

## A STUDY ON THE EFFECTIVENESS OF HUMAN RIGHTS EDUCATION IN PROMOTING WOMEN'S RIGHTS AND EMPOWERMENT

**AUTHOR** – SHIVANI GUPTA, AD HOC LAW FACULTY AT KGK PG COLLEGE

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### ABSTRACT

Gender Inequality is not only woman issue but human issue. Women suffer discrimination in many aspects in spite of their contribution in every spheres of life they suffer silence and belong to a disadvantage position in society. , human rights are non-discriminatory but all human beings does not experience them equally throughout the world. Various international declaration and covenant have been adopted to eliminate discrimination against women like Universal Declaration On Human Rights, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention On The Elimination Of All Forms Of Discrimination Against Women, 1979. In India various constitutional provisions like Article 14, 15(3), 23, 39(d), 39(e), 42, 44, 51A(e) etc. have been incorporated to eliminate discrimination against women moreover Article 15(3) says that state is empowered to make special provision for women even in the personal laws some provision are made to eliminate discrimination of women. Then gradually various legislation came like Sati Prevention Act,1987; Indecent Representation of Women (Prohibition),1986; Dowry Prohibition Act,1961; Family Courts Act, 1984; Protection of Human Rights Act,1993;etc. Then through various judicial decisions court struck down the provisions which violated human rights of women. India has ratified CEDAW which implies to honour the obligations imposed by convention. Aim of this convention was to eliminate discrimination against women. Thus India ratified this convention to eliminated discrimination against women. Human rights are non- discriminatory, meaning that all human beings are entitled to them and cannot be excluded from them. Women have always been discriminated against and have suffered and are suffering discrimination in silence. Women may have rights guaranteed by law but are unable to exercise them due to failure of Government to promote and protect this rights. Actions to be taken by Government are the following developing comprehensive human right education programme to raise awareness about womens' rights, create or strengthen national institutions for protecting human rights of women, publicise information on existing mechanism for redressing , human rights violation.

**Keywords:** Gender equality, Discrimination, Human Right, International Conventions, Constitutional Provisions.

### INTRODUCTION

–Salle Engle Merry<sup>799</sup>

"In the area of violence against women, human rights ideas are powerful precisely because they offer a radical break from the view that violence is natural and inevitable in intimate relations between men and women. Defined as human rights violation, gender violence becomes a crime against the state that the state must punish"

Gender Inequality is not only a women issue but human issue it affects both men and women. Gender discrimination is based on how people are treated differently on the basis of sexual inequality. To eliminate Gender discrimination many legislations have been enacted. It is apparent in many employments where one gender is given preferential treatment or one

<sup>799</sup> Nidhi Gupta, Honour Killing and Women's Human Rights, Vol. 2 Journal of Development Management and Communication, (2015), 326

gender receives less payment or job responsibilities because of gender bias and unfair stereotypes. Gender discrimination prevails in many areas like in workplace, educational sectors, sports, political organizations etc. Women have high contribution in every spheres of life but in spite of their contribution in every spheres of life they suffer silence and belong to a disadvantageous position in society. The problem of gender discrimination is still prevalent. Women undergo discrimination ranging from workplaces to homes. Sexual harassment of women, domestic violence faced by women, some of the societal customs and traditions play vital role in creating gender discrimination. The advancement of women has been focus of the work of United Nation. The preamble of the Charter of the United Nation sets a basic goal to reaffirm faith in fundamental right in the dignity and worth of human person in the equal rights of men and women moreover Article 1 of UN Charter also says promotion of respect for human rights and fundamental freedoms for all the people without discrimination on the basis of race, sex, language or religion is one of the object of United Nation.<sup>800</sup>

### DISCRIMINATION IN VARIOUS FORMS

Discrimination on the basis of sexual inequality occurs in various forms They are as follows:

#### Harassment at workplace

Regarding harassment faced by women at workplaces which is one type of discrimination based on gender, some of the unwelcome behaviour like physical contact, showing pornography, making any sexual favours, making any coloured jokes, etc. come within the ambit of harassment of women.

