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# **GENDER BASED SENSITIVITY: IMPLEMENTATION OF CONSTITUTIONAL PROVISIONS**

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## ***Abstract***

*The 5th goal among the 17 Sustainable Development Goals (SDGs) adopted by the United Nations is 'Gender Equality'. The principle of gender equality is also recognized in the Constitution of India, evident in its Preamble, Fundamental Rights, and Directive Principles of State Policy. But women in India were treated distinctly since antediluvian times. Even after India got the Independence from the British Rule in 1947, the condition of treating the women was not changed. They were treated as discouraged from doing various things and were deemed to be as the caretakers of the home. This was the condition in India despite the Indians worship different goddess for different purposes and reasons like Goddess Saraswati for 'knowledge', Goddess Durga for 'power', Goddess Lakshmi for 'wealth', etc. Even in recent times, although there is an improvement in the condition of women in comparison with the condition after Independence, there are several places where the condition of the women is in some way as same as at the time of the Independence.*

*But nowadays, there are several laws and government policies which promotes the Gender Equality. In this paper, we will study about these laws and policies. This chapter is divided into three sections. First section is about the Constitutional provisions and other legal provisions, second section is about Government Policies for Gender Equality, and the third section is for the initiatives taken by the Government for achieving Gender Equality.*

***Keywords: Gender Equality, Constitution of India, Government Policies, Women***

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## **Introduction**

Discrimination against women and girls is a long-standing and widespread issue that affects Indian society on many fronts. India's position on rankings like the Gender Development Index indicates that, despite comparatively high rates of economic growth, the country has not made enough progress towards gender equality. Over the past 10 years, India's GDP has grown by around 6%, but the proportion of women in the work force has drastically dropped, from 34% to 27%. There has been no change in the gender pay disparity in white-collar positions, with a recent poll revealing a gender pay discrepancy of 27%. There is a rising trend in crimes committed against women, especially violent ones like rapes, dowry murders, and honor killings.

## **Gender Equality: Meaning and Importance**

When an individual's gender does not affect their access to opportunities or rights, this is referred to as gender equality. All genders are impacted by gender inequality, including men, transgender people, and those who identify as gender nonconforming. Families, children, and people of all ages and backgrounds are then affected. Gender equality means that men, women, transgender people, and those who identify as gender nonconforming will not have their rights, responsibilities, and opportunities determined by their biological gender, but it does not indicate that men and women will have or need the same resources.

In addition to being a question of justice, gender equality is the foundation of a thriving society. Encouraging everyone, regardless of gender, can lead to a safer world, healthier communities, and stronger economy. Gender equality allows people to overcome negative preconceptions and pursue their goals regardless of social expectations. It fosters an environment where a variety of abilities and perspectives foster innovation and progress and where everyone is welcomed, valued, and respected. Future generations will have a brighter future if gender equality is adopted.

## **Constitutional Provisions regarding Gender Equality**

There are several provisions in the Constitution as well as the Preamble which provide equal opportunities and gender equality to both men and women like the equality in the opportunity in the workplace, wages earned, etc. Some provisions in the Constitution provide no discrimination between men and women. These provisions are as follows:

- a. **Preamble:** The Preamble of the Constitution provides the equality in the status and opportunity to both men and women and also appeals them to promote the equality among all the citizens of India. The Hon'ble Supreme Court in its judgement said about the importance of the Preamble in the Constitution.

In **Re Berubari Union and Anr. v. Unknown**<sup>4</sup>, the Court through this case stated that the "Preamble is the key which open the intellect of the makers of the Constitution but it cannot be a part of the Constitution".

In **Kesavananda Bharti v. State of Kerala**<sup>5</sup>, the landmark case of the Constitution which brought several amendments in the Indian Constitution. The Supreme Court in this case highlighted that "the Preamble is an important part of the Constitution and it plays an important role in the interpretation of the provisions and the statutes of the Constitution".

- b. **Article 14:** The equality right is discussed in Article 14. A fundamental right is to guarantee that every Indian citizen is treated equally before the law and to forbid discrimination on the basis of caste, gender, colour, or religion. Young women who are forced into marriage struggle to finish their education and obtain jobs, making them completely reliant on men for everything.

