

LEGALFOXES LAW TIMES

WOMEN EMPOWERMENT

By Yashika

INTRODUCTION

Empowering women is still a major task and will take many more upcoming years. It is said that now women have gained liberty equal to men. But it is still a fact still 1 out of every 3 women are not empowered. The only reason behind, is the lack of awareness about rights and the modes of earning. The people had a view that females are only to be caged inside the house. They think that if she would go out of the house she would be a victim of a crime, while some people think that if the ladies of their house are empowered it would hurt their ego.

WHAT IS EMPOWERMENT?

Empowerment is the freedom to earn, taking independent decisions, and enjoying all the opportunities available to them without any boundaries. And when it comes to empowering the female counterparts it becomes women empowerment. It is widening the area of female household headship.

SOCIETAL CHANGE IF WOMEN ARE EMPOWERED

When women will start working shoulder to shoulder with men she would no more depend upon anyone for money. Even she would be able to lessen the burden of earning her family earning hands. When two opposite genders would start working in different spheres this would yield new innovative ideas and new ways of managing things. When both the genders would start earning it would assist in eradicating poverty. The jobs which require care the most can be best managed by females than males, which have been proven in research as the women is accustomed to the unpaid care and domestic work. And in India, most of the occupation is of farming and domestic work, which requires utmost care. Another change that would occur in

society is the reduction in the number of honour killings. So, one's these girls would become independent of the family instead of thinking that it's their right to kill them but would think that it's their right to give birth.

REASONS WHICH COMPELS AN EMPOWERED WOMEN TO FEEL THAT SHE IS STILL NOT EMPOWERED

The major reason behind this is often the male dominating society. The male ego is at such a peak that he can never tolerate a female overcoming him. And if a man wants his wife to help him in earning then he fears that the society would think of him as an incapable, using his wife for earning. If sometimes a female colleague gains a position higher than her male colleague, then she becomes a victim of harassment at the workplace. And when it comes to a family, if a wife earns more than her husband she needs to tolerate the abuses that can be mental, physical, verbal, or cultural. Furthermore, if a girl wants to possess an equal share in her father's property then she is abstained from doing so saying that the males have complete rights of inheritance over the property of the father. So, the reason through which we came across clearly tells that the male-dominated society with its old customs empowers the women only by name. The society is two-faced on the one side it says that there should be no discrimination but when a girl decides to marry a guy of lower caste then her family members either kills her or asks her to break up with them.

LEADING CASES

*** *Mary Roy v. The State of Kerala AIR 1011, 1986 SCR (1) 371***

In this case, a woman from the Syrian Christian Community in Kerala was prevented from inheriting property due to patriarchal traditions. After her father's death, she filed a complaint against her elder brother. The plea was rejected by the lower court but in 1986 the Supreme Court delivered a landmark judgment that granted Syrian Christian women the proper to have an equal share in their father's property.

*** *Lata Singh vs. State of U.P. & Another ((2006) 5 SCC 475)***

Lata Singh, an adult girl decided to marry a boy of a lower caste. Her unhappy brother filed a missing complaint, and alleged Lata had been abducted. As a result, three people from her husband's family were arrested. To get the charges dropped, Lata Singh filed a petition which resulted in the landmark judgment by the Supreme Court that allowed an adult woman the right to marry or live with anyone of her choice. The court further ordered that the police should initiate criminal action against people who commit violence against those who decide on inter-religious marriages.

MEASURES

- To overcome such cases, The Parliament of India has enacted various bills and acts and the rights which empower women are defined in the constitution of India. Moreover, the government has set up specialized bodies that give an update to the government on all women related issues.

