

# INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS



Open Access, Refereed Journal Multi Disciplinary  
Peer Reviewed Edition :

[www.ijlra.com](http://www.ijlra.com)

## **DISCLAIMER**

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Managing Editor of IJLRA. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of IJLRA.

Though every effort has been made to ensure that the information in Volume 2 Issue 7 is accurate and appropriately cited/referenced, neither the Editorial Board nor IJLRA shall be held liable or responsible in any manner whatsoever for any consequences for any action taken by anyone on the basis of information in the Journal.

Copyright © International Journal for Legal Research & Analysis

IJLRA

## **EDITORIAL TEAM**

### **EDITORS**

#### **Megha Middha**



*Megha Middha, Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar*

*Megha Middha, is working as an Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar (Rajasthan). She has an experience in the teaching of almost 3 years. She has completed her graduation in BBA LL.B (H) from Amity University, Rajasthan (Gold Medalist) and did her post-graduation (LL.M in Business Laws) from NLSIU, Bengaluru. Currently, she is enrolled in a Ph.D. course in the Department of Law at Mohanlal Sukhadia University, Udaipur (Rajasthan). She wishes to excel in academics and research and contribute as much as she can to society. Through her interactions with the students, she tries to inculcate a sense of deep thinking power in her students and enlighten and guide them to the fact how they can bring a change to the society*

#### **Dr. Samrat Datta**

*Dr. Samrat Datta Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Samrat Datta is currently associated with Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Datta has completed his graduation i.e., B.A.LL.B. from Law College Dehradun, Hemvati Nandan Bahuguna Garhwal University, Srinagar, Uttarakhand. He is an alumnus of KIIT University, Bhubaneswar where he pursued his post-graduation (LL.M.) in Criminal Law and subsequently completed his Ph.D. in Police Law and Information Technology from the Pacific Academy of Higher Education and Research University, Udaipur in 2020. His area of interest and research is Criminal and Police Law. Dr. Datta has a teaching experience of 7 years in various law schools across North India and has held administrative positions like Academic Coordinator, Centre Superintendent for Examinations, Deputy Controller of Examinations, Member of the Proctorial Board*



## **Dr. Namita Jain**



*Head & Associate Professor*

*School of Law, JECRC University, Jaipur Ph.D. (Commercial Law) LL.M., UGC -NET Post Graduation Diploma in Taxation law and Practice, Bachelor of Commerce.*

*Teaching Experience: 12 years, AWARDS AND RECOGNITION of Dr. Namita Jain are - ICF Global Excellence Award 2020 in the category of educationalist by I Can Foundation, India. India Women Empowerment Award in the category of "Emerging Excellence in Academics by Prime Time & Utkrisht Bharat Foundation, New Delhi.(2020). Conferred in FL Book of Top 21 Record Holders in the category of education by Fashion Lifestyle Magazine, New Delhi. (2020). Certificate of Appreciation for organizing and managing the Professional Development Training Program on IPR in Collaboration with Trade Innovations Services, Jaipur on March 14th, 2019*

## **Mrs.S.Kalpana**

*Assistant professor of Law*

*Mrs.S.Kalpana, presently Assistant professor of Law, VelTech Rangarajan Dr. Sagunthala R & D Institute of Science and Technology, Avadi. Formerly Assistant professor of Law, Vels University in the year 2019 to 2020, Worked as Guest Faculty, Chennai Dr.Ambedkar Law College, Pudupakkam. Published one book. Published 8 Articles in various reputed Law Journals. Conducted 1 Moot court competition and participated in nearly 80 National and International seminars and webinars conducted on various subjects of Law. Did ML in Criminal Law and Criminal Justice Administration. 10 paper presentations in various National and International seminars. Attended more than 10 FDP programs. Ph.D. in Law pursuing.*



## **Avinash Kumar**



*Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC - NET examination and has been awarded ICSSR - Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.*

## **ABOUT US**

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS  
ISSN

2582-6433 is an Online Journal is Monthly, Peer Review, Academic Journal, Published online, that seeks to provide an interactive platform for the publication of Short Articles, Long Articles, Book Review, Case Comments, Research Papers, Essay in the field of Law & Multidisciplinary issue. Our aim is to upgrade the level of interaction and discourse about contemporary issues of law. We are eager to become a highly cited academic publication, through quality contributions from students, academics, professionals from the industry, the bar and the bench. INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS ISSN 2582-6433 welcomes contributions from all legal branches, as long as the work is original, unpublished and is in consonance with the submission guidelines.

# WOMEN BEFORE THE COMMENCEMENT OF THE CONSTITUTION OF INDIA:

AUTHORED BY: KOMAL SINGH

Course: B.A.LL. B (Hons.)

Year – 4th year

Contact Details: +91 9303828898

College- Amity Law School (Gwalior), Amity University Madhya Pradesh – 474020

Sociologists define these women in different ways. In India, history shows that women were considered divine warriors, but different Indian cultures define women differently. Therefore, women have nothing in Indian society. But the success reflects women's overall progress.

According to historian ROMILLA THAPER, "Women's rights in the Indian subcontinent vary according to culture, family structure, class, caste, housing rights and morality."

Both are Indian philosophy about women. On the one hand, she is considered fertile, patient and benevolent but on the other hand, she is considered aggressor and represents 'shakti'. Position of women in Pre-Independence Period To study the position of women before the independence period, it is necessary to discuss the position of women during the Vedic period, post Vedic period and medieval period.

1. Vedic Period
2. Post Vedic Period
3. Medieval Period

**1. Vedic period-** There is no doubt that during the Vedic period, women enjoyed good positions due to freedom and equality. During this period, women took part in all areas of life. Women study in Gurukul and enjoy freedom in every field. Women like Aparna, Viswara, Yamini, Garji and Gosar came into limelight and became leaders in the society. They achieved results in art, music and even war. In Upnishad, the woman is considered as the true partner of her husband. The wife has the right to be queen in the house of her Rigvedic husband. This shows high women. In the Mahabharata, women are called the source of prosperity, happiness and Dharma. In the absence

of women, men cannot perform religious duties. He does not have the right to choose his life partner. However, polygamy and the dowry system were common only among the ruling classes. There is no prohibition against widow remarriage and there is no discrimination between men and women. As a result, girls are allowed to do telephone exercises (Upanayana Sanskar).