In **Air India v. Nargesh Meerza**<sup>6</sup>, the Air India service only allowed women to work up to the age of 35, and if they got married or had a kid, they were sacked. This case interpreted Article 14 and established that a person's gender cannot dictate their employment. The condition was deemed demeaning and oppressive towards women, leading the court to declare them arbitrary.

In **National Legal Service Authority v. Union of India**<sup>7</sup>, the court read Article 14 and concluded that it guarantees equality and equal protection under the law to "any persons," using the terms "any persons" to include transgender people. In addition, the interpretation of Articles 15, 16, 19 (1) (A), and 21 led to the recognition of the transgender community as a "third gender," and the highest court mandated the commencement of efforts to normalise this population.

- c. **Article 15:** Art. 15 protects the citizens from the discrimination on the basis of:

- **Religion-** It implies that no state or group may deny someone access to any public facility or policy on the grounds of their religion.

<sup>4</sup> Re Berubari Union and Anr. v. Unknown, AIR 1960 SC 845, 1960 3 SCR 250

<sup>5</sup> Kesavananda Bharti v. State of Kerala Writ Petition (Civil) 135 of 1970

<sup>6</sup> Air India v. Nargesh Meerza, 1981 AIR 1829, 1982 SCR (1) 438, AIR 1981 SUPREME COURT 1829

<sup>7</sup> National Legal Service Authority v. Union of India, Writ Petition(s) (Civil) No(s). 212 OF 2013

- **Race-** It is unacceptable to treat someone differently because of their ethnic background. For instance, people of Indian descent shouldn't treat an Afghani person unfairly.
- **Caste-** Discrimination on the basis of caste is forbidden. Usually, it is done to stop the upper caste from committing crimes.
- **Sex-** There should be no gender-based discrimination against any individual. discriminatory, for instance, against transgender people and women.
- **Place of birth-** An individual's place of birth shouldn't be a basis for prejudice.

Article 15 of the Indian Constitution safeguards citizens from discrimination on the basis of gender and religion, racism, and untouchability. Caste discrimination is the most common form of discrimination in India. Caste separation leads to discrimination and untouchability. Although untouchability is officially illegal in India, people still experience it in some places because of caste beliefs and a lack of legal knowledge.

In **Air India Cabin Crew Association v. Yeshawinee Merchant**<sup>8</sup>, the apex court ruled that, in cases when an employer is operating under a legally sanctioned affirmative action plan, they are not prohibited by the Constitution from considering a candidate's sex when making hiring choices.

- d. Article 16:** Article 16 covers the right to equality in the opportunity in the matters in the field of public employment. Article 16 forbids sex-based discrimination and ensures equality of opportunity in public employment concerns. This clause has been essential in combating gender-based discrimination in the workplace and guaranteeing women in the public sector equal access to job opportunities.<sup>9</sup>
- e. Article 39:** Equal pay for men and women is covered by Article 39. Men and women must not be treated differently when it comes to the compensation, they receive for doing the same task. The goal of this article is to protect both men and women from the exploitation of less wages for the same work they done. The principle of the “equal pay for equal work” does not apply on all types of similar works. In some cases, the people doing the same or similar work or duties, there may be two pay scales. More often than not, the functions performed at two positions may seem to be similar or identical, but there may be a difference in the performance degree.

According to the circumstances in **V. Markendeya v. State of Andhra Pradesh**<sup>10</sup>, there

<sup>8</sup> Air India Cabin Crew Association v. Yeshawinee Merchant, AIR 2004 SC 187

<sup>9</sup> Pandey A., *Gender and the Indian Disclosure: Exploring Indian Laws and Cases*, International Journal of Human Rights Law Review, Vol. 3, Issue 4, Kolkata, India, 2024, pp. 6-7

<sup>10</sup> V. Markendeya v. State of Andhra Pradesh, 1989 AIR 1308, 1989 SCR (2) 422

existed a salary gap between non-graduate supervisors with a diploma and licence and graduate supervisors with an engineering degree. The Court noted that the difference was legally permissible and that its foundation was reasonable because it was founded on educational criteria.