#### Dowry Demand

Dowry system means transfer of parental property, gifts or money from bride side during marriage. This is still prevalent and many women are often victim of this system. On non fulfilment of the dowry demand women are very often subjected to torture, harassment by

husband or relatives of husband. This is another aspect which creates gender discrimination. 40 to 50 percent of dowry death has been recorded annually in India during 1999 to 2016.

#### Domestic violence

Women are mostly the victims of this act. Most of the time they are subject to torture, harassment, etc. by their in-laws, husband. One of its main reason is demand of dowry. It can be in many forms like physical, mental, Verbal, etc. Apart from Sec 498A of IPC Domestic Violence Act 2005 has been enacted to deal with cases of domestic violence.

#### Honour killing

Honour Killing which is also called as customary killing is an act of violence, usually murder committed by male family members against female family members who are held to have brought dishonour to the family. Honour Killings take place in many states like United Nations, Special Reporter on extrajudicial summary and arbitrary executions and the Special on Reporter on violence against women have received reports from Brazil, Bangladesh, Egypt, Germany, India, Italy, UK, etc.<sup>801</sup> In India in some of the states honour killing is very much prevalent. The largest number of cases are found in Punjab, Haryana and Uttar Pradesh. One of the main reason of increasing this crime rate is the trend of more girls joining educational institutions, inter caste marriage, etc.<sup>802</sup>

### INTERNATIONAL SCENARIO OF GENDER DISCRIMINATION

Discrimination on the basis of gender prevails in many places and it manifests itself differently according to race, culture, politics, country, and economic situation. Discrimination is one of the main factor for causing violence against women. While gender discrimination happens to both men and women in individual situations, discrimination against women is an entrenched, global pandemic. In the Democratic Republic of the Congo, rape and violence against women and girls is used as a tool of war. Considerable

<sup>800</sup> H.O. Agarwal, International Law And Human Rights, Central Law, P 763, Publication, 21<sup>st</sup> Edn, 2017

<sup>801</sup> Report of the UN Special Reporter on extrajudicial, Summary and arbitrary executions UN doc.E/CN.4/2003/3, 25 Jan 2000

<sup>802</sup> Nidhi Gupta, Honour Killing and Women's Human Rights, Vol. 2 Journal of Development Management and Communication, (2015), 326

focus has been given to the issue of gender inequality at the international level by organizations causes and effects of gender inequality vary geographically, as do methods for combating it.

### Asia

In Asia is the "missing girls" phenomenon show the continued existence of gender inequality.<sup>5803</sup>Desire of male children is very much prevalent so that there can be an extra source of income. In China, females are perceived as less valuable for labour and unable to provide sustenance.

### Cambodia

By creating a distinguished feature between men and women a Cambodian said, "Men are gold, women are white cloth". Since males carry on the family name and hold the responsibilities to take care of the family so males were given more preference than female. Women did the household works, took care of husbands and children. Women were the main victims of poverty as due to lack of education among them, low wages and low chances owning assets such as lands, homes or even basic items.

In Cambodia, the Ministry of Women's Affairs (MOWA) was formed in 1998 with the role of improving women's overall power and status in the country.

### Europe

Europe, as a whole, has a decent amount of disparity when in reference to Global Gender Gap Report put out by the World Economic Forum (WEF) in 2013. The Nordic Countries, for several years, have been at the forefront of bridging the gap in gender inequality. Every Nordic country, aside from Denmark who is at 0.778, has reached above a 0.800 score. In contrast to the Nordic nations, the countries of Albania and Turkey continue to struggle with gender inequality. Albania and Turkey failed to break the top 100 nations in 2 of 4 and 3 of 4 factors, respectively. However, despite the disparity, European nations continue to make

advances in the many factors that are used to determine a nation's gender gap score.

