

## **PROJECT ON STATUS OF WOMEN IN MORDERN INDIA**

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### **INTRODUCTION**

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 time 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 office in India including that of the president, Prime Minister, Speaker of the Lok Sabha and leader of the Opposition. However, women in India generally are still exposed to numerous social issues. According to a global study conducted by Thomson Reuters, India is the “fourth most dangerous country” in the world for women.

Traditionally, an Indian woman had four fold status-role sequences. These were her role as a daughter, wife, housewife (homemaker), and mother.

The woman, whose status and role traditionally was well defined and almost fixed in the society, is now experiencing far-reaching changes.

The woman in modern times is entering into certain new fields that were unknown to the woman’s sphere of role-sets. They are actively participating in social, economic, and political activities. The women of the present generation have generally received higher education than the women of their preceding generation. There have been far reaching consequences in the economic status of their families.

### **HISTORY**

#### **Status of women in ancient India:-**

The position of women in ancient India was vital. They used to take important decisions and were also allowed to choose their own husbands through the ancient system of “Swayamvara”. A women in the ancient society in India was respected and was given due importance in the society. The Vedas finds importance of the women philosopher and intellectuals of the vedic period. In the vedic period, Women education in ancient India was

prevalent.

Status of Indian Women began to change radically during the modern period. Historically the period after 1750 A.D is known as the modern period.

The status of Indian women during this period can be divided into two stages:

(a) Status of women during the British rule in India.

(b) The status of women in post independent India.

(a) Status of women During the British Rule:

After the fall of the Mughal Empire at the decisive Battle of Plassey (1775 A.D) the British people established their complete political supremacy over the Indian people. During the British rule, a number of changes were made in the economic and social structures of our society.

Though the quality of life of women during this period remained more or less the same, some substantial progress was achieved in eliminating inequalities between men and women in education, employment, social right and so on. Some social evils such as child marriage, sati system, devadasi system, purdah system, prohibition of widow remarriage etc., which were a great hurdle in the path of women's progress were either controlled or removed by suitable legislation. After the lapse of several centuries for the first time some attempts were made all India bases to tackle the problems that confronted women. Social reformers with patriotic spirit on the one hand and the British Government on the other together took several measures to improve the status of women and to remove some of their disabilities.

(a) **The status of women in post independent India:**

The status of Indian women has radically changed since independence. Both the structural and cultural changes provided equality of opportunities to women in education, employment and political participation. With the help of these changes, exploitation of women, to a great extent was reduced. More freedom and better orientation were provided to the women's organization to pursue their interest. The centuries of slavery were over. Today women want equality, education and recognition. The advancement of women is the most significant fact of modern India. Gandhiji once said "woman is the noblest of God's creation, supreme in her

own sphere of activity.” These words are blossoming now.

In the National movement, hundreds and thousands of women shed their veils and left their sheltered homes to work side by side with the man. In free India, the status of women has undergone profound changes. Remarkable progress has been achieved in the field of administration, science and technology, sports, education, literature, music, painting and other fine arts.

## **NATIONAL LAWS**

### **1. Constitutional provision and legislation in support of women's cause:**

The constitution of India has greatly enhanced the status of Indian women by throwing upon them all its series on equal terms with men. All the men and women of India are equally entitled for individual freedom, fundamental rights including the right to participate in social, cultural, religious, educational, economic and political activities. The constitution provides for equality of sex and offers protection to women against exploitation. It has given the voting right to women and in no way treats women as second grade citizens.

Social legislation safeguarding women's interest:

The Government of Independent India undertook a number of legislative measures to safeguard the interests of women.

Some of them are discussed here:

#### **(i) The Hindu Marriage Act, 1955:**

It prohibits polygyny, polyandry and child marriage and concedes equal rights to women to divorce and to remarry.

#### **(ii) The Hindu succession Act, 1956:**

It provides the right to parental property for women.

#### **(iii) The Hindu Adoption and Maintenance Act, 1956:**

The act gives a childless woman the right to adopt a child and to claim maintenance from the husband if she is divorced by him.

**(iv) The special Marriage Act, 1954:**

It provides rights to women on par with men for inter-caste marriage, love marriage and registered marriage. The Act has also fixed the minimum age of marriage at 21 for males and 18 for females.

