

# **A Study of Women's Rights Violations and the Role of Law in India**

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**Abstract:** Every day, newspapers, TV, and electronic gadgets report on India's women's human rights violations. Every member of the human family must have access to human rights. Men and women have equal rights under the Indian constitution. Indian women's human rights theory and practice differ greatly. In our male-dominated culture, males are always considered superior. The India Women confront prejudice and dishonor. Women in India have more rights than males, yet their lives remain dismal. It will illuminate the human rights of women in India and how all their essential rights are abused..

**Keywords:** Gender-Based Violence, Sexual and Reproductive Rights, Legal and Social Barriers

## **I. INTRODUCTION**

One of the oldest civilizations is India. In Rig Vedic India, women were highly esteemed. They were married at a mature age, allowed to participate in religious rituals, and allowed to choose spouses.<sup>1</sup> Later in the Vedic era, women faced discrimination as their standing declined. Analyzing Smritis shows women's decline. Smritis create confusion in terms of theories and ideas, unlike Vedic literature. For example, Manu Smriti quotes, 'Naryastu Yatra Pujyante, Ramante Tatra Devta' (Where women are honored, gods are pleased).<sup>2</sup> However, it states, 'Pita Raksati Kaumare Bharta Raksati Yauvane, Raksanti Sthavire Putra Na Stri Svatantryamarhati.'<sup>3</sup> (The father defends her during virginity, the spouse in youth, the son in old age; the lady is never independent). Thus, no woman—girl, young lady, or old—was given freedom. As a youngster, her father ruled her, then her spouses, and finally her son.<sup>4</sup> Thus, the Manu Smriti exemplifies respect and disregard of women. Mitakshra author Yajnavalkya writes, 'The father must watch her while she is a maiden, the husband when she is married, and the son in old age, in the absence of these, her relatives, a woman has no freedom at any time.'<sup>5</sup> In that time, women had little rights and lived under patriarchal rule.

After the Vedic period in medieval times, several traditions restricted their freedom and reduced their social status. To hide women from Muslim invaders, the veil (purdah) system was created. Sati and child marriage also developed then. Such social malpractices deprived women of their independence, violating their rights. Women gained freedom during British control as western culture influenced Indian society. Equality, justice, and morality came from Britain. In that time, social reformers like Raja Ram Mohan Roy, Swami Dayanand Saraswati, and Ishwar Chandra Vidhyasagar protected women from Sati, child marriage, and encouraged education to empower them. The Indian Constitution gave men and women equal rights without discrimination upon independence. The constitutional goal of gender equality in India remains far from reality, despite many attempts to better women's standing.

Violence against women in India is rising. According to the National Crime Record Bureau (NCRB), Delhi had 1,215 rape cases, 11 attempted rape cases, 3,416 cruelty by husbands or relatives cases, 3,715 women kidnapping cases, 2,705 modesty outrage cases, 18 women-related cybercrime cases, and 153 dowry deaths in 2018. According to NCRB data, crime against girls increased to 8,246 cases from the previous year, including 1,839 Protection of Children from Sexual Offences Act (POCSO) cases, 52 murder cases, 72 human trafficking cases, and 687 cases of outraging a girl's modesty. Delhi Police reported 13,640 crimes against women in 2018.<sup>6</sup> When national capital is that terrible, we can imagine India's rest. Women make up about half of India's population, yet they are discriminated against and denied their rights everywhere. No guy may be victim of rape, sexual assault, dowry demand, bride burning, prostitution, selling and importing, sexual exploitation, etc. How does this Human Rights protection afforded to women under

constitutional and legislative requirements benefit them? The Indian government is attempting to empower women, but much has to be done.

