

Women Empowerment in India: Current Status in the light of various Laws, Policies and Government Initiatives

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Abstract: The quality of any nation depends upon the quality of its people and members of all the genders constitute its population. So for any developing nation it is imperative that all of its population contribute towards its progress. But in India, women have been given a secondary status which is reflected in almost all aspects i.e. economic, social, political, educational and personal. A country can never develop if it keeps half of its population lagging behind. Thus women empowerment becomes a crying need of the time. Empowering women means upliftment of their economic, social and political status. It entails enhancing their feeling of self-worth, their ability to make their own decisions, and their rights to influence social change. Although, since independence various major steps have been taken for the empowerment of women by the government, but the status of women in Indian society has not changed significantly. This paper critically investigates the status of Indian women on the basis of reviewing secondary sources such as various journals, report of Government organizations, articles and websites. The paper explores women empowerment in India, including constitutional safeguards, government policies and programs.

Keywords: Education, Gender Equality, Laws, Policies, Women Empowerment.

INTRODUCTION

Looking at the history of human civilization, globally or nationally, one can easily say that out of all the deprived groups, women have suffered the most and are still in the vulnerable state in most parts of the world. Their sufferings are not limited to any culture, region or religion. They suffer abuse, molestation, assault, rape, starvation, ill-treatment and many more. People of diverse cultures, races, languages and religions live in India, but the issues faced by the women in every society remain the same. Indian women being a part of this diversity face variety of challenges, only the aspect, extent and intensity varies from one state to another, from one community to another and from one area to another. Friedrich Engels, a great German philosopher and social scientist in his classical writing "Origin of the Family, Private Property and the State" says, "Woman was the first human being that tasted bondage. Woman was a slave before slavery existed".^[1]

We are living in 21st century, the time in which every sector of life is progressing. The rate of development is high and we have moved towards global citizenship. The barrier of geographical as well as social boundaries have been dropped. There have been advancement in almost all sectors including technology, science, education, culture, internet, medicines, and artificial intelligence to mention a few. But pathetically condition of women globally or nationally has remain the same. They are still beaten, killed, raped and tortured.

Apart from these major problems there are issues that don't even catch everyone's attention like restriction on using phones, on choosing their profession or outfits, their consent on the matters of marriage or reproducing offspring. Freedom of movement in society, travelling and healthy diet are other matters of grave concern where women are deprived. In a nutshell, they are enslaved by societal dogmas and confront a variety of unique challenges throughout their lives.

In order to fight, cope-up and sustain with the problems as mentioned, empowerment of women is the only way out in all walks of life. To quote APJ KALAM here, "Empowering women is a prerequisite for creating a good nation, when women are empowered, society with stability is assured. Empowerment of women is essential as their value system leads to the development of a good family, society and ultimately a good nation".^[2]

OBJECTIVES OF THE STUDY

Taking the above scenario as a context of pondering on the issues encountered by the women and to seek the solutions, thereof the researcher has intended to carry out a small research work in the form of this paper. For this purpose the following objectives have been formulated:

To study the concept of Women Empowerment.
To study the need of Women Empowerment in present situation.

¹ Quoted in Obhan, A. & Patodia, V. "India: Women Centric Changes in Indian Law." *Mondaq* (2019).

² Quoted in Ahmed, K.A. "5 Quotes that prove Dr. Kalam was the Feminist India Needed." *BeBeautiful* (2015).

To study various laws, policies and Government's initiatives for Women Empowerment.

To find out the current status of Indian Women.

To provide suggestions in the light of Findings.

METHODOLOGY

In order to carry out the research work taken in hand the data in the form of, articles, journals, news, and websites will be collected from the primary and secondary sources available.

Concept of Women Empowerment

Empowerment is the process of becoming confident and believing in one's potential to govern one's life and assert one's rights (Bhat, 2019).^[3] In this sense women empowerment means improving women's position in society's power structure. When a woman has the right and ability to make and influence decisions, she is said to be empowered. She needs to be powerful economically, socially, and politically. Women must be politically empowered in order for the country to thrive holistically.