**(v) The dowry prohibition Act, 1961:**

It declares the taking of dowry an unlawful activity and thereby prevents the exploitation of women.

**(vi) Other legislations:****(a) The suppression of immoral Traffic of women and Girls Act 1956:**

It provides protection to women from being kidnapped or compelled to become prostitute.

**(b) The Medical Termination of Pregnancy: Act 1971:**

It legalizes abortion conceding the right of a woman to go for abortion on ground of physical and mental health.

**(c) The criminal Law Amendment Act 1983:**

It seeks to stop various types of crimes against women.

**(d) The Family Court Act 1984:**

It seeks to provide justice to women who get involved in family disputes.

**CASES****Stop Acid attacks, regulate and restrict the sale of acid: Laxmi v. Union of India**

**Judgements-:** On account of increase in number of acid attacks on women in the past few years, Supreme Court in order to curb these gave directions to Home Secretary, Ministry of Home Affairs associating the Secretary, Ministry of Chemical & Fertilizers to convene a meeting of the Chief Secretaries/concerned Secretaries of the State Governments and the Administrators of the Union Territories to curb and restrict the sale of acid throughout the country.

Acid attacks on women and girls in 2013 and 2014 have been 56 and 47 in number respectively as per the statistics of acid survivors' organization. Acid attack on a women is equal to taking away her identity from her and such rampant increase in this heinous crime was leading to terror amongst women and Supreme Court took a vital step and certainly led to the empowerment of women to an extent and was an important step towards the safety of women in country.

**Unwed mothers need not name the child's father: *ABC v. The State (NCT of Delhi)***

**Judgements-:** Supreme Court in this latest and landmark judgment declared that now, an unwed mother is not bound to disclose the name of child's father and also, she would have all the rights as a guardian to child under guardianship rights. She need not take father's consent for guardianship rights. Not only it was necessary to protect the child from social stigma but, also to protect mother's fundamental right. It was certainly an avant-garde verdict on gender quality.

The Court emphasized that Section 6(b) of the Hindu Minority and Guardianship Act, 1956 makes specific provisions with respect to natural guardians of illegitimate children, and in this regard gives primacy to the mother over the father. Mohammedan law too accords the custody of illegitimate children to the mother and her relations. Name of father is always a myth while it is only mother whose name the person can always be sure of because she gave birth to him/her. This is one of the reasons why a mother should be given primacy or at least equality to exercise guardianship rights over the child. This judgment is evident of the fact that the highest court of land is deeply indulged in empowering women because it is the key to Nation's development.

**Living under the same roof, you are married under law: *Dhannulal and ors. V. Ganeshram and ors.***

**Judgements-:** In this case, it was held by the division bench that continuous cohabitation of a couple together that is, 'live-in relationship' would raise the presumption of marriage unless otherwise proven. This was a case regarding the dispute for the property that their grandfather possessed would also be inherited by the woman with whom he lived for 20 years or not as she was not his legally wedded wife. The appellants referred to her as his 'mistress' but, not wife. The woman clearly failed to prove that she was the legally wedded wife of deceased

but, the bench still held that she was eligible to inherit the property.

Supreme Court in this case decided to take a step to change such orthodox notions and gave women their right to choose whether to marry or not.

## **VIEWS**

### **Women in the field of Education:**

After Independence, women of India took to education in a relatively large number. For example in 1901, the literary level of the females in India was just 0.6%, it increased to 39.42% in 1991 and to 64.1 in 2001. Various benefits such as free-ship, scholarship, loan facility, hostel facility etc are being given to women who go for higher education in many towns and cities, educational institutions meant only for female children have been established.

The educational performance of girl students particularly at high school and college level is proving to be better than that of boys especially after 1980. We have today some universities exclusively meant for women. Example- SNDT university for women (poona) (ii) Padmavathi University for women (Terupati), Mother Teresa University for women (Kodai Kenal, Tamilnadu) Sri Avinashi lingam Homes Science college for Women (Deemed University, Coimbatore.) Girls' students are getting admitted on merit basis to the prestigious engineering and medical colleges in a relatively bigger number during the recent years.