### India

Comparison to other countries India lies in the middle position in relation to gender equality. In labour force Indian women has good participation but in relation to literacy of female and health of women India ranks poor. So though in labour force work women in India has good attendance but in other areas like education health the attendance rate is poor which consequently affects their economic condition.

### FACTORS OF GENDER INEQUALITY

Gender inequality in India refers to health, education, economic and political inequalities between men and women in India. Various international gender inequality indices rank India differently on each of these factors, as well as on a composite basis, and these indices are controversial. Gender inequalities, and its social causes, impact India's sex ratio, women's health over their lifetimes, their educational attainment, and economic conditions. Gender inequality in India is a multifaceted issue that concerns men and women alike. Some argue that some gender equality measures, place men at a disadvantage. However, when India's population is examined as a whole, women are at a disadvantage in several important ways. In India, discriminatory attitudes towards either sex have existed for generations and affect the lives of both sexes. Although the constitution of India has granted men and women equal rights, gender disparity still remains.

There is specific research on gender discrimination mostly in favour of men over women. Women are perceived to be disadvantaged at work. Indian laws on rape, dowry and adultery have women's safety at heart, but these highly discriminatory practices are still taking place at an alarming rate.

Lorber states that gender inequality has been a historic worldwide phenomena, a human invention and based on gender assumptions. It is linked to kinship rules rooted in cultures and gender norms that organises human social life,

<sup>803</sup> Missing Women of Asia, available at <https://courseslumenlearning.com> (last visited on Jan 25, 2021)

human relations, as well as promotes subordination of women in a form of social strata. Amartya Sen highlighted the need to consider the socio-cultural influences that promote gender inequalities. In India, cultural influences favour the preference for sons for reasons related to kinship, lineage, inheritance, identity, status, and economic security. This preference cuts across class and caste lines, and it discriminates against girls. In extreme cases, the discrimination takes the form of honour killings where families kill daughters or daughters-in-law who fail to conform to gender expectations about marriage and sexuality. When a woman does not conform to expected gender norms she is shamed and humiliated because it impacts both her and her family's honor, and perhaps her ability to marry.

The causes of gender inequalities are complex, but a number of cultural factors in India can explain how son preference, a key driver of daughter neglect, is so prevalent.

#### **Patriarchal society**

In India rather in most of the countries Patriarchal society is most prevalent. It is a system of our society where male plays the dominating character and most of the privileges of the society are enjoyed by men. They are the primary authority figures, be it in politics, ownership related to any property, moral authority, authority family, etc. Examples of patriarchal society can be seen through the customs which prevail in our society like women move in with the husband and his family upon marriage, in many parts of the country dowry system is still prevalent, in many areas women are forced not to do jobs, or rather if we consider our daily life in most of the family cooking and doing other household activities is considered the exclusive job of women only. All these things encourage a family to have a son rather than a daughter as they believe raising a son will give the family a financial security. The parents of the daughter essentially lose all they have invested to bring up their daughter as she moves to the husband's family and mostly many women don't have any independent

source of income and those who have are unable to spend in their parents due to family pressure. Furthermore, sons' liability is considered more to support their parents in old age than women.

#### **Son preference**

Son preference is another key factor for gender inequality. Sons have high demand in family as they are considered to be the support of parents both physically and financially. In Hindu Succession Act 1956 married daughters were not entitled to claim right in their parents' property though this discrimination has been removed by 2005 amendment, as they are deemed more useful than girls. Sons are considered to have more economic utility than daughters as they can provide additional labour in agriculture, factories, in any work which required labour. Again religious practices, which can only be performed by male members of society. All these things make sons more desirable in our society. Another key factor for giving more preferences to a son is dowry demand and the prospect of losing daughters after their marriage discourages people from having daughters. Again sons are given rights to perform the funeral ceremonies of their parents. Thus, all these create an imbalance in the view of sexes in our society. All these things have an impact that daughters are a liability of our society. Again if we consider the crime rates, crime against women is much more like dowry death, rape, immoral trafficking, etc. which signifies that daughters are not safe at all in the society; an insecurity is prevalent over them. All these things create son preference in our society.