### **Women's Human Rights at International Level**

Human rights are the minimal equal and inalienable rights earned by all members of the global human community regardless of gender, ethnicity, language, race, religion, country, or other factors. These universal rights include life, equality, human dignity, freedom of speech and expression, nondiscrimination, and a safe environment. These human rights are recognized by the world in 1948 by the Universal Declaration of Human Rights<sup>7</sup>, to which India signed. India is a signatory to the 1966 International Covenant of Economic, Social, and Cultural Rights and the 1979 UN Convention on the Elimination of all Forms of Discrimination against Women. These all-U.N. Conventions promote human rights and equality without discrimination.

### **Women's Human Rights in India**

The 1949 Indian Constitution has many clauses on sex equality and non-discrimination. Fundamental human rights are guaranteed by the Constitution to men and women without discrimination. The Indian Parliament passed the Protection of Human Rights Act in 1993. The statute created the National Human Rights Commission. Women may complain to the National Human Rights Commission about human rights violations.

With the rise of literacy, Indian women are more independent and aware of their rights, such as equal treatment, property, work, and maintenance, but most are still unaware of these rights and face harassment, exploitation, and injustice. The 2012 Nirbhaya case<sup>8</sup> led to modifications to the Indian Penal Code, Code of Criminal Procedure, and Evidence Act to protect women and their interests. Many women-specific laws have also been passed to defend women's human rights. These rules penalize individuals who break human standards and assault women or their dignity. These statutes provide women the following legal rights.

### **Women's Human Rights under Constitutional Framework:**

All other legislation in India are based on the Constitution. The Indian constitution guarantees "Justice"—social, economic, and political—"Liberty"—of thinking, speech, religion, faith, and worship—and "Equality"—of position, opportunity, dignity, and national integrity. With these words, the Indian constitution's preamble guarantees men and women's fundamental human rights. The Indian constitution promotes gender equality. In terms of human rights, the constitution also protects women.

Rights to equality under Article 14 Article 1 of the UDHR states that all people are born free and equal in dignity and rights, while article 7 guarantees legal equality. Under the Indian constitution, women are equal to males in the eyes of the law since the state cannot deny anybody equality before the law or equal protection of laws.<sup>9</sup>

Right against Discrimination: Article 2 of the UDHR guarantees all rights and freedoms without discrimination. Equal protection against discrimination is in Article 7. Article 15(1) states that the state cannot discriminate against Indian nationals based on religion, race, caste, sex, or place of birth.<sup>10</sup> No citizen shall, on grounds only of religion, race, caste, sex, place of birth, or any of them, be subject to any disability, liability, restriction, or condition with regard to: (a) Access to shops, public restriction, hotels, and places public entertainment; or (b) The use of wells, tanks, bathing Ghats, roads, and places of public resort out of state funds or dedicated to the public.<sup>11</sup> Clause (3) allows the state to provide particular arrangements for women as exceptions to non-discrimination.

Right to Equal Opportunity in Public Employment: ARTICLE 16 All citizens, male or female, have equal opportunity in state and local employment and office appointments. No citizen may be denied state employment or office based on religion, race, caste, sex, descent, place of birth, residency, or any of them.<sup>12</sup> The government may set reservation regulations.<sup>13</sup>

Article 19 of the UDHR guarantees free speech and expression to everyone. Article 19 (1) (a) of the Indian Constitution provides freedom of speech and expression to all people, including women.

Right to work: Article 23(1) of the UDHR guarantees everyone the right to work, free choice of employment, reasonable and favorable working conditions, and unemployment protection. Representing such right structurally

Article 19(1)(g) of the Indian Constitution guarantees women the right to labor, providing freedom for all people in employment, profession, and business.

Article 3 of the UDHR recognizes the right to life, liberty, and security. The right to exist is guaranteed by Article 21 of the Indian Constitution, which states that no one may be deprived of life or personal liberty unless by law.

**Rights against Exploitation:** Article 5 of the UDHR prohibits torture and inhumane treatment. Article 23 of the Indian Constitution safeguards women against human trafficking and bonded labor, ensuring their right to work. Indian parliament passed the Suppression of Immoral Trafficking in Women and Girls Act, 1956, later renamed the Immoral Trafficking (prevention) Act, 1956, to enforce this clause. Constitutional Scheme of Directive Principles of State Policy requires the state to promote women's rights. These articles are relevant.