In **Randhir Singh vs Union of India**<sup>11</sup>, the Supreme Court ruled that equal pay for equal work is a constitutional goal that can be enforced in cases of discriminatory practices in pay scales based on irrational classifications, even though it is not expressly a fundamental right and can be inferred from Articles 14 and 16 of the Constitution.<sup>12</sup>

## Other Indian Laws related to Gender Equality

### 1. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

This Act was introduced on the basis of the guidelines provided in the case of **Vishakha & Ors. v. State of Rajasthan**<sup>13</sup>, which provides the safeguard to the women from the sexual harassment at workplace. This violates women's fundamental rights and violates their right to modesty. The government is in charge of establishing the relevant laws and guidelines in order to give them a secure environment. The Hon'ble Apex Court gave some guidelines in the abovementioned case which later on became the base of the Act. The guidelines are as follows:

After the Vishakha Guidelines had been in effect for seventeen years, the Parliament finally awoke from its profound slumber and approved the Act. Although the recommendations' scope is far more limited than this act's, the Vishakha Case guidelines served as the act's fundamental foundation. While the workplace encompasses both private and corporate settings, as well as the organised and unorganised sectors, the act protects "aggrieved women," which encompasses a broad spectrum of women regardless of age or job position. If the accused is found guilty of sexual harassment, the statute further stipulates that they might be fined up to Rs. 50,000. The act's most significant provision is the creation of the Internal Complaint Committee, which is in charge of complaints against the employer and two other members in establishments with ten or more employees. In establishments with fewer than ten employees, or in cases where the employer is the target of a complaint, the Local Complaint Committee is

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<sup>11</sup> Randhir Singh vs Union of India, AIR 1982 SC 879

<sup>12</sup> Agrawal A., *Is Equal Pay for Equal Work a Fundamental Right in India*, Sept. 19, 2024, <https://lawbhoomi.com/is-equal-pay-for-equal-work-a-fundamental-right-in-india/> (visited on December 13, 2024)

<sup>13</sup> Vishakha & Ors. v. State of Rajasthan, AIR 1997 SC 3011, 1997 AIR SCW 3043

established. For these women who work in the unorganised sector, this committee is crucial.

## 2. The Dowry Prohibition Act, 1961

In order to stop dowry demands during or after marriage, the Dowry Prohibition Act of 1961 was created. It is necessary to end the outdated practice of giving and receiving dowries. Without exception, the woman and her family must provide for the husband and his family's needs, which may include a home, money, land, or other expensive presents. The wife and her family have to fulfil the demands of the husband and his family which is necessary to prevent the wife from the cruelty, ill-treatment, tortured, etc by her in-laws.<sup>14</sup> Therefore, such an act was necessary to be enacted which was enacted on May 01, 1961, which aims to prevent the giving or receiving of a dowry. The act was amended several times which also included the minimum and maximum punishments and the penalties for demanding the dowry or show any offer of money, property in connection with a marriage. The Bhartiya Nyaya Sanhita, 2023, which is replacing the Indian Penal Code, 1860, also has rules pertaining to dowries, including as the crimes of dowry-related cruelty, dowry death, and abetment to suicide. When evidence of the dowry demands could be presented, these statutes penalised violence committed against women by their husbands and in-laws.

In **Section 3**, the punishment for giving and receiving dowries is discussed. The offence carries a minimum sentence of five years in jail and a minimum fine of Rs. 15,000, or the dowry's value, whichever is larger. According to **Section 4**, requesting a dowry from the bride or groom's parents, guardians, or relatives is punishable by more than six months in jail, which can go up to two years, and a fine of up to Rs. 10,000.<sup>15</sup>

In **Bhoora Singh v. State of Uttar Pradesh**<sup>16</sup>, the court held that the deceased had written a letter to her father about her condition in the in-law's house of being ill-treated, harassed, threatened, and cruelty which were the consequences of the non-satisfaction of the dowry demands before being set on fire by her in-laws. Thus, an offence of the dowry demand under Section 4 had been committed.<sup>17</sup>

Another case of **Vemuri Venkateshwara Rao v. State of Andhra Pradesh**<sup>18</sup>, the court has laid down certain guidelines for the establishment of the offence of the dowry death which are:

- a. The accused and family members harassed the deceased and demanded the dowry;

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<sup>14</sup> Coelho A., Kaushik S., Article: *Gender Equality and the Indian Constitution*, Aug. 19, 2023

<sup>15</sup> Srivastava S., Article: *What are the laws prohibiting Dowry in India*, March 4, 2016

<sup>16</sup> Bhoora Singh v. State of Uttar Pradesh 1993 Cri. LJ 2636 All

<sup>17</sup> Supranote at 20

<sup>18</sup> Vemuri Venkateshwara Rao v. State of Andhra Pradesh, 1992 Cri. LJ 563 A.P

- b. The deceased had passed away; and
- c. The death occurred under unusual circumstances. The other things naturally follow, and the crime of dowry death is proven, as there was a demand for the dowry, harassment, and death within seven years of marriage.