**2. Post-Vedic period-** In the post-Vedic period, women suffered great hardships and restrictions from Manu. He tried to create a male-dominated society by improving men's rights. The birth of a daughter is seen as a disaster for the family. Girls have no education. Girls are not allowed to perform the threading ceremony (Upanayana Sanskar). During this period, the pre-adolescent marriage system was established and the marriage age of girls was reduced to 9 or 10 years old. However, daughters of the ruling class were allowed to receive education and training in military, administrative and fine arts. Girls grow up under the care of their fathers and become wives of their husbands and mothers of their sons. Manu, on the other hand, believed that where women were honored, all gods were happy, and where women were humiliated, all religions became useless. Surprisingly, in the post-Vedic period, women's rights were recognized and the concept of 'stridhan' prevailed. According to Manu's interpretation, "Stridhan" means "something given to the bride during the ceremony, before the wedding fire, as a token of love, which she receives from her father, mother, brothers and husband."

**3. Medieval period-** Women's rights declined further in the Middle Ages when Alexander and the Huns invaded India. The organization provided security against invading soldiers roaming the country, and therefore women were covered under the headscarf. Women's rights to education and participation in society are denied. Evil practices such as child marriage, prostitution, and pregnancy were common in the Middle Ages. Also, curses like holidays have become inevitable, especially in Rajasthan. Devdarsi system and polygamy are also common in rural areas. For this reason, women were oppressed everywhere in the middle ages.

### **Women's rights during the British period**

It is worth noting that the status of women changed greatly during the British period, this is mostly due to the influence of the West on leadership culture. India. Ideas of equality, freedom and human secularism emerged, but only among the ruling classes. Two important movements occurred during British rule. These are:

- (i) Social reform; and
- (ii) Nationalism movement.

**(i) Social Reform Movement.** This movement took place in the 19th century and raised the issue of women's equality. Social reformers voiced concerns about issues such as sati, the ban on procreation, the abolition of property rights, child marriage, and women's education. Reformers believed that social reform for women could be achieved by ensuring women's access to education and implementing development policies. Swami Vivekanand, Dayanand Saraswati and Annie Besant believed that the ancient Vedic era should be revived as an ideal for women's work. M.K. Father of the Nation Gandhi criticized child marriages, Sati method, marriage ban and Devdarsi system.

**(ii) Nationalist Movement.** The nationalist movement attracted the attention of a large number of people and created confidence among women to raise their voices against the oppressive system. In 1927, the All India Women's Conference was formed and it proved to be a major movement towards women's right to equality. As a result, a number of legislations such as the Widow Remarriage Act, the Child Marriage Act and the Hindu Women's Right to Property Act were enacted to eradicate certain social evils. Even the provisions of industrial laws were duly modified to restore the position of women which prevailed during the Vedic period. Under the banner of the nationalist movement, the establishment of crèches, the reduction of working hours, the prohibition of night work and the limitation of work in mines were introduced. It is said that during the British period, public awareness was created while women's political and social participation gained momentum.

### **Women's movement**

Different thinkers advocated the subordination of women in different perceptions with different approaches. It is true that women are subordinated to a rather lower position in the field of politics, economy and education. Even in society they were placed below men. To end this subordination and different perception, three main ideological movements of women emerged. These are :-

1. Liberal movement
2. Radical movement
3. Socialist movement

1. Liberal movement- This feminist movement arose in the 18th century based on the Enlightenment period of the Western movement. During this period, many thinkers debated the nature, status, and role of women. The concept of individualism meant giving the individual the freedom to do what he wished without interference from people. Mary Wollstone Craft was a prominent and ardent supporter of women's causes. A seminal work on the subject, namely "A Vindication of the Rights of Women", was published by Mary Wollstone Craft in 1792, which mentioned the need to recognize that women are human beings and not just sexual beings, and if women are denied equality. human rights, it must be shown that they have no rational capacity to invoke equal participation and equal rights.

Another ardent supporter of liberal feminism, John Stuart, opined that: "The existing relations of the sexes, the legal subjection of one sex to the other, is in itself bad, and is now one of the chief obstacles to human improvement, and should be replaced by a perfect equality admitting of no power or privilege on either side. nor disability on the other side.

During the liberal movement, it was accepted that the husband earns for family expenses and the wife takes care of the household and family expenses. Even in a sexual encounter between a husband and a wife, both have to play an equal role, but his pleasure may be of varying degrees. If the wife leaves for work, the child left at home will be neglected, leading to an imbalance in their nutrition and upbringing. Women should have equal civil rights as well as the right to education to work together to build an ideal society.

2. Radical movement- This second phase of the movement occurred around 1969-1970, which had an important connection with the liberal movement. Sexual oppression and the sexual division of labor concerning women were overlooked in the liberal movement. The root of subordination was found to lie in the biological family. Incorporating legislation was not a proper and effective measure unless society's attitude is reformed through education and participation in politics and economics. There is a need to establish real gender equality and eradicate the patriarchal system. It has been suggested that the nuclear family system is an obstacle to the full achievement of equality, however, this concept distinguishes the reformers of the radical movement from the reformers of the liberal movement.

The reformers of the radical movement campaigned for the elimination of all differences between

the sexes, and man was seen as the enemy, and the subordination of women was taken as the biopsychological superiority of men over women. The reformers of the radical movement believed in the collective care of children, free sex and control over one's own body. They were of the opinion that rape, pornography and sexual violence are the result of male hostility towards women. The eradication of male dominance can be achieved by a complete sexual revolution, and the traditional sexual prohibition can be destroyed by display solidarity of the women's movement. Important reformers of the radical movement were especially Ellen Frankfort, Kate Millett, Firestone and Germaine Greer.