**Right to Livelihood:** Article 39 (a) guarantees citizens, men and women, an appropriate livelihood. Article 23(3) of the UDHR states that all workers have the right to fair pay.

**Equal Pay for Equal labor:** Article 39 (d) of the Indian Constitution requires the state to guarantee equal pay for equal labor for men and women. Article 23(2) of UDHR grants this right.

**Right to Health:** Article 39(e) of the Indian Constitution requires the state to protect the health and strength of workers, men and women, and children, and to prevent them from being forced to work in unsuitable occupations. Article 25(1) of the UDHR guarantees a healthy and comfortable lifestyle.

**Equal Justice and Free Legal Aid:** Article 39A of the Constitution helps low-income people hire attorneys. The state shall ensure that the legal system promotes justice on a basis of equal opportunity and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that no citizen is denied justice due to economic or other disabilities.

**Just and Human Work Conditions and Maternity Relief:** Article 42 of the Constitution requires the state to provide such conditions and maternity relief.

**Right to Constitutional Remedies:** If any of these fundamental rights are violated, the aggrieved woman can file a writ petition under Article 32 & Article 226 in Supreme Court and High Court, but Directive Principles of State Policy are not enforceable by writ jurisdiction. Such ideals must be implemented by state policy. The state has a moral duty to adopt Directive Principles of State Policy.

### **Women's Human Rights protected under various Legislations:**

Various Indian laws recognize and safeguard women's legal rights. These laws are crucial for women's emancipation.

**Right to live with Dignity:** Under article 51 (A) (e), every Indian must denounce actions that degrade women. Article 21 states that everyone deserves a dignified existence. Thus, women have the right to protest self-degrading actions. It is illegal to portray women indecently in publications, paintings, writings, advertisements, or any other manner under the Indecent Representation of Women (Prohibition) Act, 1986.

Section 354 of the Indian Penal Code, 1860 allows anyone to complain if someone tugs their dupatta, sari, or other attire. She may file a complaint under the Sexual Harassment of Women at Work Place (Prevention, Prohibition, and Redressal) Act. In rape cases, a First Information Report can be filed under Section 376, which keeps the victim woman's name and identity secret because disclosing it is an offense under section 228-A of the Indian Penal Code, 1860, punishable by imprisonment up to 2 years and fine.

**Right to Use Earnings:** Women may spend their earnings as they like. The Married Women's Right on Property Act, 1834, expanded the definition of women's personal property to include: (a) Earnings or salary from business, profession, or service, (b) Earnings from scientific, literature, or artistic skills, (c) Saving from salary or capital gain, and (d) Insurance policy. They gain these assets, which women may use as they like.

**Right to own Property:** The Hindu Succession Act, 1956 gave Hindu women entire ownership of their possessions under provision 14(1). Section 14(1) was maintained by the Supreme Court in Harak Singh v. Kailash Singh and Anr.<sup>14</sup> This Act greatly expanded Hindu women's restricted estate and removed reversionary rights. In gift or will, Hindu women have complete rights to their belongings.

**Right to Private Defence:** A woman sometimes finds herself in dangerous circumstances that might lead to imminent violence. The 'Right to Private Defence' allows women to protect herself if no one else is around. Ancient Indian

criminal law began with self-help and self-preservation. Women may use this privilege under sections 96, 98, 100, 102, and 103 of the Indian criminal code, 1860, under hazardous conditions.