In the words of Ganta, S., (2018) "Women empowerment means women are able to have control over their resources".^[4] Thus empowering women means giving them the power to have control over their resources, including the ability to learn new skills, travel, contribute to the benefits of their work, and have their unpaid housework valued and appreciated. If we consider broader spectrum of the concept of women empowerment, we find women empowerment as developing a sense of self-worth, a belief in one's ability to secure desired changes and the right to control one's life, (United Nations Development Fund for Women).^[5]

In addition to the above, Banashri Mandal, (2018) in her paper about women in 21st century describes various aspects of women empowerment as:

Economic Empowerment: to improve women's economic access to resources and opportunities.

Political Empowerment: to secure women's equitable involvement in the political process and public life at all levels.

Educational Empowerment: to give them the kind of education that make them aware and give them confidence to solve life's problems.

Social Empowerment: to improve women's social interactions, their status in society, and to eliminate social prejudice.

Health Empowerment: to ensure good health of women both physical and mental.

Legal Empowerment: to inform women of the civil rights and exercising the legal rights whenever necessary.^[6]

Need for Women Empowerment

The issue of Women Empowerment arose in India as a result of gender inequality and male dominance. Gender equality is directly linked with human development both socially and economically. The need of women empowerment is crucial in India not only for the development of women but also for the general issues of health, better child education, better per capita income, speedy economic growth and increased human competition. Gender equality and women's economic empowerment is considered essential for the achievement of the UN's 2030 Agenda's main objective which is inclusive and sustainable development around the world (World Economic Forum). According to a widely referenced McKinsey Global Institute report, eliminating gender discrimination in labor-force by 2025 would add around 12-25 percent to global GDP.^[7]

Legal and Constitutional Provisions for Women in India

Legal Provisions

The crimes identified under the Indian Penal code (IPC):^[8]

Rape (Sec.376 IPC)

Kidnapping & Abduction for different purposes (Sec. 363-373)

Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC)

Torture, both mental and physical (Sec. 498-A IPC)

Molestation (Sec. 354 IPC)

Sexual Harassment (Sec. 509 IPC)

Importation of girls (up to 21 years of age)

³ Bhat, A.R. "A Study on Financial Inclusion through Business Correspondents Model Contributing to Empowerment of Women." *Doctoral Thesis, Pondicherry University* (2019).

⁴ Ganta, S. "Empowerment of Scheduled Caste Women Labour in Agriculture Sector: A Comparative Study of Srikakulam and East Godavari districts of Andhra Pradesh, India." *Doctoral Thesis, Andhra University* (2018).

⁵ Singh, S. & Singh, A. "Women Empowerment in India: A Critical Analysis." *Tathapi (UGCCare Journal)* 19.44 (2020): 227-253.

⁶ Mandal, B. "A Study on Women Empowerment in 21st Century." *International Journal of Research and Analytical Reviews* 5.3 (2018).

⁷ Tyson, L.D. & Klugman, J. "Women's Economic Empowerment is the Smart Thing to do, What's Stopping Us?." *World Economic Forum*.

⁸ The Indian Penal Code

The Crimes identified under the Special Laws (SLL):^[9]

The Hindu Widow Re-Marriage Act of 1856
 The Child Marriage Restraint Act of 1929
 The Hindu Women's Right to Property Act of 1937
 The Hindu Marriage Act of 1955
 The Hindu Succession Act of 1956
 The suppression of Immoral Traffic in Women and Girls Act of 1956-57
 The Dowry Prohibition Act 1961
 The Maternity Benefit Act, 1961
 The Medical termination of Pregnancy Act, 1971
 The Equal Remuneration Act, 1976
 The Commission of Sati (Prevention) Act, 1987
 The Pre-Conception & Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994
 The Prohibition of Child Marriage Act, 2006
 The Sexual Harassment of Women at Work Place (Prevention, Protection and) Act, 2013
 Juvenile Justice Act (Care and Protection of Children), 2015: 2.
 The Muslim Women (Protection of Rights on Marriage) Act, 2019.