3. Socialist movement. Thinkers of the sociological school, prominently Karl Marx and Engels, advocated a socialist pattern of movement. The socialist model of society is against capitalism and the patriarchal system, but the inferior position of women cannot be eradicated unless the concept of communist society is erased. The emergence of the concept of private property, the restriction of women to child production, and the persistence of gender inequalities created a major obstacle in the women's socialist movement. Thus, Marxist theory was found to contain limitations in terms of women's political participation/representation. Indian social reformers of the 19th century toed the line of the liberal movement, promoting women's right to education to make women better mothers and wives and also campaigned for the eradication of social evils such as Sati, child marriage, prohibition of widow remarriage. etc. However, the issue of sexual freedom and sexual preference etc. could not be agitated as in developed western countries as it is against the basic concept of Indian society.

### **WOMEN AFTER THE COMMENCEMENT OF THE CONSTITUTION OF INDIA:**

Apart from the measures to improve the status of women in India initiated by the British, the Indian government took many drastic steps (legal, social, economic and political) after independence to remove the obstacles placed in their way by the traditional past. The efforts of social reformers and their movement launched in the pre-independence period also bore fruit. The Indian National Movement also led to the emancipation of Indian women.

The leaders of the national movement realized that liberating the country from the slavery of imperialism was impossible without the active participation of women who made up half of the country's population.

Most of the social reformers and thinkers of the 19th and 20th centuries were influenced by the principles of the liberal philosophy of the West, which emphasized the principle of contract rather than status, a rational view of life and problems, freedom of expression, criticism of authority, questioning of accepted dogmas, and finally recognition of the value of the individual and insistence on the rights of man versus his duties. They also got their impetus from the Upanishads and other Hindu scriptures.

The decades after independence saw huge changes in the status and position of women in Indian society. The Constitution of India has established gender equality as a fundamental right. But the change from a position of complete degradation of women to a position of equality is not a simple example of women's progress in modern times. In order to improve the status of women, many legislations concerning women were enacted after independence. These mainly concerned marriages, divorces, inheritance of property and employment. Some of the important laws are listed below:

1. The Hindu Marriage Act, 1955 (amended in 1986 and 2010).
2. The Immoral Traffic (Prevention) Act, 1956.
3. Prevention of Sati Act, 1987.
4. Dowry Prohibition Act, 1961.
5. Child Marriage Prohibition Act, 2007.
6. Protection of Women from Domestic Violence Act, 2005.

In addition, the laws relating in particular to employment are:

1. Factories Act, 1948.
2. The Employees' Insurance Act of 1948.
3. Equal Pay Act, 1976.

The above laws and many other emancipatory actions of social reformers have undoubtedly raised the status of women in India, but much remains to be done in this area. The institution of bigamy (a man taking any number of wives) has almost ended; if discovered, it became a criminal offence. The age for marriage without parental consent was raised to 21 for boys and 18 for girls. Monogamy, along with the possibility of judicial separation, annulment and divorce (even by mutual consent), inheritance (equal share in paternal property), adoption, widow remarriage and

abolition of sati are some of the most prominent features of the post-independence era. The status of men and the equal status of women from the point of view of legislative measures.

However, Legal or legislative sanctions by themselves cannot bring about any substantial change in the oppressed position of women, unless there is a significant change in their attitude and the consciousness of both men and women. In this regard, their illiteracy is one of the main obstacles. According to the 2001 census, 45.84 percent and the 2011 census, 34 percent of women in India are still illiterate. Even literate women also fail to exercise their right to equality wherever it is required.

The status of women has thus been elevated in the eyes of the law, but they are still far from equal to men in all areas of life. In practice, they continue to be subjected to discrimination, harassment, humiliation and exploitation at home and abroad. The power to run the home and authority still rests in the hands of the male head of the household. The dominant model of the father still persists in most middle- and lower-class families. Leaving aside a few, in so-called modern families wives have not become equal partners to their husbands, even if they are educated or more educated towards their husbands. Most of the decisions in the household – from buying common household items to deciding on the education and marriage of his children – are taken by the father/husband. Even in families where women work outside the home, there is no significant change in men's attitudes.

Women as daughters or wives must obtain permission from their fathers/husbands to go outside the home or pursue higher education. In some families, it is seen that husbands do not allow their wives of the same caliber and education to take up jobs of the same status outside the home. They prefer that their educated wives use their energy precisely in running the household and raising and caring for children or elderly parents. The lower status of women in Indian society contributes to early marriage, lower literacy, poor nutrition, and high fertility and mortality rates, especially in reproductive age.

Even in the professional field, their situation is not better. Until recently, upper caste women were not allowed to work outside the home for any paid work. They do not have the same rights in many things or in the field of occupation. They do not occupy a higher position, except for a few popular cases. A woman leader may have the same rank as a man, but because she is a woman,

she may not receive the same honors and prestige as him.

The case of super cop Kiran Bedi is well known. She was replaced as Delhi Police Commissioner by a man two years younger than her seniority. Similarly, a woman, IAS officer Reva Nayyar, did not make it as Cabinet Secretary and Veena Sikri, IFS was not appointed as Secretary of State. The best example is provided by rural India, where women are theoretically equated with goddesses but in reality are treated as drudgery. The problems of inferiority, inequality, dependency and exploitation of women have not changed much in the villages where most of India lives even after 65 years of independence. Abuse is associated with unequal opportunities for social participation despite the enormous amount of work expected of them both in the home, in agriculture or in some occupation. One of the main characteristics of women is their multitasking. She is usually the one who takes care of the household as well as the work area or office.

### **WOMEN UNDER THE INDIAN CONSTITUTION-**

The Constitution of India which was adopted by the Constituent Assembly on 26 November 1949 is a comprehensive document that consists various principles of justice, liberty, equality and fraternity. These objectives specified in the Preamble and elsewhere form part of the basic structure of the Constitution of India. The basic law of the country ensures the dignity of individuals regardless of their gender, community or place of birth. there were freedom fighters, lawyers, reformers, suffragettes and politicians during the drafting of the constitution. They also belonged to women's organizations and participated in feminist movements from 1917. Unfortunately, they were invisible then and mostly remain invisible even now, 70 years after the entry into force of the Constitution. The 15 Unseen Women Architects of the Republic of India were as follows:



"Women make up half the world's population, work nearly two-thirds of the working hours, receive a tenth of the world's income and own less than one-hundredth of a percent of the world's wealth".