#### **Discrimination against girls**

Son preference in a son automatically creates discrimination against girls. In a maximum family there is a huge difference among the feeding practice of boys and girls. Again women suffer discrimination in the medical treatment and in the administration of vaccinations against serious childhood diseases. Again in spite of illness of women in most of the family women are forced to do their regular household works

compared to men. In many cases women don't get that much rest and care after any operations or after delivery of child all these creates a serious health issue for women and which again reflects gender inequality.

### Dowry

Dowry is the payment in cash or some kind of gifts given to bridegroom's family along with the bride. The practice is prevalent from ancient times. This Dowry practice creates a liability on the parents of daughter. Though now many laws has been enacted like 1961 Dowry Prohibition Act in Indian civil law and subsequently by Sections 304B and 498a of the Indian Penal Code (IPC) to combat this practice of dowry but still it is very much prevalent in some regions of India and in some families. Parents also feel insecure about this they think this dowry is essential to give to the grooms family for the betterment of their daughter. This is another aspect which contributes to gender inequalities showing that girls are a burden on families.

### EFFECTS OF GENDER INEQUALITY

Gender discrimination creates several consequences. It creates discrimination both inside and outside the house. Sometimes due to family pressure women is either not allowed to work or are forced to quit their jobs even if both male and female members of family are working it is expected that women would do the household work after returning from jobs. Even in workplace women face inequality in many cases. It leads to an increase in employee turnover and creates an unfavourable work environment. In many cases women are subjected to harassment which can be physical, sexual or mental both in the house as well as at workplace. One of the dark side this inequality is that rate of crime against women is increasing day by day.

### GRIEVANCES OF THE VICTIMS

The grievances of victims of Gender discrimination are the following:

#### a) Economic strain of the family

Women being victim of crime face economic strain in the family which is one of the

grievances of the victims of gender discrimination.

#### b) Frustration and helplessness leading to suicide

Due to this gender discrimination many women gets frustrated and feel helpless in the family as well as in the society which leads to the commission of suicide by them. Many women commits suicide due to the pressure of dowry, cruelty, domestic violence, etc. This is one another grievances of the victims of gender discrimination.

#### c) Social stigma

Due to facing of sexual harassment, rape, cruelty, domestic violence, outraging modesty, etc. women faces social stigma in the society.

#### d) Emergence of criminal behaviour

As women faces social stigma in the society, gets frustrated and helpless this may lead to emergence of criminal behaviour in their mind.

#### e) Lack of legal assistance to the victim

Victims face lack of legal assistance which is another grievances of the victims of crime.

#### f) Failure in restitution of victim

Another grievance of the victim of gender discrimination is failure of restitution of the victim.

### POSITION OF WOMEN IN INDIA

As per Vedas and Upanishad women are pronounced as "mata" or goddess. Status of women in different societies of the world is different. The Hindus considered man and women represent two aspects of one person but with time position of women kept to decline due to enhancement in the practice of polygamy, purdah system, dowry, etc. There has been no practical equality of men and women.<sup>804</sup> Great saints like swami Dayanand the founder of Arya Samaj fearlessly raised voice against all such ill treatments and discrimination with women which culminated in basic law of the country then Constitution came which gave various rights to women. The girl child was considered to be the liability upon families and which increased the rate of female foeticide,

<sup>804</sup> Monica Chawla, Gender Justice Women & Law in India, Edn. 2006 Deep & Deep Publications.

infanticide, dowry death, etc. The cause of gender discrimination in India are the need of male heir in the family, dowry demand, poverty, domestic violence, etc. which gave rise to domestic violence, rape, sexual harassment, etc.

### HUMAN RIGHTS PROVISIONS FOR WOMEN

All the human being have right to live with their self respect. As per D.D. Basu 'human rights are those minimum rights which every individual must have against the state or other public authority by virtue of his being a member of human family, irrespective of any other consideration.'<sup>805</sup> Many governments and individuals ignore human rights and grossly exploit other human beings. One of the bad effect of this gender inequality is women are deprived of their Human Rights in many cases. Human Rights of the women have been recognized under the various International instruments and under Municipal laws. There has been various International declaration on Human Rights which says to preserve Human Rights of women like UDHR, ICCPR, etc.

