



Empowering Women: Legal Safeguards and Policy Frameworks

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Abstract

India's distinctive national identity is profoundly shaped by the esteemed position accorded to women throughout its history. Since the Vedic era, Indian society has cultivated a legacy of female empowerment, exemplified by learned scholars like Gargi and Anusuya. This tradition persisted through subsequent epochs, with luminaries such as Ahilyabai Holkar, Rani Lakshmibai, Sucheta Kripalani, Vijayalakshmi Pandit, and Indira Gandhi emerging as iconic figures who have significantly contributed to the nation's progress.

Historical evidence consistently demonstrates that women have possessed intellectual capacity, energy, and efficiency on par with men. Nevertheless, their contributions to society have been disproportionately low relative to their population percentage. A primary factor contributing to this disparity is the imposition of various restrictions on women since the post-Vedic era. Pernicious societal practices such as dowry, female infanticide, child marriage, illiteracy, and gender inequality have significantly impeded women's progress and potential, resulting in their marginalization and subjugation to men.

Prior to independence, the subordinate status of women was a recognized concern. Numerous initiatives and policies were conceived to elevate women's position within society, yet their implementation fell short of intended objectives.

Post-independence India has enacted a series of legislative measures, anchored in the Constitution, aimed at elevating the status of women. While these legal frameworks have undeniably contributed to progress, the challenges persisting in women's empowerment necessitated the implementation of comprehensive government schemes. These initiatives have been instrumental in advancing women's status both within domestic and societal spheres. The consequent economic and social empowerment of women is indicative of India's trajectory towards a progressive and developed future. This paper is an attempt to examine the efficacy of government schemes, policies, and programs designed to foster women's empowerment.

Key Words: Women Empowerment, Women's Legal Rights, Gender Inequality, Government Schemes.

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DOI: 10.46333/ijtc/13/1/12

PAPER/ARTICLE INFO

RECEIVED ON: 28/04/2024

ACCEPTED ON: 03/06/2024

Reference to this paper
should be made as follows:

Agarwal, Brijesh Kumar & Sharma, Swati (2024), "Empowering Women: Legal Safeguards and Policy Frameworks", *Int. J. of Trade and Commerce-IIARTC*, Vol. 13, No. 1, pp: 191-198.

1. INTRODUCTION

Human life began as a simple form and evolved into complex societies over time. These societies are made up of interconnected parts, including economics, politics, geography, religion, science, and social structures, which work together to create a balanced system.

Achieving a harmonious equilibrium among the diverse facets of human life is imperative for national development. Moreover, effective coordination among the constituent elements within each of these facets is equally crucial.

The Indian social fabric is intricately woven from four primary constituents: **family, society, state, and nation**. The family serves as the foundational unit, upon which the edifice of society is constructed. In turn, societies coalesce to form the state, with multiple states constituting the nation. While the family represents the smallest component of this hierarchical structure, its significance is paramount. Akin to the roots of a tree, the family provides the essential support system for the entire social organism.

The family unit constitutes a foundational cornerstone in nation-building. Optimal familial contribution to societal development is contingent upon its equilibrium. As the primary social institution composed of male and female partners, the family's efficacy is intrinsically linked to the strength and balance of these two pillars "Men and Women".

A historical analysis of women's status in India reveals a complex trajectory. While Vedic scriptures portray women in positions of prominence and autonomy, subsequent eras, including the post-Vedic, Mughal, and post-Mughal periods, witnessed a progressive erosion of women's rights and status. This decline manifested in various domains, such as education, economic independence, and social standing. Consequently, women were subjected to a multitude of oppressive practices, including child marriage, dowry, sati, sexual violence, and gender inequality. Such systemic discrimination marginalized women and relegated them to an exploited stratum of society.

The enduring marginalization of women has had profound and deleterious consequences for society. As a fundamental building block of the family unit, women's empowerment is inextricably linked to societal and national progress. The weakening of one pillar of the family inevitably undermines the strength of the entire structure, hindering the development of a robust and thriving nation.

A substantial body of legislation, policy, and programmatic initiatives has been enacted to address the disadvantaged position of women. While these measures have yielded positive outcomes for women, their impact has been insufficient to achieve the desired level of gender equality.