**Right against Discrimination in Employment:** Article 23 (1) of the UDHR guarantees the right to labor under fair and favorable circumstances. The Sex Discrimination Act, 1975, outlaws sex and marital status discrimination in public and private employment in India. All public and private sector workers are covered. Sex Discrimination Act, 1975 was designed to protect women from sexual discrimination, however its provisions apply to males save pregnancy requirements, which are for women exclusively. Any woman or man may report sex or marital status prejudice. The statute protects current, former, and prospective workers.<sup>15</sup> Additionally, women are protected from governmental discrimination by Constitutional provisions 14, 15, and 16.

**Right to equal pay:** Article 39(d) of the Constitution affirms the right to equal pay for equal labor under Article 23(2) of the UDHR and requires the state to promote equal work for men and women. In *State of Madhya Pradesh v. Pramod Bhartiya*<sup>16</sup>, the Supreme Court ruled that directive principles of state policy are not enforceable by court but that Part IV and III of the Constitution should not be exclusive. Indeed, they compliment each other. Article 14 and clause (1) of Article 16 include the equal pay for equal effort norm. In *D.S. Nakara v. Union of India*<sup>17</sup>, the Supreme Court ruled that articles 14 & 15 unambiguously state equal compensation for equal labor for everyone if construed with the Constitution's Preamble and Article 39 (d).

Women's right to equal compensation was acknowledged by the Equal Remuneration Act, 1976, which prohibits employer discrimination in employment contracts. The statute covers more than salary terms and conditions. This statute requires all employment contracts to include a "equality clause" to prevent gender discrimination. If she is treated less favorably than males in her work contract, a woman might sue under the equal remuneration legislation.<sup>18</sup>

**Right to minimum pay:** Article 23(3) of the UDHR guarantees everyone, including women, the right to fair and reasonable employment compensation to support themselves and their families. Domestically, the Minimum salaries Act, 1948 sets minimum salaries for specific jobs. Under the Minimum Wages Act, women doing modest occupations are entitled to minimum wage.

**Right against Sexual Harassment at Work Place:** Sexual harassment at work affects all women, whether they work in the public or private sector, organized or unorganized. Most women workers face this issue at least once. Some male colleagues use women because they assume they lack self-respect and decency. Sexual harassment includes indecently touching female coworkers, presenting them pornographic material, forcing them to have sexual contact, etc.

In *Vishakha and Others v. State of Rajasthan and Others*<sup>19</sup>, the Supreme Court established 12 recommendations and deemed them law under Article 142 since there was no legislation on the matter. After 16 years, the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 empowered all women against workplace sexual harassment. All companies must establish an internal complaint committee to address sexual harassment accusations against women, or face a Rs. 50,000 punishment. The Criminal Law (Amendment) Act, 2013 further expanded Section 354 of the IPC to include workplace sexual harassment, which is punishable by 1 to 3 years in jail and/or fine. Women may make complaints under IPC section 354 for any unwelcome contact or behavior.

**Legal Maternity Benefit:** Every woman must stop employment to carry children, which needs financial assistance for living and medical expenditures. Working women get maternity benefits by law to survive and preserve their health. The 1961 Maternity Benefit Act governs pre- and post-partum employment of women in specific companies and offers maternity and other benefits. The statute covers governmental and private companies, mines, and plantations. Industrial, commercial, agricultural, and other businesses may be covered by state government. Women cannot work for six weeks after giving birth, miscarriage, or medical termination.<sup>20</sup>

**Right to claim Maintenance:** Section 125 of the Code of Criminal Procedure, 1973 grants women support from their husbands. Women have such rights from their ex-husbands under Section 18 of the Hindu Adoption and Maintenance Act, 1956. Women might seek support during separation under certain laws. In *Bhagwan Dutt v. Kamla Devi and Anr*<sup>21</sup>, the Supreme Court declared that women may seek maintenance if their monthly income is insufficient. The court further noted that "Unable to maintain herself" does not need utter poverty to qualify for maintenance. If she remarries or converts, her maintenance is limited. In 2019, the Apex Court ruled in *Ajay Kumar v. Lata@Sharuti*<sup>22</sup> that a widow may seek support from her brother-in-law under the 2005 Protection of Women from Domestic Violence Act.