Constitutional Provisions^[10]

Various constitutions articles like 14, 15(1) (3), 16(1), 21, 39(a) (d), 42, 51(A) (e), 243(D) (2) (3) (4), 243(T) (3) (4) and many more, protect the rights of women for freedom, equality, citizenship, employment, no discrimination, proper work conditions, maternity leave, reservation, safety and security. But unfortunately, these rights are seldom used by women. In most of the cases women are deprived of these rights.

Special Initiatives for Women^[11]

One cannot deny the fact that government of India has tried to drift the gap of injustice and gender discrimination time to time after independence through various laws and principles, but has failed in making them practically applicable. Some of the special initiatives taken by the government of India are being mentioned below:

STEP (Support to Training and Employment Program for Women) (1986-87)
 National Commission for Women (1992)
 National Policy for the Empowerment of Women, 2001

⁹ Khandelwal, R. "Change in Law with Respect to Women." *Legal Service India E-Journal*.

¹⁰ The Constitution Of India [As on 26th November, 2021]

¹¹ Khandelwal, R. "Change in Law with Respect to Women." *Legal Service India E-Journal*

Beti Bachao Beti Padhao Scheme (2015)
 One Stop Centre Scheme (2015)
 Women Helpline Scheme (2015)
 Swadhar Greh (2015)
 Mahila E-Haat (2016)
 Mahila Police Volunteers (2016)
 Pradhan Mantri Ujjwala Yojna (2016)
 Working Women Hostel Scheme (2017)

Current Status of Women in India

Another fact that cannot be overlooked is that, despite of all the issues, Indian women are growing steadily in a variety of fields, including science, politics, business, medical, sports, and agriculture.

In 2019, two women scientists from ISRO, headed the country's second lunar mission Chandrayaan-2, and accomplished it successfully (Surendra Singh, 2019).^[12] In 2019, P.V. Sindhu won a gold medal in the Badminton World Championships, and became the first Indian to do so. In 2021, Gita Gopinath was appointed as the IMF's (International Monetary Fund) first Deputy Managing Director. Harnaaz Sandhu became the Miss Universe in 2021. Neena Gupta, became the third woman and fourth Indian to receive the prestigious 2021, Ramanujan Prize for young mathematicians from developing countries.^[13] Other notable Indian women in past years include Falguni Nayar (founder of Nykaa), Divya Gokulnath (co-founder of Byju's), Mirabai Chanu (silver medal in Olympics weightlifting, 2020) to name a few.

Status of Indian Women according to National Family Health Survey-5 (2019-2021)^[14]

Major findings (NFHS-5) show impressive improvements in women's education and sanitation, but major issues like, economic condition, violence etc. still need improvement.

According to NFHS-5 following are the Improvements in Women's Status

The percentage of women who has achieved more than 10 years of school education has increased by 5.5%.

The gender divide between men and women with 10 years of school education has narrowed to 8% from 11.5% in the year 2015.

¹² Singh, S. "Chandrayaan-2: India's 1st Space Mission Being Led by Women Scientists." *Times of India* (2019).

¹³ Manoj, A.R. "12 Incredible Women Who Made 2021 Their Year, Making India Proud." *The Better India* (2021).

¹⁴ Tandon, A. & Kansal, V. "What does NFHS-5 Data tell us about Women Empowerment in India?." *India Development Review* (2021).

The percentage of women who use hygienic menstruation procedures has risen from 60 to 78 percent.

The birth sex ratio presently is 942 females per 1,000 males, which is an improvement.

India has achieved great progress in the overall sex ratio. Now we have 1,020 women for every 1,000 men, which was 991 in 2015-16.

Since 2015, women's economic engagement, such as having bank account and mobile phone ownership, have increased by 28 and 10 percentage points, respectively.

The percentage of married women employed and being paid, has improved only 2 percent and remain at 28%.

Participation in household decisions has increased from 85% in 2015.

Following are some of the Recently Developed Challenges/Problems before Women in India (NFHS-5):

Land or homeownership among women has decreased in 11 of 22 states.

The percentage of women under the age of 18 who marry is close to 30%, which is similar to 2015.

Domestic violence trends are also holding steady, with about one-third of women reporting having been subjected to physical or sexual assault by their partners.

During the pandemic period spousal violence has increased around 60% between November 2019 and 2020.

