before the law" process discovers a spot in all penned documents that ensures universal rights that all people, regardless of birth, ethnicity, gender or race, are alike before the law. "Equal protection of laws" means impartial safeguard of laws for every individual within the region of India.

Article 15(1): It mandates the State to not segregate towards any person on the sole basis of sex, ethnicity, race, nationality, caste, or any of them.

Article 15(3): It mandates the State to prepare some special arrangement to benefit children and women. So, it declares that even though the state won't segregate anybody, they can make exclusive provisions just for children and women for securing their stakes. At the other hand,

Article 15(3) supports discussions at promoting women and children by laws such as Children's Sexual Harassment Act, the Domestic Violence Act, Workplace Harassment Law, Sexual Abuse Legislation (Nirbhaya Act), the Amendment to the Hindu Succession Act, and so on. This also tackles restrictions on wife's allowance, marital rape, Food Protection Bill restrictions, etc.

Article 16: It mandates equal opportunity for all in events concerned to education or allotment to any office within the State for all people. Article 16(1) and (2) lay down guidelines concerning equal opportunities for public-sector jobs. Nevertheless, it is specified in Article 16, Clause 3, that the said article shall nowhere preclude Parliament from passing any legislation establishing any provision of residency within that State or territory of the Union to people appointed to any office within that State, prior to recruitment or allotment to any office within that State. Article 16(4) of the Indian Constitution requires that facilities be reserved for the benefit of the deprived class of people within the State.

Article 39(a): It mandates the State to aim its approach against equally reserving the right to a decent medium of living for men and women.

Article 39(d): It mandates the State to ensure equal wages for men and women for equal work. Our Constitution does not expressly recognize the “fair pay for fair work” principle a civil right, but definitely, it is a constitutional goal. According to it, the provision of the Directive declaring “fair pay for equal work” implies same wages for both genders for equal work for each and as between the sexes.

Article 39A: Promoting justice, on an equal opportunity basis and offering free legal assistance by effective law or scheme or in some other way to assure that favorable circumstances for accessing justice are not denied to any person due to monetary or other limitations.

Article 42: It mandates the State to provide for the arrangement of fair and reasonable working conditions and maternity assistance.

Article 46: It mandates the State to publicize the academic and monetary concerns of Scheduled Castes, Scheduled Tribes and other backward classes. It also guides the State to publicize with great effort, the academic and monetary concerns of the backward classes of the population, and in great of the Scheduled Tribes and Scheduled Castes, and must preserve them against societal maltreatment and all aspects of oppression.

Article 47: The State will improve the people’s degree of living conditions and nutrition. It defines the Government’s primary responsibilities, which is the most critical item for social change purposes. It applies to health care, the aged, enhancing job standards, safeguarding justice raises the duties of the Government.

Article 51(A)(e): Promoting solidarity and the nature of mutual friendship among all the country’s people, and disavowing acts defamatory to women’s dignity.

Article 243 D(3): More than or equal to one-third (including those of the number of seats reserved for women who belong to the Scheduled Tribes and Scheduled Castes) of the maximum number of seats to be held by open voting in each Panchayat to be reserved for women and to be allocation such seats to be done by succession to separate constituencies within a Panchayat.

Article 243 D(4): More than or equivalent to one-third of the total number of jobs to be reserved for women for Administrators for each tier in the Panchayats.

Article 243 T(3): More than or equal to one-third (inclusive of the proportion of seats reserved for women who belong to the Scheduled Tribes and Scheduled Castes) of the maximum number of seats to be held by open voting in each municipality to be reserved for women and allocated by succession to separate constituencies in a municipality for these seats.

Article 243 T(4): The allocation of administrator posts for Scheduled Tribes, Women and Scheduled Castes in Municipalities in a way that a house of a State can provide by statute.¹⁹

2. Legal Provisions

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. Although women may be victims of any of the crimes such as 'Murder', 'Robbery', 'Cheating' etc, the crimes, which are directed specifically against women, are characterized as 'Crime against Women'. These are broadly classified under two categories.

(A) The Crimes Identified Under the Indian Penal Code (IPC) (i) Rape (Sec. 376 IPC) (ii) Kidnapping and Abduction for different purposes (Sec. 363-373) (iii) Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC) (iv) Torture, both mental and physical (Sec. 498-A IPC) (v) Molestation (Sec. 354 IPC) (vi) Sexual Harassment (Sec. 509 IPC) (vii) Importation of girls (up to 21 years of age)

(B) The Crimes identified under the Special Laws (SLL) Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with the emerging requirements. Some acts have special provisions to safeguard women and their interests like

- The Family Courts Act, 1954
- The Special Marriage Act, 1954
- The Hindu Marriage Act, 1955
- The Hindu Succession Act, 1956 with amendment in 2005
- Immoral Traffic (Prevention) Act, 1956
- The Maternity Benefit Act, 1961 (Amended in 2017)
- Dowry Prohibition Act, 1961

¹⁹ The Constitution of India, 1950.