According to the court's ruling in **Arjun Dhondiba Kamble v. State of Maharashtra**<sup>19</sup>, "dowry" is a demand for the property of valuable security that has an inextricable link to the marriage; that is, it is a payment made by the bride's parents or other family members to the groom, his parents, and/or guardians in exchange for the consent to marry the future bride. However, the demand for the property or valued security will not be considered a dowry demand if it is unrelated to the reason for the marriage.<sup>20</sup>

### 3. Protection of Women from Domestic Violence Act, 2005

Even now, domestic violence is common in many families. Domestic abuse occurs when the husband and his family members torment or mistreat the wife. She endures emotional and physical torture at the hands of her in-laws. These issues go ignored because people believe that family difficulties should be handled inside the family, which means that crimes of this nature go unpunished.<sup>21</sup>

The *section 2* of the act defines the term "*aggrieved person*" as a woman who claims to have experienced domestic violence from a male she has been in a relationship with. A "domestic relationship" is a relationship between two people who share a household and might be derived from blood links, marriage, adoption, or familial ties & the *section 3* defines the term "*domestic violence*" as if a woman's health, safety, limbs, life, or mental and physical well-being are all harmed or endangered; the aggrieved person is harmed, harassed, injured, or put in danger in order to force her or any of her family members to comply with illegal demands, such as a dowry; or the aggrieved person suffers any other physical or mental harm.<sup>22</sup>

In **Sandhya Wankhede v. Manoj Bhimrao Wankhede**<sup>23</sup>, the Supreme Court ruled that a lawsuit against the female relatives of the spouse or the male partner may fall under the act's broad definition of "relative."

In the case of **Bhartiben Bipinbhai Tamboli v. State of Gujarat**<sup>24</sup>, the four types of abuse

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<sup>19</sup> Arjun Dhondiba Kamble v. State of Maharashtra 1995 AIR HC 273

<sup>20</sup> Supranote at 20

<sup>21</sup> Supranote at 19

<sup>22</sup> Kaushal S., Article: *Protection of Women from Domestic Violence Act*, February 17, 2020

<sup>23</sup> Sandhya Wankhede v. Manoj Bhimrao Wankhede, 2011 AIR SCW 1327, AIR 2011 SC (Cri) 567

<sup>24</sup> Bhartiben Bipinbhai Tamboli v. State of Gujarat, 2018 SCC OnLine Guj 9: (2018) 2 GCD 1069: (2018) 2 DMC 221: (2018) 1 RCR (Cri) 831

which is covered by the act has been explained by the court which are se follows:

- **Physical Abuse:** It refers to the application of physical force on a woman in order to cause her harm. Physical assault, criminal intimidation, and criminal force, such as hitting her or threatening her with a weapon, etc.<sup>25</sup>
- **Sexual Abuse:** Any act that forces a woman to engage in undesired, risky, or demeaning sexual activity is considered a form of physical force. It also involves using derogatory language toward her, causing her pain with an item while having sex, etc.<sup>26</sup>
- **Emotional Abuse:** It includes verbal abuse which involves things like yelling name calling, blaming her, frightening her, acting in a domineering manner, insulting her, and continuously criticizing her.<sup>27</sup>
- **Economic Abuse:** A woman who experiences this type of abuse may not receive enough money from her spouse to support herself and her children, including for the purchase of food, medications, and other necessities. It also prohibits women from working in any capacity.<sup>28</sup>