### **Other Legislations for the Protection of Women's Human Rights:**

The Pre-Conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 prohibits the misuse of these techniques for sex determination and prevents female foeticide to ensure women's right to life and birth without discrimination. The 1956 Immoral Traffic (Prevention) Act prohibits trafficking women and girls for sexual exploitation in prostitution.

Indian society struggles with domestic violence. Indian legislative established the Protection of Women from Domestic abuse Act, 2005 to protect women from physical, mental, sexual, emotional, and verbal domestic abuse. Dowry Prohibition Act, 1961 makes asking or providing dowry before or after marriage illegal. Commission of Sati (Prevention) Act, 1987 outlaws Sati malpractice and glorification.

The Prohibition of Child Marriage Act, 2006 safeguards women's independence and ability to select their life mates by outlawing child marriage. National Commission for Women Act, 1990 created a National Commission for Women where women may file complaints of rights violations, assess the protection framework, and report to the Central Government. Women's commission funds women's rights lawsuits.

### **Violations of Women's Human Rights in India**

Indian women are believed to enjoy equal rights and no sex discrimination, yet their real status is not sufficient. Due to the structure and traditions of Indian culture, de facto and de jure conditions differ greatly. In India, males rule and are viewed as superior to women, hence women's conditions are worse than men's. They have long faced prejudice and hardship. Women's lives haven't altered much since medieval times. In every aspect of life, they endure gender discrimination, injustice, and dishonor. Let's analyze the mistreatment of women and society's bias against their rights. The subject may be separated into two parts: (1) centuries of women's exploitation and human rights abuses, and (2) India's current human rights status.

### **Exploitation of Women and Violations of Their Human Rights since the Past Centuries**

Throughout history, women in India have been exploited. Women in India never had equal rights or opportunities. The following were previous human rights violations for Indian women:

#### **Tradition of Devadasi**

Devadasi means 'female slave of God' in Sanskrit. In certain regions of southern India, five- or six-year-old girls were wedded to a god or temple and sexually abused by temple clients. Illegitimate sexual exploitation of Devadasis became a tradition in certain regions of India. Ancient, pre-Aryan tradition. Tamil Sangam literature from 200–300 BC describes Parattaiyar, a class of dancing ladies. Vedic Sanskrit literature does not. Courtesans from a different area of the city conducted rituals. They eventually became temple-related. One of the great queens of South India's Keshari Dynasty chose to marry classically trained dancers to deities in the 6th century A.D. to honor them.<sup>24</sup> They were revered and auspicious during the time. After the Vedic and Buddhist eras, this tradition expanded over the nation, although it was greatest in the south.<sup>25</sup> After conquering India, Muslims destroyed Hindu temples. After such damage, Devadasis lost their employment, patronage, and prestige in society, forcing them to dance at weddings and for amusement, which led to their abuse. Dancing and prostitution were interwoven. Devadasi, which 'dedicates' women to sex trade in the name of religion, persists in southern India despite being prohibited in 1988.

The National Commission for Women estimates 48,358 Devadasis in India<sup>26</sup>, but 250,000 may exist.<sup>27</sup> It is impossible to estimate the number of active Devadasis since it is an underground activity and religious and non-religious prostitution cannot be distinguished. Even after the Bombay Devadasi Protection Act, 1934, the Madras Devadasi (Prevention of Dedication) Act, 1947, the Karnataka Devadasis (Prohibition of Dedication) Act, 1982, and the Andhra Pradesh Devadasi (Prohibition of Dedication) Act, 1982, the National Commission for Women reports 22,941 Devadasis in its 10 north region districts, 16,624 in its 14 districts, and 2,479 in Maharashtra.