Post-independence India witnessed a heightened emphasis on elevating the status of women. Concurrent with legislative and policy reforms, a segment of the populace actively engaged in public awareness campaigns to advance women's rights. Pandit Jawaharlal Nehru articulated this imperative succinctly, asserting, "To rouse a people, it is essential to rouse women. Once they are aroused, the family moves forward, the village moves forward, and the nation progresses."

A growing societal consciousness regarding the imperative of women's empowerment emerged over time. Subsequent to independence, the nation enacted a series of laws and policies aimed at elevating women's status. While these legislative measures were instrumental in advancing

women's rights and creating a more equitable society, they represented merely a foundational step.

Contemporary efforts toward women's empowerment continue to evolve, manifesting in new laws, policies, and initiatives. These endeavours have collectively fortified the position of women across diverse domains. The contributions of women have become increasingly prominent in social, economic, political, and scientific spheres.

2. MEANING OF WOMEN EMPOWERMENT

Before delving into the complexities of women's empowerment, it is imperative to establish a clear understanding of empowerment itself. Empowerment can be defined as the process of enhancing an individual's capacity to make informed decisions and exercise control over their life. In the context of women, empowerment refers to the process of equipping women with the necessary resources, skills, and confidence to make autonomous choices about their lives. This entails liberation from traditional gender roles and societal constraints that have historically limited women's opportunities and potential. Empowerment in the status of women will be able to make them more organized and stronger in the society.

3. NEED FOR WOMEN EMPOWERMENT

A strong and balanced family unit constitutes the bedrock of a robust society, which in turn serves as the cornerstone of national development. Women, as integral pillars of the family, play a pivotal role in fostering this equilibrium. Consequently, the empowerment and well-being of women are indispensable for achieving substantial societal and national progress.

Sri Sri Ravi Shankar says, *"If women have to get rid of social inequality, domestic violence, atrocities and economic dependency, then women empowerment is very much needed for this."* If half of the population in India does not get its rights, then its ill effects will start appearing, which will also be difficult to prevent. Therefore, at present, special attention is being given to women empowerment. The beginning of women empowerment is considered by the United Nations on 8 March 1975 as **International Women's Day**. The Government of India adopted the Women Welfare Policy in 1953 to remove gender-based discrimination in the society. Women empowerment is necessary for the development of India.

4. VARIOUS POLICIES, SCHEMES AND PROGRAMS RELATED TO WOMEN EMPOWERMENT

Population can become a powerful resource for any country if it is included as a productive element in the development of the country. But 50% of the population of India is not able to achieve the target of women empowerment. Percentage of share which is shared by women, if this 50% indifference towards percentage remains, then India will not be able to move forward on the path of development and progress. To move ahead rapidly in the world, one has to be full of power; and the attainment of this full power is not possible without the empowerment of women. Today, the government of the country has understood this very well. From time to time, the Government of India is creating and running many schemes, policies and programs, so that women can get empowerment, in all areas, whether it is financial sector or social sector, every effort is being made to ensure that women get equality.

The schemes and policies initiated by the Government of India to give equality and empowerment to women and the rights given to women are described as follows-

4.1 Rights Given for Women Empowerment

'The National Commission for Women' was established by an Act of Parliament in 1990 to protect the rights and legal entitlements of women.

4.1.1 Right to Equal Pay

The Constitution of India follows the principle of gender equality. There will be no discrimination in salary and wages for the same work on the basis of gender. According to the Equal Remuneration Act, equal salary and wages will be given for equal work. There will be no discrimination on the basis of gender. The Constitution of India gives women the right to equal salary and wages for equal work.

4.1.2 Right Against Female Foeticide

"Right to live" is the fundamental right of every citizen of the country. Women should not be deprived of their fundamental rights but by female foeticide, a woman is being deprived of her fundamental right to live. The government has enacted the Prohibition of *Sex Selection Act* before conception and delivery, so that female foeticide can be stopped. This Act gives rights against female foeticide.

4.1.3 Right to Dignity and Decency

In case a woman is the accused, the medical examination process will be done in the presence of a woman and by a woman only. This right provides protection to women for their dignity and decency.