- United Nations Report, 1980

Half of India's population is female. Women have always been discriminated against and have suffered and are still suffering discrimination in silence. Self-sacrifice and self-denial are their nobility and bravery, yet they were subjected to all injustices, indignity, inequality and discrimination.

-Justice K. Rama Swamy in Madhu Kishwar Vs. State of Bihar [(1996) 5 SCC 148.]

As far as women are concerned, the Constitution contains many negative and positive provisions that are of great importance for ensuring gender justice. In incorporating these provisions, the framers of the Constitution were well aware of the unequal treatment of the fairer sex since time immemorial. The history of suppression of women in India is very long and the same has been responsible for the inclusion of certain general as well as specific provisions for the upliftment of women. The rights guaranteed to women are at par with those of men and in some cases women have been allowed to take advantage of certain special provisions. The general provisions regarding the equal rights enjoyed by women are the right to vote and other political rights, the fundamental rights contained in Part III of the Constitution and the Directive Principles etc.

### ❖ **Women and the Preamble of the Indian Constitution:**

The Preamble is the key to the Constitution. It does not discriminate between men and women, but treats them equally. The framers of the Constitution were well aware of the unequal treatment of the fairer sex from time immemorial. In India, the history of suppression of women is very old and long, which is responsible for the inclusion of general and special provisions for the upliftment and development of women. Some provisions are specifically designed to benefit women.

The Preamble appended to the 1950 Constitution of India undoubtedly contains various objectives including "equality of status and opportunity" for all citizens. This goal was inserted to ensure equal opportunities for men and women.

It further provides - freedom to practice any religion, freedom to be independent and freedom to choose representatives in legislative bodies etc. to every citizen irrespective of his sex.

*The preamble also seeks to ensure that:-*

- JUSTICE, social, economic and political;
- FREEDOM of thought, expression, belief, belief and worship;
- EQUALITY of status and opportunity;

to all its citizens without discriminating against any of them.

### ❖ (ii) Women and the Fundamental rights:

Although all the fundamental rights contained in Part III, Articles 12 to 35 apply to all citizens regardless of sex, some fundamental rights contain specific and positive provisions to protect the rights of women. These most important fundamental rights are as follows:

**14. Equality before law:-** The State shall not deny to any person equality before the law or equal protection of the laws within the territory of India.

**15. Prohibition of discrimination on the basis of religion, race, caste, sex or place of birth :-**

(1) The State shall not discriminate against any citizen solely on the basis of religion, race, caste, sex, place of birth or any of them.

(2) No citizen on the sole ground of religion, race, caste, sex, place of birth or any of them shall be subject to any disability, liability, limitation or condition with respect to-

(a) access to shops, public restaurants, hotels and places of public entertainment; or

(b) such wells, tanks, bathing ghats, roads and places of public refuge are maintained wholly or partly out of State funds or are intended for the use of the general public.

(3) Nothing in this Article shall prevent the State from doing any special provision for women and children.

(4) Nothing in this Article or in sub-section (2) of Article 29 shall prevent the State from making any special provision for the development of any socially and educationally backward classes of citizens or for the Scheduled Castes and Tribes].

**16. Equality of opportunity in matters of public employment**

(1) Equality of opportunity applies to all citizens in matters relating to employment or appointment to any office under the state.

(2) No citizen shall be disqualified or discriminated against for any employment or office under the State solely on the ground of religion, race, caste, sex, origin, place of birth, residence or any of these.

(3) Nothing in this Article shall prevent Parliament from making any law prescribing, in respect of a class or classes of employment or appointment to an office "under the Government or any

local or other authority within a State or Union Territory.", any requirement relating to residence in that State or Union Territory] before such employment or appointment.

(4) Nothing in this Article shall prevent the State from making any provision for reservation of appointments or posts in favor of any backward class of citizens who, in the opinion of the State, are not adequately represented in the services under the State.

(4-A). Nothing in this Article shall prevent a State from making any provision for reservation in the matter of support of any class in classes of posts in the State services in favor of Scheduled Castes and Scheduled Tribes which in the opinion of the State are not adequately represented in the State services].

(5) Nothing in this section shall affect the operation of any law providing that the holder of an office in relation to the affairs of any religious or denominational institution or any member of its governing body shall be a person professing a particular religion or belonging to a particular denomination.

**21. Protection of life and personal liberty:** No one shall be deprived of his life or personal liberty except by procedure established by law.

**23. Prohibition of human trafficking and forced labor:-**

(1) Human trafficking and begging and other similar forms of forced labor are prohibited and any violation of this provision is an offense punishable by law.

(2) Nothing in this Article shall prevent the State from imposing compulsory service for public purposes and in imposing such service there shall be no discrimination on the ground of religion, race, caste or class or any of them alone.

**24. Prohibition of employment of children in factories, etc.—**No child under fourteen years of age shall be employed to work in any factory or mine or engaged in any other hazardous employment.

**25. Freedom of conscience and free profession, practice and propagation of religion:-**

(1) Subject to public order, morals and health and the other provisions of this Part, all persons have an equal right to freedom of conscience and the right to freely profess, practice and propagate religion.

(2) Nothing in this Article shall affect the operation of any existing law or prevent a State from making any law—

a) regulation or restriction of any economic, financial, political or other worldly activity that may be associated with religious practice;

(b) providing welfare and reforming or opening Hindu religious institutions of a public character to all classes and classes of Hindus.

**Outcome of these articles and judiciary intervention:**

**(i) A woman shall not be denied employment merely because she is a woman.** – In its landmark judgment in *Air India v. Nargesh Meerza*, the Supreme Court held that a woman cannot be denied employment merely on the spot. that she is a woman because it violates Article 14 of the Constitution. In this case, where flight attendants of Indian Air Lines and Air India challenged the service rules which state that: "Airmen don't get married for the first four years after joining, those who get pregnant lose their jobs. They retire at 35, unless the CEO, at his discretion, extends the period by ten years."

The Supreme Court suggested that the first provision is legal because it would help promote family planning programs and increase the expenses of airlines that hire flight attendants on a temporary or ad hoc basis, but the second and third provisions must be declared unethical, callous, cruel. , repugnant, abominable, repugnant, unreasonable, arbitrary, unconstitutional and as an open insult to Indian womanhood. Thus, the above decision of the Supreme Court greatly raised the status of working women.