Constitutional Privilege

- **Article 14** – equality before law. The state shall not deny to a person equality before law.
- **Article 15**-prohibits discrimination on grounds of religion, race, caste, sex or place of birth.
- **Article 16**- equality of opportunity in matters of public employment.
- **Article 19(1) (g)** - all citizens shall have right to practice any profession, or to carry on any occupation, trade or business.
- **Article 21**- states protection of life and personal liberty.
- **Article 39(a)** – defines that the citizens, men and women equally have the right to an adequate livelihood.
- **Article 39(d)**-that there's equal pay for equal work for both men and ladies.
- **Article 42**- states for just and humane conditions of labor and maternity life.
- **Article 51A(e)**- to renounce practices derogatory to the dignity of women.

Legal Provisions

The following are some acts and bills enacted by parliament to assist women in attaining her rights.

- Sexual harassment of women at work place act,2013- This act was enacted in order to provide safe working environment.
- Daughter's right in Hindu Succession act, 2005 – This act was enacted to provide daughters equal right to coparceners.
- Protection of women from domestic violent act, 2005.
- The National Commission for women act,1990 – government has setup a body that takes suo motto notice of matters relating to deprivation of women rights.

Initiatives undertaken By the Government

1.Mahila E-haat – It is a kind of Digital India initiative which is made to support women entrepreneurs to showcase their products and services.

2. BetiPadhaoBetiBachao- “BetiPadhaoBetiBachao” to bring women adequate to men. Through this campaign, the females are educated about their rights and it aims to generate awareness to improve the efficiency of welfare services intended for girls in India.

3. One-Stop Centre Scheme - This scheme was started with a nirbhaya friend to provide legal and medical help along with shelter to victims of violence under one roof integrated with 24 – Hour helpline.

4. Working women Hostels – These hostels are set up in areas where working women exist to provide safe daycare facilities for their kids.

5. SwadharGreh – It was the scheme started by the union ministry of women and child development for the rehabilitation of women in difficult circumstances.

6.STEP– The Support to Training and Employment Programme forWomen (STEP) Scheme aims to provide skills that make a woman self-employed.

7. PMKVY Yojana – The objective of this scheme is to provide industry-based skill training to the majority of the populace so that they can start their own small scale business. Through this women can experience secure and better livelihood.

HOW TO SECURE THEIR RIGHTS?

Though there are various provisions made under law in the form of various acts when a woman is a victim of any of the crime that restraints her liberty and she approaches the police officials for help then she is asked to take compensation for such offenses. Especially in those cases when the accused background is from a political party. In such cases, the police cops accept bribes and do not file the complaints. This makes women feel that their rights are only in name. Is it so? No, the rights of the women are not only in the name they can be achieved through many other ways. Many alternative dispute resolution bodies have been set up to assist women in distress. The injured party can approach women courts which are run by women-led non-profit governmental organizations where the victim can air out their hesitation and can get their issues resolved. In case, if they approach the police and find them non-cooperative then according to section-164 of the Indian Penal Code, 1860 the victim can complain before the local magistrate who will direct the police to work. And in case if the fundamental rights are violated then the injured party can directly approach the supreme court under article 32 and the high court under article 226 of the Constitution of India, 1949.

CONCLUSION

The government has taken various initiatives, but the purpose for which these schemes are launched is still not fulfilled. The females who are caged inside the four walls of their house are still incapable of gaining these skills. There are many villages where these schemes have still not reached. And the places where these are launched the agents who are running those institutions misguide the public or sometimes they ask for a bribe. It is not only the duty of the government and society to change and empower women. As empowerment begins from women itself. If a woman starts to feel empowered and tries to fight with the obstacles of her way to success then she needs no one else to make her feel empowered. A woman is the role model for a guy who wants to learn the management of the house. If she can manage the

house then why not a business? The only answer is a lack of self-confidence. Educating them is not enough they need encouragement also as they think they are not capable of working. They must be guided to earn by using their female household headship. And for this, entertainment and media plays a vital role as they manipulate the public in seconds. When a lady sees other female counterparts moving ahead and achieving their goals it makes them feel boosted up. So, such motivating acts should be performed.



• LEGAL FOXES •

"OUR MISSION YOUR SUCCESS"