The contribution of women for developing various languages cannot be ignored. Mahadvi Verma and Subhadra Kumari Chauhan are well known for Hindi writings, Amrita Pritam has enriched Punjabi language with her works. Kuntala Kumari Sabat has enriched Oriya literature, many women writers have been awarded prize by the Sahitya Academy and other organisations. There are hundreds of women editors, journalists and columnists in the land who are performing meritorious services.

### **Women in Economic and Employment Fields:**

In both villages and cities there has been a remarkable increase in the number of women going out of the four walls of the household and becoming workers. In the "employment market" they are successfully competing with the men folk, In every field, the number of women employees is steadily increasing since 1991, though in a smaller number, women are

getting recruited into the Army force, Air force and Naval force also.

Employment has given women economic independence and the feeling of importance. They now feel that they can stand on their own and look after the entire family by themselves. This has boosted their self-pride and self-confidence. Employment provision has made them to feel that they need not live as parasites on their men folk. In order to give protection to the economic interests and rights of the women folk the government has undertaken various socio economic legislations, which cover areas such as rights to property or inheritance, equal wages, working conditions, maternity benefit and job security.

**Examples:**

(i) The Maternity Benefit Act 1961:

It gives maternity benefits such as 3 months leaves with salary to the married women workers during pregnancy stage.

(ii) The Equal Remuneration Act 1976:

It removes wage discrimination between male and female workers.

(iii) The Factories Amendment Act 1976:

It deals with working laws, weekly rest, standards of cleanliness, ventilation, first aid facilities rest rooms etc. The legislation also provides for establishing of crèches for children of working women, separate toilets for females and lays down a maximum of 9 hours of work a day for women.

**Women in the Political Field:**

The Indian constitution has provided women two important political rights female enfranchisement and eligibility for the legislature. After the independence, the number of women voters and women representatives in Assemblies and parliament has increased sufficiently. In central cabinet and at the level of state cabinet we find some ministerial portfolios being headed by women.

The Late Raj Kumari Amit Kaur was a minister in the first central cabinet of free India. Sucheta Kripalini had successfully fulfilled her responsibilities of Uttar Pradesh so as Padmaja Naidu as the Governor of West Bengal. Smt Nadini Satpathy of Orissa state was

also one of the able chief Ministers. The nation witnessed in Smt. Indira Gandhi, one of the powerful prime ministers who gave her leadership to the country for more than a decade.

Honourable president Mrs Pratiba Patil, is holding the most important and dignified post of our country at present. In 1992, an amendment (73rd) was brought to the constitution according to which one-third of the seats were reserved for women at the panchayat level. There are many women Members and chairmen of local bodies and legislatures.

### **Women in the sports Field:**

In the world of sports, Arati Saha won the swimming champion by swimming the English channels. In other items of sports also such as high jump, long-jump, running race etc. women of India take sufficient drive and initiative. P.T. Usha has achieved remarkable success in the field of sports and games.

Besides, in the sphere of science, pure and applied, women are also not lagging behind men. No one can ignore the services rendered by women in the realm of music, painting and other fine arts. So India can be reasonably proud of the success achieved by her women in every sphere of human activity.

However, it is a matter of sorry state that though the status of women has been raised under the law, in practice they continue to suffer from discrimination, harassment and humiliation. The experience shows that men's tyrannical hegemony is over whelming strong deep-rooted to allow for any change in the status of women. In most of the homes, male children are still being preferred to female children. It appears that the societal approach towards women, their role and status has not radically

### **CONCLUSION**

If we really want to see India in future as a country which is economically enriched, politically equipped, socially developed and culturally distinguished, then definitely we have to give women a leg up in all their respective spheres of activity. Dr Radhakrishnan the Late President of India, once said" The progress of our land towards our goal of democratic socialism cannot be achieved without the active participation of our mothers wives, sisters and daughters.

The Supreme Court has understood the very fact that women empowerment is the most

indispensable route to Country's development and cannot be ignored except at the stake of country's deterioration. If almost half of the population of country is suppressed and inactive, then, it is obviously foolish on the part of us to think that the country will ever develop in the next few centuries also. Therefore, the court is trying its best to break and do away with all such traditional norms that look down upon women, has given judgments to prevent violence against women and to put them equally as men in the society.

### **REFERENCES**

- Laxmi vs. Union of India & Ors. [Writ Petition (C) No.129 of 2006]
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