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RECENT LEGAL REFORMS ENHANCING WOMEN'S RIGHTS IN INDIA

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ABSTRACT

India has made significant strides in strengthening women's rights through various legal reforms. Recent legislative changes reflect the commitment of the government and judiciary to safeguard women's rights and create a more inclusive society. Key legal reforms like The Protection of Women from Domestic Violence Act, 2005, Maternity Benefit (Amendment) Act, 2017, The Muslim Women (Protection of Rights on Marriage) Act, 2019, The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 etc. These reforms have significant changes by providing greater legal protection against gender-based violence, discrimination, increased workforce participation through enhanced maternity benefits and workplace safety etc.

Keywords: Women's right in India, The Protection of Women from Domestic Violence Act, 2005, Maternity Benefit (Amendment) Act, 2017, The Muslim Women (Protection of Rights on Marriage) Act, 2019, legal reforms for women's right in India.

Introduction

India has made significant strides in strengthening women's rights through various legal reforms. These reforms aim to ensure gender equality, enhance protection against discrimination and violence, and promote women's social and economic empowerment. Recent legislative changes reflect the commitment of the government and judiciary to safeguard women's rights and create a more inclusive society.⁸⁰

Key Legal Reforms

Criminal Law (Amendment) Act, 2018

This amendment was introduced to enhance punishment for crimes against women,

particularly sexual offenses. Key provisions include:

Increased punishment for rape, this includes the imposition of the death penalty for individuals convicted of raping minors under the age of 12.

Expedited investigation and trial processes to ensure swift justice.

Enhanced protection measures for victims.⁸¹

The Protection of Women from Domestic Violence Act, 2005

To strengthen the Protection of Women from Domestic Violence Act, 2005, amendments have been proposed to:

Strengthen the sanctions imposed for violations of protection orders.

⁸⁰ <https://pib.gov.in/PressReleasePage.aspx?PRID=1988601>

⁸¹ <https://blog.ipleaders.in/criminal-law-amendment-act-2018-2/>

Improve the systems in place for victim support, focusing on better shelter facilities and access to legal aid.

Extend protection to live-in partners facing abuse.⁸²

Maternity Benefit (Amendment) Act, 2017

This amendment significantly improved maternity benefits for working women:

Paid maternity leave has been extended from a period of 12 weeks to a total of 26 weeks.

Implemented remote work options for new mothers.

Mandated crèche facilities for establishments with 50 or more employees.⁸³

The Muslim Women (Protection of Rights on Marriage) Act, 2019

This significant piece of legislation made triple talaq a criminal offense providing Muslim women with greater legal protection in marriage. The act:

Declares triple talaq void and illegal.

Imposes a penalty of up to three years imprisonment for offenders.

Ensures financial support and custody rights for affected women.⁸⁴

The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013

Recent updates and implementation guidelines reinforce:

Mandatory Internal Complaints Committees (ICCs) in all workplaces.

Increased awareness and training for employees.

Stronger monitoring and accountability mechanisms for non-compliant organizations.⁸⁵

The Medical Termination of Pregnancy (Amendment) Act, 2021

This reform provided greater reproductive rights to women by:

Increasing the permissible duration for legal abortions from 20 weeks to 24 weeks for certain classifications of women.

Allowing unmarried women to seek abortion on similar grounds as married women.

Enhancing confidentiality provisions for women undergoing the procedure.⁸⁶

The Prohibition of Child Marriage (Amendment) Bill, 2021

Aimed at increasing the legal marriage age for women from 18 to 21 years, this bill seeks to:

Promote gender equality in marriage age.

Reduce child marriages and their associated risks.

Ensure better opportunities for women's education and career growth.

Impact of These Reforms

These legal reforms have contributed to:

Greater legal protection against gender-based violence and discrimination.

Increased workforce participation through enhanced maternity benefits and workplace safety.

Strengthened reproductive rights with improved access to medical termination of pregnancy.

Empowerment of women by granting them greater control over their personal and professional lives.

Challenges in Implementation

Despite progressive legal changes, challenges persist:

Lack of awareness about new legal rights among women, especially in rural areas.

⁸² <https://pib.gov.in/newsite/erecontent.aspx?reid=21508>

⁸³ <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1898874>

⁸⁴ <https://pib.gov.in/FactsheetDetails.aspx?Id=148565®=3&lang=1>

⁸⁵ <https://wcd.delhi.gov.in/wcd/sexual-harassment-women-workplaceprevention-prohibition-and-redressal-act-2013sh-act-2013>

⁸⁶ <https://pib.gov.in/PressReleasePage.aspx?PRID=1705381>

Delays in judicial processes impacting timely justice delivery.

Social and cultural resistance to certain reforms, particularly in conservative communities.

Implementation gaps in ensuring compliance with workplace safety laws and domestic violence protections.

Way Forward

To maximize the impact of these legal reforms, the following measures are essential:

Stronger enforcement mechanisms with improved monitoring and accountability.

Wider awareness campaigns to educate women about their legal rights.

Faster judicial proceedings to ensure timely justice.

Community engagement programs to challenge deep-rooted gender biases.

Conclusion

The recent legal reforms in India mark significant progress in advancing women's rights. While challenges remain, effective implementation and awareness campaigns can ensure these legal changes translate into real empowerment. Continued commitment from the government, judiciary, and society is essential to achieving true gender equality and justice for women in India.