**(ii) Denial of promotion based on sex.** - Rules relating to seniority and promotion in the Indian Foreign Service were challenged in the Supreme Court in the case of *Miss. basis of sex*, it is not only unconstitutional but also a hangover of male culture to shackle the weaker sex. In this case, a petition was filed in the Supreme Court alleging that she was denied promotion to Class I on the basis of sex, in violation of Article 15 of the Constitution of India, 1950. The petition was upheld by the Supreme Court. and held that Rule 8 (2) of the Indian Foreign Service (Conduct and

Discipline) Rules, 1961, which required an unmarried female member to obtain the permission of the Government before she married. After marriage, she can be asked to resign at any time if she feels that her family life is affecting her performance as the Right to Appointment to Service (IFS) is against Article 15 of the Constitution. In view of the above decision, these provisions have now been deleted.

**(iii) Beauty contests** – whether violation of constitutional provisions. This question was raised before the Andhra Pradesh High Court in *C. Rajakumari v. Commissioner of Police, Hyderabad*. It has been decided that if a beauty pageant indecently represents any woman by depicting in any way the figure, shape, body or any part thereof of a woman in a manner which is indecent, derogatory or degrading to women or is likely to corrupt, corrupt and disturb public morals, it was it would contravene the provisions of the Indecent Representation of Women (Prohibition) Act, 1986 and also unconstitutional as it violates Articles 14, 21 and 51-A of the Constitution of India.

**(iv) Constitutional validity of Section 497 (ie adultery) of the Indian Penal Code, 1860.**

The offense of adultery under Section 497 of the Indian Penal Code, 1860 punishes only the male counterpart and exempts the female. Constitutional validity of Section 497, I.P.C. was challenged on the grounds that it violates Article 14 and Article 15, paragraph 1 of the Constitution. In *Abdul Aziz v. State of Bombay*, the Supreme Court upheld the validity of the provision on the ground that the classification was not based solely on sex. The court relied on the mandate of Article 15, Paragraph 3 of the Constitution to confirm the validity of the said provision of the Code. However, in the present case, the petitioner argued that even though the woman may be equally guilty as the perpetrator, only the man was punished, which violates the right to gender equality.

Section 497 IPC - Whoever has intercourse with a person who is and who he knows or has reason to believe is the wife of another man, without the consent or permission of that man, such intercourse, which is not the crime of rape, is guilty of the crime of adultery, shall be punished with imprisonment of either description for a term which may extend to five years or with fine or with both. In such a case, the wife will not be punished as cheating.

A mere reading of Section 497 of the Indian Penal Code of 1860 shows that it punishes the offense of adultery committed with a married woman without the consent or consent of her husband. The main feature of this crime is that only the man is responsible. This crime is committed by a third

person on the husband in relation to his wife. If sexual intercourse takes place between a married man and an unmarried woman, or with a widow or a married woman whose husband consents to it, this crime is not committed. For an offense under this section, it is not required that the offender know whose wife she is, but he must know that she was a married woman. It was argued that Section 497 I.P.C. is contrary to Articles 14 and 15 of the Constitution on the ground that it makes an irrational classification between men and women in the sense that:

- (i) confers on the husband the right to prosecute the adulterer, but on the wife no right to prosecute the woman with whom her husband has committed adultery;
- (ii) confers no right on the wife to prosecute the husband who has committed adultery with another woman; and
- (iii) does not take into account cases where a husband has intercourse with an unmarried woman with the result that he is legally permitted to have an extramarital relationship with an unmarried woman.

However, reproductive choice can be exercised to procreate as well as to abstain from procreation. There should be no restrictions on the exercise of reproductive choices, such as a woman's right to refuse to engage in sexual activity or alternatively to use contraceptive methods. The court ruled that reproductive rights include a woman's right to carry a pregnancy to term, give birth and then raise children. Furthermore, the Medical Termination of Pregnancy Act of 1971 can be considered reasonable restrictions on the exercise of reproductive decisions.

❖ **(iii) Women and the directive principles of state policy-**

**39. Certain principles of policy to be followed by the State:**

The State shall in particular direct its policy to ensure-

- a) that citizens, both men and women, have the right to an adequate means of subsistence;
- (b) that the ownership and control of the material resources of the community are distributed so as to best serve the common good;
- c) that the functioning of the economic system does not lead to the concentration of wealth and means of production to common detriment;
- (d) that there is equal pay for equal work for men and women;
- e) that the health and strength of workers, men and women, and children of a tender age are not abused and that citizens are not forced by economic necessity to enter occupations

not adapted to their age or strength;

f) that children are given the opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity, and that children and youth are protected from exploitation and from moral and material abandonment

**39-A. Equal justice and free legal aid:**

The state shall ensure that the functioning of the legal system promotes justice on the basis of equal opportunities and, in particular, shall provide free legal aid by suitable legislation or schemes or by any other means to ensure that opportunities for securing justice are not denied to any citizen on account of economic or other handicap].

**42. Ensuring fair and humane working conditions and maternity relief:**

The State shall ensure ensuring and humane working conditions and maternity relief.

**44. Uniform Civil Code for the Citizens:**

The State shall endeavor to provide uniform Civil Code to the citizens throughout the territory of India.

**Outcome of these articles:**

**a) The principle of "equal work" is a constitutional goal. –**

The Supreme Court in *Randhir Singh v. Union of India*,” opined that the principle of “equal work” is not declared as a fundamental right in the Constitution, but it is definitely a constitutional objective. Article 39 letter d) The Constitution declares that the state directs its policy to ensure equal remuneration for equal work for men and women. The Court further stated that the continuation of Articles 14 and 16 in the light preamble and Article 39 letter (d), the principle of equal pay for equal work may be derived from these articles and may properly be applied to cases of unequal grades of pay which are not based on any classification or irrational classification, even though different scales of pay are used. the same job with the same employer. In the present case, the Supreme Court stated that the principle of "equal pay and equal work", even if it is not a fundamental right, is certainly a constitutional goal and therefore enforceable by constitutional means according to Article 32 of the Constitution.