- The Medical Termination of Pregnancy Act, 1971 (Amended in 2020)
- The Contract Labour (Regulation and Abolition) Act, 1976
- The Equal Remuneration Act, 1976
- The Indecent Representation OF Women (Prohibition) Act 1986
- The Prohibition of Child Marriage Act, 2006
- The Criminal Law (Amendment) Act, 1983
- Indecent Representation of Women (Prohibition) Act, 1986
- Commission of Sati (Prevention) Act, 1987
- The Protection of Women from Domestic Violence Act, 2005
- The Sexual Harassment OF Women at Workplace Act 2013
- Assisted Reproductive Technology Bill, 2013 (Amended in 2020)
- The Surrogacy (Regulation) Bill, 2016 (Amended in 2019)

3. Special Initiatives For Women

- (i) National Commission for Women: In January 1992, the Government set-up 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 amendments wherever necessary, etc.
- (ii) Reservation for Women in Local Self -Government: The 73rd Constitutional Amendment Acts passed in 1992 by Parliament ensure one-third of the total seats for women in all elected offices in local bodies whether in rural areas or urban areas.
- (iii) 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 objective of building up a better future for the girl child. National Policy for Children-2013 was adopted by the Government of India on 26th April 2013. National Plan of Action for Children 2016 is in Draft Format.
- (iv) 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 this policy is to bring about the advancement, development and empowerment of women. National Policy for the Empowerment of Women, 2016 is under draft stage.

Conclusion

The most famous pearl of wisdom said by the Pandit Jawaharlal Nehru is to awaken the people; it is the women who must be awakened. Once she is on the move, the family moves, the village moves, the nation moves. In India, to empower the women, first it needs to kill all the demons killing women's rights and values in the society such as dowry system, illiteracy, sexual harassment, inequality, female infanticide and domestic violence against women, rape, prostitution, illegal trafficking and other issues. Gender discrimination in the nation brings cultural, social, economic and educational differences which push country back. The most effective remedy to kill such devils is making women empowered by ensuring the Right to Equality mentioned in the Article 14, Constitution of India. According to the provisions of the Constitution of India, it is a legal point to grant equality to women in the society in all spheres just like males have. The Women are given a top place in India from the ancient time however they were not given empowerment to participate in all areas. They need to be strong, aware and alert every moment for their growth and development. Empowering women is the main motto of the development department because an empowered mother with child makes the bright future of any nation. The Empowerment of Women has become one of the most important concerns of 21st century not only at national level but also at the international level. Women Empowerment helps to make the society and world a better place to live in and march forward on way to inclusive participation. It means increase happiness for the family and the organizations where women make a difference. Government initiatives alone would not be sufficient to achieve this goal. Society must take initiative to create a climate in which there is no gender discrimination and women have full opportunities of self decision making and participating in social, political and economic life of the country with a sense of equality. Women empowerment will be real and effective only when they are endowed income and property so that they may stand on their feet and build up their identity in the society. Let us take the oath that we want an egalitarian society where everybody whether men or women get the equal opportunity to express and uplift one's well being and well being of the society as whole. If we want to bring about women empowerment in the true sense, there is a crying need for the elimination of the male superiority and patriarchal mindset. Also, women need to be given equal opportunities for education and employment without any sense of discrimination.

Our visionary ancestors easily gave us the different social orders on the planet needed to battle and shed blood for the citizens who are suffering from these equality crisis. For instance, the Indian Constitution gives us the privilege to cast a ballot similarly paying little mind to sex with dissimilar to numerous dynamic western nations where ladies needed to fight against to get this right. They ensured that the new India will be free from the dull shadows of the past. Not only against the women in the society but also against the men has gender equality taken place. There are men advocacy group who complains against the legislation that makes laws for discriminating by making special laws and provisions for women. There are activist petition that shows there is no evidence to prove that the domestic violence faced by men is less than that faced by women. The rights of equality should be granted not only to the women but certain laws should be made to protect the men against violence. Muhammad Ali Jinnah once said " There are two powers in the world, one is the sword and other is the pen. There is a great competition between the two. There is a third power stronger than both that of women" How true lines are these, Women are really very strong and they are showing their capabilities in each sector of life but still a safe atmosphere is needed for them in many places so that they can shine ever. Some statutory acts are required to save women at public places so that they should feel safe at night and at midnight also. There should not be any gender gap in any job or in any sector. A concept of gender equality will be proved when gender globe will be balanced with equal number of men and women. Government action with public support is required to fulfill this dream.

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