#### 4. Equal Remuneration Act, 1976

Men and women cannot be paid differently for performing "same work or work of similar nature," according to the Equal Remuneration Act of 1976 (ERA), which defines "same work or work of similar nature" as "work in which the skill, effort, experience, and responsibility required are the same, when performed under similar working conditions by employees and the difference, if any, between the skill, effort, experience, and responsibility required for employees of any gender, are not of practical importance in relation to the terms and conditions of employment."<sup>29</sup> According to the ILO's historic Global Wage Report 2018/19, women still make about 20% less than men. With significant differences between Belgium, where the income disparity is just 3%, and the Republic of Korea, where the female pay gap is a significant 32%, the gender pay gap has taken to the global stage. According to the survey, low-income nations like Namibia have a wider pay disparity than high-income nations like Sweden.<sup>30</sup>

An equal remuneration claim for male and female stenographers was made in the case of

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<sup>25</sup> Supranote at 27

<sup>26</sup> Ibid

<sup>27</sup> Ibid

<sup>28</sup> Ibid

<sup>29</sup> Bojamma B., *Eqaul Remuneration Act, 1976: Bridging Gender Pay Gap in India*, International Journal of Science and Research, Vol. 12, Issue 4, India, April 4, 2023, pp. 1379

<sup>30</sup> Ibid, pp. 1378

**Mackinnon Mackenzie & Co. Lts. v. Andrey D’Costa**<sup>31</sup>. The Supreme Court ruled that this type of distinction is untenable and that the management was unable to reach a settlement by disobeying the statute's explicit provisions.

The Supreme Court noted in the seminal decision of **State of Punjab and Ors. v. Jagjit Singh and Ors.**<sup>32</sup> that temporary workers who carry out comparable tasks and responsibilities to those of permanent employees should be paid on par with those in comparable positions. Additionally, it said that regardless of the employee's gender or class, this approach must be followed when the same task is being done.<sup>33</sup>

### 5. Women’s Reservation Bill, 2023

The Women's Reservation Bill, also known as the Constitution (One Hundred and Sixth Amendment) Act, 2023, is a noteworthy piece of Indian legislation that aims to increase the presence of women in politics. The purpose of this bill is to allocate one-third of all seats in the National Capital Territory of Delhi's Legislative Assembly, state legislative assemblies, and Lok Sabha to women. On September 19, 2023, it was first presented to the Lok Sabha and swiftly passed. On September 21, 2023, it was then presented to the Rajya Sabha and passed the same day.<sup>34</sup> The Bill contains some key provisions:

- **Seat Reservation:** The Act stipulates that women must hold 33% of the seats in the state assemblies and Lok Sabha, including those now held by Scheduled Tribes (ST) and Scheduled Castes (SC). The purpose of this clause is to guarantee increased female involvement in legislative procedures.<sup>35</sup>
- **Timeline for Implementation:** Only after a census and ensuing delimitation process are finished will the reservation become operative. This indicates that even though the law is presently in effect, its actual application is anticipated to coincide with the national elections in 2029.<sup>36</sup>
- **Rotation of Reserved Seats:** In order to give various constituencies, the chance to elect female MPs throughout time, the Act establishes a system wherein reserved seats will be switched following every delimitation.<sup>37</sup>

<sup>31</sup> Mackinnon Mackenzie & Co. Lts. v. Andrey D’Costa, 1987 AIR 1281, 1987 SCR (2) 659, AIR 1987 SC 1281

<sup>32</sup> State of Punjab and Ors. v. Jagjit Singh and Ors., AIR 2016 SC 5176, 2017 (1) SCC 148

<sup>33</sup> Aggarwal S., Article: *Equal Remuneration for Equal Work*, Aug. 31, 2020

<sup>34</sup> <https://www.lawweb.in/2024/11/the-womens-reservation-bill-2023.html> (visited on December 15, 2024)

<sup>35</sup> Ibid

<sup>36</sup> Ibid

<sup>37</sup> Ibid

- **Duration of Reservation:** The 15-year period allotted for women's reservations may be extended by a parliamentary resolution. This timeframe enables recurring evaluations and modifications in response to changing political environments.<sup>38</sup>

## Government Policies for Gender Equality

The Government of India has already framed various policies which helps in achieving the Gender Equality in the country. These policies up to some extent reduce the difference in the genders. Such policies are as follows:

### National Policy for the Empowerment of Women, 2001

For the purpose of advancing, developing, and empowering women, the National Policy for the Empowerment of Women was adopted in 2001. The following are the objectives of the Policy:

- a. Establishing an atmosphere that supports women's general growth and helps them realise their greatest potential. Adopting constructive social and economic policies will accomplish this.<sup>39</sup>
- b. The de facto and de jure enjoyment by women of all human rights and fundamental freedoms on an equal basis with men in every field.<sup>40</sup>
- c. Ensuring that women participate equally in the social, political, and economic life of the country and have equal access to decision-making.<sup>41</sup>
- d. Among other things, women's equal access to social security, healthcare, excellent education at all levels, career and vocational guidance, equal pay, employment, public office, and workplace health and safety.<sup>42</sup>
- e. Fortifying the legislative frameworks designed to eradicate all types of discrimination against women.
- f. Establishing and enhancing alliances with civil society, especially women's groups.

### Women Vocational Training Programme

In order to integrate women into the workforce through vocational training, the Ministry of Skill Development and Entrepreneurship launched the Women Vocational Training Program

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<sup>38</sup> Ibid

<sup>39</sup> Bajaj N., Article: *Government policies for gender equality in India*, March 22, 2022; [https://blog.ipleaders.in/government-policies-for-gender-equality-in-india/#Government\\_policies\\_for\\_gender\\_equality\\_in\\_India](https://blog.ipleaders.in/government-policies-for-gender-equality-in-india/#Government_policies_for_gender_equality_in_India) (visited on December 15, 2024)

<sup>40</sup> Ibid

<sup>41</sup> Ibid

<sup>42</sup> Ibid

in 1997. The International Labour Organisation (ILO) and the Swedish International Development Authority (SIDA) provided support in the formulation of this initiative.<sup>43</sup> The Programme offers:

- a. Demand-driven short-term courses,
- b. Teacher skill training under the Craft Instructors Training Scheme (CITS),
- c. Industrial skill training under the Craftsmen Training Scheme (CTS),
- d. Specialised programs for educating ITI instructors are among the services provided by the program,
- e. Customised courses based on industry demands

A network of eleven institutes, subsequently dubbed the "National Skill Training Institutes for Women," carried out this initiative. The Central Government has direct authority over these institutions. In addition to the eleven NSTIs that now exist, additional ones have also been created.<sup>44</sup>

### **Gender Advancement for Transforming Institutions (GATI)**

The gender equality policy of the Gender Advancement for Transforming Institutions (GATI) program is to provide a setting in which women may engage in STEMM (Science, Technology, Engineering, Medicine, and Mathematics) fields on an equal basis. The Department of Science and Technology (DST) started the program as a trial project. GATI seeks to encourage research and higher education institutions to foster diversity, inclusivity, and the entire range of talent for their own advancement. It specifically aims to establish a supportive atmosphere for women to participate equally in STEMM fields at all levels in order to address current, enduring issues.<sup>45</sup>

A sustainable self-assessment and accreditation mechanism is being piloted by GATI. The GATI Charter, which is founded on ten fundamental principles that specifically recognise gender inequity and express a dedication to removing structural and cultural obstacles to women's development in education and the workforce at all levels, forms the basis of the program. GATI is creating a very unique, creative, and native framework that has its roots in the Indian culture, even if it takes influence from the Athena SWAN Gender Equality Charter and accreditation framework run by Advanced HE, UK since 2005.<sup>46</sup>

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<sup>43</sup> Ibid

<sup>44</sup> Ibid

<sup>45</sup> <https://gati.dst.gov.in> (visited on December 16, 2024)

<sup>46</sup> Ibid

The GATI policy is based on the following principles:

- a. **All are equal:** Individuals of any gender may contribute to brilliance in any field.
- b. **Get rid of gender discrimination:** GATI wants to get rid of gender discrimination and ensure that everyone is treated equally.
- c. **Establish a supportive environment:** It seeks to establish a supportive environment for women to engage in STEMM fields on an equal basis.
- d. **Address ingrained issues:** Its main goal is to address ingrained issues that prevent women from pursuing careers in STEMM fields.
- e. **Offer institutional support:** It seeks to offer institutional support systems to improve everyone's professional participation, particularly that of women.<sup>47</sup>

## Initiatives Taken By Government For Achieving Gender Equality

### Beti Bachao Beti Padhao, 2015 (BBBP)

Prime Minister Shri Narendra Damodardas Modi Ji launched the scheme “Beti Bachao Beti Padhao” on 22<sup>nd</sup> January, 2015 in Panipat, Haryana. This program encourages women's empowerment in the nation and tackles the problem of the lowering prevalence of child sex nationwide. This scheme has some major objectives:

- Improve the child-sex ratio,
- Prevention of gender-biased sex-selective elimination,
- Ensuring the survival and protection of the girl child,
- Ensuring education and participation of the girl child,
- Protecting rights of girl children.