4.1.4 Laws Against Harassment in the Workplace

Women have been given the full right to lodge a complaint against sexual harassment at the workplace. The central government has also made some new rules in this law, now if a complaint of sexual harassment is lodged against a female employee, if the investigation is pending, then she will be given 90 days of cash leave.

4.1.5 Right to Property

Both men and women will have equal rights on ancestral property. This rule has been made under the Hindu Succession Act.

4.1.6 Right Against Domestic Violence

A wife, woman, live-in partner or a woman living in a house has the right to raise her voice against domestic violence under section 498 of the Indian Constitution. The accused can be sentenced to 3 years of non-bailable imprisonment or may have to pay a fine.

4.1.7 Right to Anonymity

If a woman is a victim of sexual harassment, she can record her statement before the District Judge alone. She can give her statement in the presence of a woman police officer.

4.1.8 Regarding Arrest of Women at Night

Women cannot be arrested at night. No woman accused can be arrested after sunset and before sunrise. Even in extreme cases where a woman needs to be detained at night, a female police officer must make the arrest and first receive approval from a “first-class local judicial magistrate”.

4.1.9 Right to Free Legal Aid

As per the **Legal Services Authority Act**, a rape victim has the right to free legal advice.

4.1.10 Right to Lodge Virtual Complaint

A woman can send her complaint by e-mail or by letter to the police station with registered postal address.

4.1.11 Cannot Stalk a Woman

Any person stalking a woman, contacting her despite repeated refusals, or monitoring her through any technology will be prosecuted under section 354K of the Indian Penal Code.

4.1.12 Using Indecent Language

It is a punishable offence to make any indecent, derogatory remarks or to depict the form or any part of the body of a woman in a manner likely to corrupt public morals.

4.1.13 Right to Zero FIR

A woman can go to any police station and file an FIR for the crime committed against her, it is not necessary that she goes to the same police station where the incident took place. Later the Zero FIR will be sent to the same police station where the crime took place.

4.1.14 73th and 74th Amendment (1993)

Provision has been made for reservation of seats for women in the elections of local bodies of Panchayats and Municipalities. This will help in creating a strong base for the local development of women.

4.2 Government Schemes/Policies for Women

The Indian Government has made many laws as well as many schemes for women empowerment. In India, these schemes have been started by the "*Ministry of Women and Child Development*".

4.2.1 Beti Bachao Beti Padhao Scheme

This scheme was started on 22 January 2015. This scheme has been started especially for the upliftment of girls. The slogan “Save the Girl Child” was given, which was aimed to secure the life of girls and improve their future. This scheme is a joint initiative of the Ministry of Women and Child Development, Ministry of Health, Ministry of Family Welfare and Human Resource Development.

4.2.2 Sukanya Samriddhi Yojana

Sukanya Samriddhi Yojana is about opening an account in a bank (government, private) or post office by the parents of a girl child. This account will be opened in the name of the child but if the

age of the girl child is less than 10 years, then the account can be opened in the name of the parents. The maximum amount deposited under this scheme is Rs 1,50,000. 8.5 per quarter Percentage of interest is received. This money can be used for the girl's future.

4.2.3 Pradhan Mantri Ujjwala Yojana

Pradhan Mantri Ujjwala Yojana was started on 1 May 2016 in Ballia, Uttar Pradesh. Under this scheme, LPG cylinders have been provided to families whose financial condition is not good. So far, crores of housewives have benefited from it. Pradhan Mantri Ujjwala Yojana is one of the most successful schemes of the country.

4.2.4 Working Women Hostel Scheme

Under this scheme, hostels are to be constructed for women in rural, semi -urban and urban areas where there is employment. Women who are undergoing training for employment can also stay in the hostel under this scheme, but if a woman earns more than Rs 50,000 then she is not eligible to get benefits under this scheme.

4.2.5 Swadhar Grah Yojana

Under this scheme, married women who have been abandoned by their husbands, women who have survived a natural disaster, those who do not have any financial support and trafficked girls will be helped. Under the Swadhar Greh Yojana, such women are provided with food, clothing, shelter and other basic necessities. Emotional support is also provided to these women and girls who are going through difficult times in life. The government wants to build at least one Swadhar Greh in every district.