### Universal Declaration on Human Right

Articles 1 of UDHR is one general provision which says about equality in dignity of all human beings which implies equal dignity of both men and women again Article 2 of UDHR prohibits discrimination on race, colour, sex and it says all are entitled to every rights enshrined in this Declaration without any distinction. UDHR also says that all has the right to life, liberty and security irrespective of any gender distinction. Article 7 says about equality before law and equal protection of law i.e all are to be treated equal irrespective of gender so both male and female are entitled to right to equality.

### 1. INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

Under Article 3 of ICCPR says about equal right of men and women to the enjoyment of all civil and political rights are enshrined. So this Covenant specifically says about equality of right of both men and women in respect of both

civil and political rights.

### International Covenant on Economic, Social and Cultural Rights

Under Article 3 of ICESCR equal right of men and women are ensured in relation to the enjoyment of all economic, social and cultural rights.

### Convention On The Elimination Of All Forms Of Discrimination Against Women, 1979

On 18 December 1979, the CEDAW was adopted by the United Nations General Assembly. CEDAW in the preamble admits about the existence of discrimination against women and it also highlights that this discrimination contravenes right to equality and respect for human dignity. As the term discrimination defined in article 1, discrimination is understood as "any distinction, exclusion or restriction made on the basis of sex in any field be it social, political, civil, etc.. Article 3 of the Convention requires the States parties to take every required measures, including legislation, to ensure the full development and advancement of women, so that women can enjoy human rights and fundamental freedoms on a basis of equality with men. To ensure equality between men and women States Parties should take all the required measures which are stated under part III of the Convention like in respect of education, employment, health, etc.

### India and CEDAW

India has ratified CEDAW which implies to honour the obligations imposed by convention. India as state party to CEDAW has legal and binding obligation to eliminate discrimination against women. State Parties should take appropriate measures to eliminate all those things which are based on the idea of the inferiority or superiority of sexes. In *Madhu Kishwar v State of Bihar*<sup>806</sup> case it was held that CEDAW is an integral scheme of Fundamental Rights and Directive Principles of State Policy. Aim of this convention was to eliminate discrimination against women. Thus India ratified this convention to eliminated discrimination against women.

<sup>805</sup> H.O. Agarwal, International Law And Human Rights, P 844, Central Law Publication, 21<sup>st</sup> Edn, 2017

<sup>806</sup> *Madhu Kishwar v State of Bihar* A.I.R. 1996 SC p. 2178 (India)

## COMMISSION ON THE STATUS OF WOMEN

By Council resolution 11(II) of 21 June 1946 a functional commission of the Economic and Social Council (ECOSOC) was established which is known as the Commission on the Status of Women (CSW). It is the principal global intergovernmental body whose main focus was ensuring gender equality and promoting empowerment of women. The CSW worked for women's right and it also showed the reality of women's lives throughout the world, and shaping global standards on gender equality and the empowerment of women.

## INDIAN SCENARIO

### Constitutional Provision Preamble

Preamble starts with the word 'we the people of India' give to ourselves the Constitution thus source of constitution is people, i.e. men and women of India. Preamble says for securing political, economic and social justice. Codification of certain personal laws is required to ensure social justice to the women. In the area of the criminal justice the gender neutrality worked in a disadvantage of women accused as in some cases it imposes a heavy burden on the prosecutrix. In P.A Inamdar v State of Maharashtra<sup>807</sup>, case the Supreme Court observed that justice, liberty, equality, and fraternity are the golden goals of Preamble of Constitution of India which are to be achieved & for this Indian Polity needs to be educated and educated with excellence.