In Vishal Jeet v. Union of India and Ors<sup>28</sup>, the Supreme Court said that 'inspite of the harsh and rehabilitative provisions of legislation under several Acts, it cannot be maintained that the intended objectives had been achieved.' The court further ordered concerned law enforcement authorities at both Central and State levels to take appropriate



and expedient action under existing legal provisions to eradicate such practice, provide adequate rehabilitative facilities, and establish a separate Advisory Committee of relevant officials, criminologists, sociologists, women welfare social organizations, and relevant officials to make recommendations for Devadasi tradition eradication. In 2014, the Supreme Court ordered the Karnataka chief secretary to prohibit women from being compelled to become 'Devadasi' during a temple celebration at the Uttrang Mala Durga temple in Devnagar.

Sati was obsolete in the Vedic age, but it became a major practice in Rajasthan during medieval times and in Bengal under British control after social upheaval.<sup>29</sup> The widow was meant to do it voluntarily, but she may have been coerced to. Sati was proclaimed unlawful in 1829 and prohibited in 1861, but the Sati (Prevention) conduct, 1987 criminalized and sanctioned any abetment of the conduct in 1988.

Despite legal prohibitions, a few incidents occur annually in rural India, such as Roop Kanwar's, which led to a new Sati statute. After eight months of marriage in September 1987, Roop Kanwar was burned on her husband's pyre. A temple was constructed for her thereafter. She was worshipped and deified. Her accomplices were imprisoned, but in 1996, the court acquitted them, preserving Sati as a communal institution. In August 2002, 65-year-old widow Kuttu Bai committed Sati in Madhya Pradesh, while in 2006, 35-year-old widow Vidyawati plunged into her husband's funeral pyre in Uttar Pradesh. Again in August 2006, Madhya Pradesh widow Janakrani, 40, was burned on her husband's pyre. In 2008, 71-year-old widow Lalmati committed Sati in Chhattisgarh. The Supreme Court ordered the government to rescue and rehabilitate the fallen ladies in *Gaurav Jain v. Union of India*<sup>30</sup>. They need adequate income and socioeconomic empowerment to live with dignity and avoid such behavior.

#### **Practice of Jauhar**

Jauhar is the voluntary mass self-immolation of all women and daughters of vanquished warriors as a final resort to prevent capture, servitude, and rape and molestation by the enemy. Jauhar was committed by ladies burning themselves on gigantic pyres so the enemy could not touch their bodies. Jauhar was performed by women while the husband was alive, although he would never return from battle, whereas Sati was a woman burning herself on her husband's funeral pyre. Men could perform saka, meaning fight until death, after women committed Jauhar. Rajput wives, who value honor, practiced Jauhar, while women from any community could practice Sati. These were the main distinctions between Jauhar and Sati.

#### **Child Marriage**

A child marriage is a union between minors. This method has long been practiced in India. The Hindu Marriage Act, 1956, sets the legal age for women to marry at 18, while the Prohibition of Child Marriage Act, 2006, makes marriage before 18 a crime. Despite these laws, 45% of Indian females marry under 18.<sup>31</sup> Most of India considers daughters a burden on their families. Sometimes marriages are finalized before birth. Because south Indians feel a lady is safer when she marries inside the clan, cousin marriage is popular. Some parents think the child bride will adjust easily to the new surroundings, just as others can mold the kid to fit their family. Some say they marry young to prevent their unmarried daughters becoming pregnant. All these arguments for child marriages are unfounded. Child marriage is caused by poverty, illiteracy, dowry, social instability, landlessness, and other social ills.

Child marriage can lead to widowhood, educational deprivation, inability to choose a life partner, inadequate socialization, lack of economic independence, low health and nutritional levels due to early/frequent pregnancies, and an unprepared young bride's psychological state. However, boys in male-dominated societies do better with child marriage.