The doctrine of 'equal pay for equal work' is equally applicable to men and women, even daily wagers are entitled to the same wages as other permanent employees in the department doing the same work." Similarly, in *State of Haryana v. Rajpal Sharma*<sup>2</sup> the Supreme Court held, that teachers employed in privately managed aided schools in the State of Haryana are entitled to the same salary and child care allowance as teachers employed in government schools. If the type of work is not the same, then it doesn't matter if men are paid more. But in the case of work of the same type, men and women should be paid equally without any discrimination.

**(b) Men and women must be protected equally.-** According to Article 39 (e) The health and strength of workers, i.e. men and women, and the health and strength of minor children must be equally protected by the Constitution. They should not be forced to work in inhuman and dangerous conditions. With regard to this article, the state will focus its policy on improving the health and strength of workers (both men and women) and minor children are not forced by economic necessity to enter a profession that does not correspond to their age and strength.

In *M.C. Mehta v. State of Tamil Nadu*, 1991 it was held that in view of Article 39 the employment of children in match factories directly connected with the manufacturing process of matches and fireworks cannot be allowed as it is dangerous. However, children may be employed in the packaging process etc. outside the manufacturing plant.

**(c) Equal Justice and Free Legal Aid. –**

Article 39-A of the Constitution provides equal justice and free legal aid. The state ensures that the functioning of the legal order promotes justice on the basis of equal opportunities, and in particular provides free legal aid through appropriate legal regulations or regimes or otherwise ensures the existence of opportunities to ensure justice.

The Supreme Court has held on several occasions that legal aid and speedy trial are now considered fundamental rights under Article 21 of the Constitution, available to all prisoners and enforceable by the courts. The state has the obligation to provide the poor with a lawyer and must pay him the remuneration determined by the court.

**(d) Uniform Civil Code and Gender Justice, Equality –**

Article 44 of the Constitution requires the State to endeavor to ensure a uniform civil code for the

citizen throughout the territory of India. But women still experience inequality and injustice. The founding fathers of the Constitution were aware of the gender injustice and sexual inequality of women and incorporated Article 44 of the Constitution with the aim that it could be invoked at an appropriate time in the future. It is really unfortunate that even after 50 years of independence, the state did not consider it necessary to make a serious effort to (fulfill) this constitutional obligation.

In the landmark judgment of *Sarla Mudgal v. Union of India*, the Supreme Court ordered the central government to review Article 44 of the Constitution, which mandates the state to provide a uniform civil code, which the court said was necessary for the protection of the oppressed and for the promotion of national unity and integrity. The above direction was given by the Court while deciding a case where the question for consideration was whether a Hindu husband married under Hindu law converted to Islam without dissolving the first marriage, after he can contract a second marriage. The Supreme Court ruled that such a marriage would be illegal and the husband could be prosecuted for bigamy under Section 494 of the Indian Penal Code, 1860. In this case, the court further ruled that Hindu marriage continued to exist, even after one of the spouses converted to Islam. There is no automatic annulment of a Hindu marriage. It can be annulled only by a decree of divorce on any ground mentioned in Section 13 of the Hindu Marriage Act. Accordingly, the second marriage of a Hindu after his conversion to Islam was void within the meaning of Section 494 I.P.C. and the husband could be prosecuted for bigamy.

On the issue of "Uniform Civil Code", Justice Kuldeep Singh and Justice R.M. Sahani in their concurrent but separate judgments in the above case observed that since 1950 many governments have come and gone but no serious effort has been made to fulfill the constitutional obligation made under Article 44 of the Constitution. Consequently, the problem today is that many Hindus have changed their religion and converted to Islam just to escape the consequences of bigamy. This is because Muslim law allows more than one wife to the extent of four. Justice Kuldeep Singh said that Article 44 of the Constitution is based on the concept that there is no necessary connection between religion and personal law in a civilized society. Marriage, inheritance and similar matters are secular in nature and can therefore be regulated by law. No religion condones intentional distortion. There is a great fear of bigamy in Islam itself. Islamic countries such as Tunisia, Morocco, Iran, Pakistan, Syria and several other Islamic countries have codified their personal law to prevent its abuse. Even in America, the practice of polygamy has been judicially recognized as harmful to public morals, although some religions may make it obligatory or desirable for their

followers.

The said Hon'ble Judge further stated that the State can regulate this abuse of polygamy only by prohibiting human sacrifice or the practice of sati in the interest of public order.

❖ **(iv) The Fundamental Duties**

Article 51-A states about Fundamental duties and reads:- It shall be the duty of every citizen of India :- Whereby clause (e) specifically talks about women and tells that it shall be a duty of every citizen of India:

“to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;”

❖ **(v) Other provisions under the constitution (Specially for women and children):**

**(a) Reservation of seats for women in colleges. –**

The Bombay High Court in the case of Dettatreya v. State of Bombay” held that reservation of certain seats in colleges for women was not unconstitutional. The court stated that the establishment of an educational institution exclusively for women is not affected by Article 15 of the Constitution.

**(b) U.P. Court of Wards Act, 1912 Ownership relating to property.**

In Ram Raj Rajeswani Devi v. State of Uttar Pradesh,<sup>2</sup> where a question relating to a discriminatory provision in an Act was considered under U.P. Court of Wards Act, 1912. Under this Act, a man could be declared unfit to manage his property only on one of the five grounds specified therein, after he had been given an opportunity to show cause why such declaration should not be In such in this case, the owner could be declared unable to manage her property for any reason and without being notified. The Allahabad High Court held that the provision was wrong as it amounted to discrimination on the basis of sex, which was in violation of Article 15(1) of the 1950 Constitution of India.

**(c) Constitutional validity of Section 437 of the Penal Code of 1973. –**

The mandate of § 437 of the Penal Code permits discrimination in favor of women even when there appears to be reasonable ground to believe that they have been guilty of an offense punishable by death or life imprisonment.

In other words, this section prohibits the release of a person accused of a capital offense on bail except for women and children under 16 years of age or sick or infirm persons. In *Choki v. State of Rajasthan*, the Rajasthan High Court held that it was valid on the ground that it contained special provisions for women and was therefore protected under Article 15(3) of the Constitution.