### Fundamental Rights

Article 14 of the Constitution says that state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India. Simply Article 14 say about equality of all persons. Article 15 (1) prohibits discrimination on the ground of sex. Article 15(3) empowers the state to make special provisions for women and children. Based on this several provisions have been made to guard the interest of women and children in several laws both civil and criminal. Article 16(1) and 16(2) of the Constitution prohibits discrimination in

general and also discrimination because of sex in offices and those employed under the State. Under Article 23 traffic in human beings and forced labour is prohibited. In Air India v Nargesh Meerza,<sup>808</sup> case Supreme Court struck down Air India Regulation relating to retirement of air hostesses. Regulation 46 provided airhostesses would retire from the service on attaining the age of 35 years or on marriage if it took place within four years of service or first pregnancy whichever occurred earlier. Court struck down this regulation on recognising termination of pregnancy unreasonable and violative of Article 14.

### Directive principles of state policy

Article 39(d) says that there is equal pay for equal work for both men and women. Article 39(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength, Article 42 of the Constitution provides Provision for just and humane conditions of work and maternity relief by virtue of which Maternity Benefit Act has been enacted. Article 44 of the Constitution says about Uniform civil code for the citizens.<sup>809</sup>

### Fundamental Duties

Article 51A (e) of Constitution of India also imposes duty on the citizens to protect the dignity of women. So this Article specifically imposes duty on every citizen of India to renounce practices derogatory to the dignity of women.

### Legislations

Based on the Constitutional provisions various legislations were enacted like Sati Prevention Act, 1987; Indecent Representation of Women (Prohibition), 1986; Dowry Prohibition Act, 1961; Family Courts Act, 1984; Protection of Human Rights Act, 1993; etc. for the betterment of women. Apart from this some legislations were amended also to give right to women. Like Hindu Succession Act has been amended in 2005 and by virtue of which Hindu married

<sup>807</sup> P.A Inamdar v State of Maharashtra AIR 2005 SC 3226: (2005) 6 SCC 537 (India)

<sup>808</sup> Air India v Nargesh Meerza AIR 1981 SC 1829 (India)

<sup>809</sup> Pandey, J.N, Constitution of India, Central Law Agency, 45<sup>th</sup> Edn., reprint 2000

daughter were given right to inherit the property and not only this they are now entitled to claim partition in the dwelling house too.

### ROLE OF INDIAN JUDICIARY

Indian Courts on the basis of Constitutional provisions has declared number of rules and regulations as discrimination against women. In *Air India v. Nargesh Meerza*<sup>810</sup> case Supreme Court struck down the provision which stipulated the condition that services shall be terminated on her pregnancy as unconstitutional. In *Maya Devi v State of Maharashtra*<sup>811</sup> case requirement that married women should take husband's consent before applying for public employment was held unconstitutional. In *Pratibha Rani v Suraj Kumar*<sup>812</sup> case it was held that it cannot be said that on entering matrimony stridhan property to be placed in the custody of husband. Again in *Vishaka & Others v State of Rajasthan*<sup>813</sup> case Supreme Court presented a law until the legislature safeguard the interest of the working women and protect them against sexual exploitation in workplaces. In *State of Punjab v Baldeo Singh*<sup>814</sup>, case it was held that Article 21 of the Constitution of India ensured right of women to be treated with decency and proper dignity. In *Madhu Kishwar v State of Bihar*<sup>815</sup> case it was held that half of the Indian population are women. Women have always been discriminated against and have suffered and are suffering discrimination in silence. Self sacrifice and self denial are their nobility and fortitude and yet they have been subjected to all inequities, indignities, inequality and discrimination. In *Vineeta Sharma v Rakesh Sharma* case (2020) Supreme Court held that daughters have equal coparcenary rights of in Hindu Undivided Family. Again in *Secretary, Ministry of Defence v Babita Puniya and Ors.* (2020) case Supreme Court held that all women army officers are to be allowed to be promoted in commanding roles. Again *Shayra Bano v UOI* (2017) case Supreme Court held that triple talaq

is against the basic tenants of Quran and the Court directed the centre to pass a legislation in this regard and as per it Muslim Women (Protection of Rights of Marriage) Act, 2019 was enacted and it made pronouncement of Triple Talaq punishable. Not only this to bring gender equality Supreme Court also departed from traditional practices which rest on peoples' faith and belief by giving verdict in the *Sabrimala* (2019) case where Supreme held that devotion cannot be subjected to gender discrimination and consequently women of all ages are allowed to enter into the Sabrimala temple.