#### **Restriction on Widow's Marriage**

Most widows in medieval times were denied life after their husbands died owing to Sati. Not participating in Sati society's inhumane ritual made widows' lives horrible. They were supposed to live a life full of limitations, like avoiding celebrating festivals, attending festivities, or doing good actions, which was considered a bad omen.<sup>32</sup> They were denied all rights and classified as non-humans. The widow had no right to start over following remarriage. Remarriage was forbidden. Thus, they suffered social, economic, and cultural disadvantages.<sup>33</sup> After Ishwar Chandra

Vidyasagar led a drive to legalize widow remarriage in colonial India, the British government passed the Hindu Widow's Remarriage Act on July 26, 1856. The Act's goal of encouraging Hindu widows to remarry failed. Modern culture still frowns on widow remarriage.

### **Present Situation of Women's Human Rights in India**

Today, there exist laws safeguarding women's rights and encouraging them to do their best in life, but Indian society's mentality is still the same as in ancient and medieval times, which hurts women and their rights. After 73 years of independence, women still face these rights violations:

The right to equality and protection against gender discrimination is violated in patriarchal India, where males are always preferred. Indian women face prejudice from conception until foeticide and female infanticide due to sex determination tests. After delivery, some Indian girls are slain by brutal means if they open their eyes. Home is meant to be the safest place for women, yet family members are exploiting and abusing them. Such conditions deny them their 'Right to life'.

**Violation of Right to Live with Human Dignity:** Both the Preambles of UDHR, 1948 and Indian Constitution confirm the right to live with human dignity, but eve teasing, sexual harassment, rape, and exploitation are affecting Indian women's lives, threatening our social structure, constitutional mechanism, and law and order.

**Eve taunting:** Most Indian ladies endure Eve teasing, which undermines their modesty, dignity, and self-respect. It's one way to make women feel inadequate, weak, and terrified.<sup>34</sup> Whispering filthy words into her ear, making insulting remarks about her clothing, touching her body, or making a crude gesture violate a woman's right to live with dignity. Eve teasing violates women's freedom to move freely with dignity. Today, women may be eve-teased on highways, in metro, buses, trains, while watching movies in cinema halls, in parks, on beaches, even in their own homes and neighborhoods.

**Rape:** Rapere is Latin for rape. Merriam Webster defines rape as 'unlawful sexual activity.'<sup>35</sup> Rape is a major crime against women in India. The National Crime Record Bureau (NCRB) reported 1,215 rapes in Delhi in 2018. Young Indian females are raped. The victim lady must endure many medical exams to show she was raped, and certain medical procedures, like the Two Fingers test, are against her dignity and humiliate her. After an attack, the victim struggles to get medical attention. In addition, the victim's family hesitates to file a First Information Report owing to their status and strict police processes.

**Health Right Violation:** Article 25(1) of the 1948 UDHR guarantees health. A new World Bank analysis says malnutrition is a quiet epidemic in India, where 60% of women are anemic. Traditional Indian families feed men first and provide them different-quality cuisine. Numerous studies have shown that women's diets are lower in quality and quantity than men's. Men obtain more nutritious meals such milk, eggs, butter, ghee, fruits, and vegetables than women. The intrafamily food distribution disparity between male and female family members causes severe malnutrition in females. Economic hardship and natural disasters like floods, droughts, and earthquakes may increase gender discrimination. Because of their poor nutrition, women are more susceptible to illnesses and ailments. Because families spend less on women's medicine than men's, they live with poor health. Gender prejudice exists in diet, vaccination, treatment seeking, and housing situations for young and old.<sup>36</sup>

**Right to Liberty:** The UDHR and Indian Constitution guarantee everyone, including women, the right to liberty. However, in India today, Dowry demand, bride burning, and domestic violence threaten women's freedom.

**Demand for Dowry and Bride Burning:** Dowry is a social infection that refers to a bride's goods brought to marriage.<sup>37</sup> Dowry payment to the bridegroom's family is an old and yet common Indian tradition. For hosting the bride, the bridegroom's family receives remuneration. Also known as Varadakshina, it signifies gift to honor the bridegroom. In place of the bride's part of her family's riches, Streedhan pays one third. The husband and family demanding money in arranged weddings and murdering the bride for an unacceptable dowry is a common crime nowadays. Even though the Dowry prohibition Act made wedding dowries illegal, dowry occurrences are rising.