4.2.6 Rashtriya Mahila Kosh Yojana

For the economic self-reliance of women, a body has been established by the government for Rashtriya Mahila Kosh or National Credit Fund Scheme. Under this scheme, financial assistance is provided to women. Women who do not work in the regular sector are helped under this scheme. The government gives small loans to women who are eligible for this scheme so that they can use it as per their convenience and make their lives financially self-reliant.

4.2.7 Pradhan Mantri Matru Vandana Yojana

Based on the idea of "a healthy mother and healthy child", this scheme is for those pregnant women who are about to give birth to a child or are breastfeeding the child. A woman should take proper diet before and after giving birth to the child, mother and child should not be deprived of proper diet and care due to financial constraints, for this purpose, under Pradhan Mantri Matru Vandana Yojana, eligible women are given a total incentive amount of Rs 5000 in three installments.

4.2.8 Nand Ghar Yojana

Nand Ghar Yojana provides assistance to empower women belonging to rural areas. Abandoned children and women are helped under this scheme. In Nand Ghar Yojana, the deprived are kept at one place by taking care of education, primary health, nutrition. The aim of this scheme is to build 4000 Nand Ghar in the country, so that children and women abandoned by family and society can be helped.



4.2.9 Prime Minister's Free Sewing Machine Scheme

This scheme, implemented in the year 2022, has been created to provide free sewing machines to economically weaker women and working women. Through this scheme, those women who are financially weak will be able to support their families. Interested women will have to apply and if eligible, they will be given the benefit of this scheme. Women in the age group of 20 to 40 years can apply in it. The central government wants to give the benefit of this scheme to more than 50,000 women in each state.

4.2.10 One Stop Centre Scheme

One Stop Centre Scheme was implemented from 1 April 2015. Under this scheme, women affected by violence in both private and public places will be provided integrated help and support (such as legal aid and counselling, medical, police facility, psychosocial counselling, temporary shelter) under one roof. This scheme has been launched under the Nirbhaya scheme. Funding will be announced through the fund.

4.2.11 Sabla Yojana

The Government of India started the "Kishori Sashaktikaran Yojana" in 2000-2001, which was implemented in the whole of India on 1 April 2011 the Ministry of Women and Child Development, Government of India in the name of "Sabla Yojana". Its financial management is done by the central government. The objective of this scheme is to make the adolescent girls self-reliant and empower them by providing them health and nutrition.

4.2.12 Uttar Pradesh Mahila Samathrya Yojana 2022

This scheme by the Uttar Pradesh government is an effort to improve the standard of living of the women of the state. Under this scheme, small scale, micro and household industries are to be operated using local resources to motivate women for employment. The government helps women in employment by providing them market for the crops and finished goods produced by them. The government has given a budget of Rs. 200 crores for this scheme. Two committees will work under this scheme, which will be at the district level and state level.

5. ASSISTANCE FOR TRAINING AND EMPLOYMENT PROGRAM

Ministry of Women and Child Development has been running the Training and Employment Program Scheme for women since 1986-1987. Under this scheme, women are to be provided such skills that can provide them employment. Such capacity and skills are to be developed in women that they can become self-employed and entrepreneurs. The objective of this scheme is to provide training in skills like agriculture, horticulture, sewing, embroidery, zari, handloom, handicrafts, computer etc. to women above the age of 16 years. In December 2014, some amendments were made in the guidelines of this scheme. The objective of this scheme is to provide training to 500 million people by 2022.

6. CONCLUSION

The basis of India's strength is Indian women, who are half of the country's population. Be it the daily chores of the family or the work of running the country, women are proving their energy, ability, intelligence, efficiency in all fields, but the economic and social condition of women in the

country is still not as strong as it needs to be. 50% of the country's population is women. Despite the percentage, the involvement in the work sector is less than that of men. Illiteracy, gender inequality, poverty, etc. are many such problems due to which the condition of women is pitiable. To improve this condition, the Government of India has made many schemes, policies and programs which are capable of improving the social and economic condition of women. These schemes implemented by the Government of India are encouraging women empowerment. Due to which Indian women are moving towards development with their full potential in the society and which is like a step towards a strong and happy future of Indian women.

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