Despite advances in modern family planning methods, women continue to account for more than 60% of overall contraception use.

Problems Reported by Other Sources

India has slid 28 places to 140th out of 156 nations in the World Economic Forum's Global Gender Gap Report 2021, giving it the third-worst performer in South Asia. **(The Hindu)**^[15]

The International Labour Organization's (ILO) Global Wage Report 2018-19 says that, in gender wage gap, women in India are paid 34% less than men. **(Gk Today)**^[16]

Crime against women (IPC+SLL) 2017-2019. ^[17]

Particulars	2017	2018	2019
Total State(s)	345989	363776	391601
Total UT(s)	13860	14460	14260
Total All India	359849	378236	405861

(Source: National Crime Records Bureau)

According to the National Crime Records Bureau, a number of 371,503 incidences of crimes against women were reported across the country in the year 2020. **(Hindustan Times)**^[18]

According to the National Crime Records Bureau, 28,046 rape cases were reported in the country in 2020. **(The leaflet)**^[20]

According to NCRB data the rate of arrests against rapes and crime against women has risen from 27% in 2019 to 37% in 2020. **(The leaflet)**

According to the NSO (National Statistical Office) survey 2017-18, in every state of India, the literacy rate is higher in male than female. The overall literacy rate is 84.7 percent in male and 70.3 percent the female. **(Hindustan Times)**^[21]

Role of Education in Empowering Women

In a general notion education is widely regarded as the most powerful weapon for women empowerment in society. It makes women aware about their rights, duties and potential. As a result women try to improve their situation in all aspects such as personal, economic, social and cultural. Through education women have been inspired to cross the border of their household and to indulge in social matters. Industrial revolution and technological advancements have opened vast opportunities of employment for women. Women today are playing significant roles as policy makers, business persons, scientists, lawyers, bankers, doctors and educationists, to mention a few only due to their movements towards higher education.

Suggestions for Better Steps/Move

Going through the problems/challenges/issues and policies/possibilities as mentioned in the foregoing paragraphs, one may suggest a few steps in order

¹⁵ The Hindu. "WEF's Gender Gap Index: India Slips 28 Places, Ranks 140 among 156 Countries." (2021).

¹⁶ G.K. Today. "Gender Wage Gap Highest in India, Women are Paid 34% Less than Men: ILO." (2018).

¹⁷ Ministry of Health and Family Welfare. "Crime against Women." (2019).

¹⁸ Murali, M. "More Than 370,000 Cases of Crimes Against Women Reported In 2020, Says Govt." *Hindustan Times* (2021).

²⁰ Ishwari, P. "How to Read the Latest Crime against Women Data?" *The Leaflet* (2021).

²¹ Nandini. "International literacy day 2020: Kerala most literate state in India, check rank-wise list." *Hindustan Times* (2020).

to cope with the emerging trend/situations/status of women in India.

It is necessary to organize awareness campaigns to raise knowledge, and educate people about the availability of support services for women.

Special focused attention must be drawn to women's education and skill development programs.

To combat the predominant ill-situations of violation of law for women in society, strong administrative and strict actions are desired in harness.

Strict disciplinary actions must be taken against those who hinders women to work for livelihood and better standards of living.

They should be paid fairly and given equal opportunities to work alongside men in order to improve their standing in society.

Friendly policies, such as flexible work alternatives and paid maternity leave, should be in place to recruit and retain female workers.

Governments must invest more money in creating more advantageous and sensitive environment for women.

CONCLUSION

From the discussion above it is evident that women empowerment is more than a phrase. It is a must for the optimal growth of a family, society, nation, and a sustainable planet. This article discussed government laws, policies and programs, as well as the reports of various agencies relating to women. Their analysis shows that there is an improvement in reaching gender parity in the categories of birth ratio and educational attainment, as well as improvements in political engagement, sanitation, and hygiene. However, there is a falling trend in economic participation and opportunity, as well as health and domestic violence. The data shows that the condition of women had worsened during lockdown period. Thus there is a need to reevaluate the policies and procedures with more focus on ground level work. More emphasis should be given to skill development, equitable economic opportunities and healthcare for empowering women.

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