### Working Women Hostel

The goal of the Scheme for Working Women Hostel (WWH) is to protect working women. Whenever feasible, the program aims to give working mothers secure housing together with childcare for their kids. The following groups of working women and their kids are among the program's beneficiaries:

- Working women who are married but do not reside in the same city or region as their spouse or close family members, as well as those who are widowed, divorced, separated, or single. It's possible that women from underprivileged backgrounds will be

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<sup>47</sup> <https://www.gatiresources.in> (visited on December 16, 2024)

given precedence. Additionally, there must to be a clause allowing beneficiaries with physical disabilities to reserve seats.<sup>48</sup>

- Women receiving on-the-job training, provided that the duration of the program does not surpass a year. Only once working women have been accommodated will there be a vacancy. No more than 30% of the total capacity should be made up of women receiving job training.<sup>49</sup>
- Boys under five years old and girls up to eighteen will live with their moms if they accompany working mothers. The program's Day Care Centre services are also available to working mothers.

### **Scheme for Adolescent Girls**

The Scheme for Adolescent Girls (SAG), formerly the Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (SABLA), was created in 2010. Adolescent girls between the ages of 11 and 18 are covered by the program, which attempts to educate them on a variety of topics, including socio-legal concerns, nutrition and health education, and life skills. The Nutrition Programme for Adolescent Girls (NPAG) and the Kishori Shakti Yojana (KSY) Scheme were superseded by this scheme.

The objectives of SAG are as follows:

- To facilitate the empowerment and self-development of teenage females.
- Enhancing the diet and well-being of teenage females.
- Raising awareness about diet, cleanliness, health, etc.
- Adolescent females' living, home-based, and occupational skills are being improved.
- assisting the out-of-school females in returning to formal education.
- Providing information on public services including post offices and Primary Health Centres (PHCs) that are available.

### **National Commission for Women (NCW), 1992**

Under the National Commission for Women Act (1990), the Government of India established the National Commission for Women (NCW) in January 1992 as a statutory entity. The commission's role is to research and keep an eye on all issues pertaining to legal and constitutional protections. Along with reviewing and recommending current laws, it also

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<sup>48</sup> Supranote at 44

<sup>49</sup> Ibid

investigates complaints about women's rights violations, offers recommendations for the implementation of various policies that impact women, and urges all state governments to establish State Commissions for Women (SCW).<sup>50</sup>

The NCW requires a minimum of five members, including a chairperson nominated by the Central Government, five members with expertise in a variety of areas, including law, trade unionism, women's industry potential management, women's voluntary organisations, education, administration, economic development, and social well-being, and a member secretary nominated by the Central Government who is an expert in management, an organisation, or an officer who is a member.

### **Mission Shakti, 2001**

The Ministry of Women and Child Development runs the extensive awareness campaign Mission Shakti with the goal of improving women's safety, security, and empowerment. The program's main goal is to economically empower women while granting them the autonomy to choose their own physical characteristics and mindsets and by creating an atmosphere free from threats and abuse. By promoting skill development programs, capacity building, financial literacy, etc., it aims to alleviate the burden on women while also increasing their participation in the workforce.<sup>51</sup> By assisting Self-Help Groups in becoming self-sufficient, this initiative will empower women. The Mission Shakti program will also help women become financially competent, self-sufficient, and have a sustainable source of income.<sup>52</sup>

Some of the specific objectives under this programme are:

- Supporting and advancing women's social, technical, and economic progress is one of the program's particular goals.
- To support and strengthen them financially. establishing connections between banks and women's self-help organisations.
- To assist self-help groups.
- To provide them with market support, technical help, and finance connections as required.