**(d) Grant of licenses to open liquor shop.-**

The Allahabad High Court in *Smt. Savitri v. Bose*<sup>5</sup> held that Article 15(1) of the Constitution protects women from discrimination on grounds of sex. Accordingly, the decision of the revenue authorities to give preference to men over women in granting licenses to open liquor shops was held to be within the prohibition of Article 15(1). It was further held that such discrimination is not permitted under Article 15(1). It was further held that such discrimination is not permissible under Article 15(3) of the Constitution which empowers the State to make special provision for women because the special provision may confer some advantage on women and it cannot be to their detriment.

**(e) The Immoral Traffic (Prevention) Act, 1956 and the Constitution of India.**

Article 23 of the constitution provides the right against exploitation. This constitutional provision prohibits human trafficking. In this context, human trafficking includes the "devadasi system".

The Supreme Court in *Vishal Jeet v. Union of India* observed that human trafficking has long been prevalent in India in the form of sale and purchase of people for prostitution at a price similar to vegetables. Pursuant to Article 23(1) of the Constitution, the Legislature passed the Immoral Trafficking (Prevention) Act, 1956 to abolish prostitution and other forms of trafficking, including the "devadasi system". The court further observed that this Act was made in accordance with the International Convention signed by India on May 9, 1950 in New York (USA) for the Suppression of Immortal Traffic. With regard to the above-mentioned legal status and circumstances, the Supreme Court confirmed the validity of the aforementioned law.

Based on the powers of the constitution, the state is therefore allowed to issue special laws exclusively for women and children, the state can even grant a preferential law to support the development of women in all areas of life.

**(f) Reservation of women in elections to local bodies, employment. –**

The reservation of places for women in local authorities and in educational institutions cannot be considered discrimination on the basis of gender. The Supreme Court in *T. Sudhakar Reddy v. Govt. of Andhra Pradesh*,<sup>2</sup> confirmed the constitutional validity of the proviso to Section 316 para. 1(a) of the Andhra Pradesh Co-operative Societies Act, 1964 and rules 22(c). c) and 22 A paragraph 3 letter accordingly, relying on the mandate of Article 15, Paragraph 3 of the Constitution as amended with the above rules, which stipulate the appointment of two female members as recorders of the management committee of cooperatives with the right to vote and participate in committee meetings. The Supreme Court confirmed the validity of these provisions on the grounds that Article 15(3) of the Constitution allows for special provisions for women.

In 1992, the 73rd and 74th Amendments to the Constitution incorporated the reservation of seats for women in the Panchayat and in the Municipality by inserting Articles 243(d) and 243(t). According to the mandate of Article 243 letter (b) of the Constitution in the Panchayat, at least one-third of the total number of seats shall be filled by direct election in each Panchayat by women. These seats may be allotted by rotation to different constituencies in the panchayat, which shall not be less than one-third of the total number of seats. Chairmanship in Panchayat at every level is reserved for women. Art. 243 letters t) The Constitution contains similar provisions on the reservation of places for women in municipalities. The government has thus successfully reserved 33% of seats for women in local bodies based on constitutional powers, which is considered a pioneering legislative move.

Parliament has introduced the 81st Constitutional Amendment Bill, which seeks to reserve one-third of the seats in the Lok Sabha and state assemblies for women, although the bill has been referred to a joint committee of Parliament and has not yet been approved. With regard to the above constitutional provisions, it can be said that India has taken a big step forward in empowering women to participate in the political process at the political decision-making level.

In the field of employment, the reservation of places for women is ensured by the incorporation

of amendments, changes to the existing statutes and also by the adoption of special rules. In fact, it is the constitutional duty of the state to take legal measures to bring women into the mainstream by providing services under the government. It is to be noted that on many occasions the validity of the statutes relating to the reservation of posts for women in the service under the State has been challenged in the courts, but in most cases the judgment has been given in favor of the women. For example, in *Union of India v. K.P. Prabhakaran*,<sup>3</sup> the Supreme Court upheld the Railway Board's decision to reserve the posts of Inquiry Officers in the metropolitan booking offices of Madras, Kolkata, Mumbai and Delhi exclusively for women and also the policy regarding separate seniority panels for promotion of such officers. Before reaching this conclusion, the Supreme Court relied on the decision in the case of *A.P. v. P.B. Vijay Kumar*, where it was held that the power conferred on the State by Article 15(3) of the Constitution is wide enough to cover the entire field of State activity involving employment under the State. In the above-mentioned case, the Supreme Court decided that the said decision of the Railway Administration is not constitutional and is confirmed as such.

But in the case of *Mrs. Raghubans v. The State of Punjab*<sup>3</sup> The Punjab and Haryana High Court held that a government order declaring women ineligible for the post of warden in a male prison did not violate Article 15(1) on the ground that if a woman were employed as a warden, her the position would become worst and risky in securing and maintaining discipline towards habitual offenders held in prison. It is reported that this decision seems reasonable as it concerns the physical safety of women.

**(g) Scope of Article 15(4) of the Constitution. –**

The Supreme Court in the case of *Dr. Preeti Srivastava v. State of Madhya Pradesh* explained the scope and ambit of Article 15(4) which was added by the Constitution. Amendment Act 1951. Enables the State to take special measures for the development of women, inter alia, Scheduled Castes and Scheduled Tribes, notwithstanding Articles 51(1) and 23(2). Art. 15 paragraph 4 works similarly to Article 15 paragraph 3. The provision of Article 15 paragraph 3 was there from the very beginning. It allows for the adoption of special provisions for women and children notwithstanding Article 15(1), which imposes a mandate of non-discrimination based on (among other things) sex. It was a presumed method of protective discrimination. The same protective discrimination was extended by Article 15(4) to (among others) Scheduled Cases and Scheduled Tribes. As a result of the combined action of these programmers of compensating cells, the field

they were pursued as protective discrimination by various states and the Union Government. Since any such policy deviates from the norm of equality, even if permissibly in favor of the disadvantaged, it must be designed and operated in a manner conducive to the ultimate construction of an egalitarian non-discriminatory society.