### GENDER EQUALITY & PERSONAL LAWS

- Section 10 of Indian Divorce Act, 1869 lay down similar grounds for divorce of men & women.
- Section 6 of Child Marriage Restraint Act, 1929 not allowing a women to be punished with imprisonment upon conviction for child marriage or permitting a child marriage.
- Section 8 & 15 of Hindu Succession Act, 1956 relating to succession of Hindu males & females.
- Section 15 of Hindu Adoption & Maintenance Act, 1956 relating to adoption.
- Immoral Trafficking Act, 1956 for protection of trafficked women and girls.
- Section 498A of I.P.C & Domestic Violence Act, 2005 provided provision for protection of women
- Exempting women from rigors PWDVA 2005 & PCPNDT Act under Section 19(1)(b) & Section 23(4) respectively.
- 50% reservation for women
- Provision for camera / chamber trials for against women & children.
- Appointment of lady judge for family Court and female prosecutors for cases of children under POCSO Act.
- Section 6 of Minority & Guardianship Act under which father & mother are appointed as guardians.

### SPECIAL INITIATIVE FOR WOMEN

Some of the special initiative has been taken up to remove gender inequality and for the women

<sup>810</sup> *Air India v. Nargesh Meerza* A.I.R. 1981 SC p. 1829 (India)

<sup>811</sup> *Maya Devi v State of Maharashtra* ISCR (1986) p. 743 (India)

<sup>812</sup> *Pratibha Rani v Suraj Kumar* A.I.R. (1985) SC p. 628 (India)

<sup>813</sup> *Vishaka & Others v State of Rajasthan* A.I.R 1997 SC p. 3011 (India)

<sup>814</sup> *State of Punjab v Baldeo Singh* AIR 1999 SC 2378 (India)

<sup>815</sup> *Madhu Kishwar v State of Bihar* (1996) 5 SCC 145 (India)



empowerment like:

a) The National Commission for Women: It was set up as statutory body in January 1992 to deal with the matters related to Constitutional and legal safeguards for women.

b) Reservation of Women in Local Self Govt.: By virtue of 73<sup>rd</sup> amendment of the Constitution one third of the total elected seats are reserved for women in local bodies both in rural and urban areas.

c) National Plan of Action for Girl Child: To secure the future of girl child and to ensure that no girl child is killed National Plan of Action for Girl Child(1991-2000) was brought.

d) National Policy for the Empowerment of Women 2001: This policy is prepared by Department of Women and Child Development in the Ministry of Human Resource Development to ensure empowerment and development of women

#### CONCLUSION AND SUGGESTION

All human beings are entitled to human rights without any discrimination. Law enforcement agencies should receive appropriate training to deal with the women related issues like domestic violence, Honour Killing, etc. Women may have rights guaranteed by law but are unable to exercise them due to failure of Government to promote and protect this rights. Appropriate mechanism of national and international levels is lacking. Above all the community at large needs to be involved in order to increase public awareness of violence against women.

Actions to be taken by Government are the following:

A) Developing comprehensive human right education programme to raise awareness about womens' rights.

B) Create or strengthen national institutions for protecting, human rights of women.

C) Publicise information on existing mechanism for redressing, human rights violation.

D) Ensure equal rights of women to serve in courts and as police/prison officers.

E) Review of National laws and revoke those laws which discriminate against women

F) Ensure equal rights for women to serve in courts and as police and prison officers

G) Provide gender sensitive human rights education and training to public officials

H) Promote women equal participation in the media

Encourage and recognize women's media networks