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<sup>50</sup> Gazanfar S., Dr. Nazir A., *An Initiative on Women Equality and Empowerment by Indian Government*, IOSR Journal of Humanities and Social Science, Volume 28, Issue 11, Series 6, India, November, 2023, pp. 02

<sup>51</sup> Ibid, pp. 02-03

<sup>52</sup> Dash P., *Mission Shakti: A Silent Revolution in Odisha*, International Journal of Innovative and Research Technology, Volume 9, Issue 3, India, March, 2024, pp. 2307

- Providing information and training on how to handle women's
- Self-supporting groups.
- To advertise and promote the goods produced by women's self-help groups.

### **Nirbhaya Fund, 2012**

Women and girls have been observed to be subjected to abuse and exploitation on the streets, on public transportation, and in other public places that restrict their freedom of movement and deter them from going to the public places of their choosing. After a paramedical student was gang-raped in 2012, the Nirbhaya Fund was established. Consequently, the government established the Nirbhaya Fund, a special fund overseen by the Department of Economic Affairs in the Ministry of Finance with the goal of improving women's security and safety in the nation. For the women who were harmed, the funds were utilised to create one-stop facilities, safety equipment, and fasttrack courts.<sup>53</sup> The "One Stop Centre (OSC) Scheme," one of the Nirbhaya Fund's initiatives, went into effect statewide on April 1, 2015.<sup>54</sup>

- OSCs aim to support women who have been abused by offering a range of integrated services under one roof, such as police facilitation, medical aid, legal and psycho-social treatment, and temporary lodging.<sup>55</sup>
- OSCs must be situated in either newly constructed buildings with approved designs or existing structures, and they must be within two kilometres of hospitals or other medical facilities.<sup>56</sup>
- As part of the initiative, One Stop Centres are being set up all throughout the country. The 704 OSCs that have been operationalised so far have provided aid to more than three lakh women.<sup>57</sup>

### **Women Helpline Scheme**

On April 1, 2015, the Women Helpline Scheme went into operation. The program offered all women who are impacted by abuse in both public and private settings a 24-hour emergency response. Each state and union territory has its own hotline. Some of the Women's Helpline's important goals are as follows:

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<sup>53</sup> Supranote at 55

<sup>54</sup> <https://simplifiedupsc.in/gs-ii/nirbhaya-scheme/> (visited on December 19, 2024)

<sup>55</sup> Ibid

<sup>56</sup> Ibid

<sup>57</sup> Ibid

- Offer a toll-free, round-the-clock telephone service to women who have experienced violence and are looking for information and help.
- Refer people to the police, hospitals, or ambulance services to help with crisis intervention.
- Describe the suitable support resources that are accessible to the victimised lady in her specific circumstances within the neighbourhood where she lives or works.
- The hotline in its local region has created and maintained a thorough referral database.

### **Stree Manoraksha Project, 2022**

On March 2, 2022, the Ministry of Women and Child Development and the National Institute of Mental Health and Neuro Sciences (NIMHANS), Bengaluru, launched the Stree Manoraksha Project, which aims to train the staff working in one-stop centres across the country to address the mental and psych-social needs of women who have experienced violence of any kind. Intimate Partner Violence (IPV) has affected one in three married women, according to the National Family Health Survey (NFHS-5) 2019–2021. But around 90% of women have never asked for assistance when they have experienced violence. Women are now more susceptible to suffering from crippling effects on their bodily and emotional well-being as a result of this. Furthermore, the prevalence of gender-based violence has increased significantly as a result of the COVID-19 epidemic. Support for mental health is therefore extremely important and must be customised to meet the specific requirements of each woman.

### **Conclusion**

In order for the nation to advance socioeconomically, women are essential. Despite being regarded as the backbone of any country, women are unable to achieve their goals. As a result, it is crucial to educate kids about their fundamental rights so they may understand their place in society and become self-sufficient in all facets of life. In order to properly appreciate the steps being taken to enhance the status of women, it is imperative that information be generated in a variety of sectors. In India, programs for women's empowerment are designed to guarantee their equal access to opportunities, resources, and safety. The socio-economic and political standing of women, steps to improve their position, women's human rights, and the protection of women's rights by the Indian Constitution and laws for that purpose are the primary issues that have been taken into account. But regrettably, the disparity persists in spite of the many steps the Indian government has done to promote gender equality and women's empowerment. Despite being an essential component of every civilisation, women have always been

overlooked. India must keep moving forward with raising women's position.