**(h) There can be no relaxation at the highest level in a medical institution.-**

Supreme Court in *Dr. Preeti Srivastava v. State of Madhya Pradesh*, where the Post Graduate Institute of Medical Education and Research, Chandigarh Act, 1966, namely Section 32 as read by Regulation 27 provides that 20% of the seats in each course of study in the Institute are to be reserved for candidates belonging to Scheduled Castes, Scheduled Tribes or other categories of persons in accordance with the general orders issued by the Central Government from time to time. However, Regulation 27 can have no application at the highest level of super-specialization, as this would defeat the very objective of providing the best possible training to select deserving candidates who can contribute to the development of knowledge in the field of medical research and its applications.

Since no relaxation is admissible at the highest levels in the medical establishment, the petitioners are right in contending that the reservation made for SC and ST candidates for admission to the D.M. and M.C.H. Courses which are super special courses are not part of the constitutional mandate under Article 15(4) and Article 16(4). Regulation 27 made under the said Act, 1966 shall not apply at the level of admission to D.M. and M.C.H. Courses.

**(i) Mother can act as natural guardian during father's lifetime.-**

The Apex Court in *Mrs. Githa Hariharan v. Reserve Bank of India*<sup>2</sup> held that the father could not claim that he himself was the natural guardian and his wife could not decide without his permission. It was held that the mother of the minor was relegated to an inferior position only on the ground of sex, as her right of natural guardian is recognized after the father, which was a violation of Articles 14 and 15 of the Constitution on this ground. The mother can thus act as the natural guardian of a minor during the lifetime of the father, who would be considered absent.

In the above case, the court noted that the term "natural guardian" is defined in Section 4(c) of the Hindu Minority and Guardianship Act as any guardian referred to in Section 6. The term "guardian" is defined in Section 4(b) of the Hindu Minority and Guardianship Act as a person

having charge of the person of a minor or his property or both, his person and property and includes, among others, the natural guardian. It is thus seen that the definitions of "guardian" and "natural guardian" do not in any way discriminate against the mother and she, one of the guardians referred to in Section 6 of the Hindu Minorities and Guardianship Act, would undoubtedly be the natural guardian as per (c) of the said Act.

The only provision from which an exception is made is found in Section 6(a) of the law, which reads "the father and after him the mother. This phrase, on a cursory reading, gives the impression that the mother can be considered the natural guardian of the minor only after the father has lived. In fact, this also seems to underlie the stance taken by the Reserve Bank of India as well. There is no dispute and it is otherwise well settled that the welfare of the minor in the broadest sense of the word is a paramount consideration and even during the life of the father he may be replaced by the mother or another suitable person if necessary. court order where it would be in the interest of the welfare of the minor. Therefore, the Central Bank of India was wrong in refusing to open a deposit account to the mother in agreement with the father for the benefit of her minor son.

### ❖ **RELEVANT CASE LAWS:**

#### **1.) AIR INDIA VS. NARGESH MIRZA, 1981-**

The court held that the termination of service on pregnancy was unreasonable and arbitrary. thus, it was held to be in violation of article 14.

#### **2.) RANDHIR SINGH VS. UNION OF INDIA, 1982-**

The principle of equal pay for equal work for men and women was laid down.

#### **3.) ANUJ GARG VS. HOTEL ASSOCIATION OF INDIA-**

Prohibition of employment of women in hotel and bar serving liquor was held to be violative of gender equality.

#### **4.) RAKESH KUMAR GUPTA VS. STATE OF UTTAR PRADESH-**

Reservation of seat in favour of women in teacher in the girl's college does not violate article 14. It is a reasonable classification and is protected under article 15 clause (3).

**5.) YUSUF ABDUL AZIZ VS. STATE OF BOMBAY-**

Section 497 of Indian Penal Code which only punishes men for adultery is not a violation of article 15 (1). It is a protective discrimination.

**6.) DOCTOR NEELIMA VS. DEEN OF PG STUDIES ANDHRA PRADESH, AGRICULTURE UNIVERSITY, HYDERABAD,1993-**

High caste girl marrying scheduled tribes is not entitled to reservation benefit.

**7.) VISHAKHA VS. STATE OF RAJASTHAN-**

Guidelines for the protection of women against sexual harassment at work place were laid down.

**8.) MEDHA KOTWAL VS. UNION OF INDIA-**

Further, Guidelines for the protection of women against sexual harassment at work place were laid down.

**9.) MADHUKAR NARAYAN VS. STATE OF MAHARASHTRA-**

It was held that "the right to privacy" is available to a women of easy virtue also.

**10.) BODHISATHWA GAUTAM VS. SUBHRA CHAKRAVARTHI-**

It was held that the interim compensation for rape victim shall be provided unless the case is finally decided.

**11.) SHABANO BEGHUM VS. AHMED ALI KHAN-**

The Muslim women is entitled for maintenance after the Iddat period under section 125 of the code of criminal procedure.

**12.) SHIRABANO VS. UNION OF INDIA- (TRIPLE TALAQ)-**

It was held that right to life includes right to live with dignity and triple talaq violates the same.

**13.) COMMON CAUSE VS. UNION OF INDIA- (SABRIMALA CASE)-**

It was held that right to life includes right to live with dignity also and therefore, women are allowed to enter the Sabrimala temple.

## **REFERENCES**

### **Books:**

1. “Women and the law” – by Dr. G.B. Reddy
2. “Women and criminal law” – by Dr. S.C. Tripathi
3. “Law relating to women and children” – by Prof. DR. G.S. Sharma and Dr. Anil Kumar Tandi

### **Web Sources :**

1. <https://www.lawyersclubindia.com/judiciary/supreme-court-upholds-the-tamil-nadu-government-s-order-providing-for-50-reservation-for-admission-in-medical-super-specialty-courses-dr-n-karthikeyan-ors-vs-state-of-tamil-nadu-ors-5810.asp>
2. <https://www.clearias.com/first-amendment-act-1951/>
3. <https://www.termpaperwarehouse.com/essay-on/Every-Child-Is-Special/463059>
4. <https://www.slideshare.net/DhruvATripathy/women-equality-and-the-constitution-of-india>
5. <https://www.slideshare.net/DhruvATripathy/women-equality-and-the-constitution-of-india>

IJLRA