**Domestic Violence:** In 1993, the 'World Human Rights Conference in Vienna' declared gender-based violence a human rights violation. According to the 1993<sup>38</sup> 'United Nations Declaration', violence against women includes 'any act of gender-based violence which results in, or is likely to result in, physical, sexual or psychological harm or

suffering to a woman, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life.<sup>39</sup> In India, wife bashing and drunken spouse abuse are never openly recognized. The most prevalent cause for domestic violence is a spouse demanding his wife's money for drinking. Being embarrassed of such situations, Indian women often strive to hide them. Another reason of such violence is in-law interference and spouses' extramarital activities. Most victim women do not report such assault because they lack alternative assistance.

The most important human right, education, is crucial to a woman's personality and awareness, but India's approach to women's education has been negative since medieval times and persists today. Since infancy, women are taught that they are weak and should either work in weaker professions or be wives and mothers.

According to 2011 census statistics, male literacy rate is 82.14 and female literacy rate is 65.46,<sup>40</sup> showing a considerable literacy difference despite the continual progress in literacy since independence. Due to the high number of illiterate Indian women, they are unaware of their fundamental human rights and cannot fight for them.

**Property rights violations:** In Indian homes, women seldom possess property or share parental property. Women still lack land and property due to lax enforcement of laws protecting them. Some land and property laws discriminate against women. Two categories of property: Sons and daughters may inherit undivided ancestral property from up to four generations of male lineage<sup>41</sup>, regardless of marital status. Before the 2005 Hindu Succession Act modification, women had no such entitlement. Fathers may give or bequest their self-acquired property to anybody, and sons and daughters cannot protest. Though both married and unmarried women have the right to inherit, most married daughters' families have not granted them any claim to ancestral or father-acquired property due to conservative Indian norms.

**Infringement on Equal Employment and Pay:** Agriculture, Micro, Medium, and Small Industries offer the most jobs in India, however women's employment in these sectors is dropping rapidly. Adopting new technology in such industries requires specialized training to improve skills and expertise. Illiteracy, lack of skills, and expertise are displacing women in manufacturing. Thus, girls earn less than men for the same labor. Women are underrepresented in large-scale industries and technology-based firms, even in small-scale sectors. They are increasingly chosen for restricted female-skilled positions. Thus, the Indian labor market does not favor women.

## **II. CONCLUSION**

The 2011 Census found 940 females for 1000 males, so 48% of the Indian population is female. As mothers, sisters, wives, and daughters, women complete our lives. Women need equality and respect in all aspects of life, yet society's unsupportive attitude, family ignorance, and outdated laws are the primary causes of human rights abuses in India. In previous times, women enjoyed equal rights and prestige, including the ability to participate in religious rites (Valmiki's Ramayana states that Lord Rama required Sita's effigy to fulfill Ashwamegh Yagya procedures in her absence). Women had freedom to choose spouses, but now, they are the most vulnerable group in Indian culture. They may be harassed on highways, in metro, buses, or trains, at cinemas, in parks, on beaches, in her neighborhood, and even at home. The legislative and policy makers of India have developed many laws, rules, and regulations safeguarding women's rights, but they are ineffectual since they are restricted to 'Act' instead of 'Action', therefore Indian women are abused and tormented physically and emotionally. Human rights abuses raise issues about how women benefit from particular privileges. What are the advantages of women-friendly laws? Really helping them? Will women ever be equal to men? All these questions remain unsolved. To address such problems, much work remains. We must reconsider this and seek to make women's environments safer and better. As Swami Vivekananda correctly said, "There is no chance for the welfare of the world unless the condition of women is improved." Birds cannot fly with one wing."

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