
EVOLUTION OF WOMEN RELATED LAWS IN INDIA

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ABSTRACT

Women in India are seen as Lakshmi (Goddess) they are known for their love, sacrifice, care taking, determination, courage and hard work. There are several times in history that urged for equality so that women can live on par with men. Indian society over past years in the history have chained to orthodox traditions, superstitions, myths and make belief. Society formed itself into patriarchal supremacy and women being subjected and portrayed lower than men. With the prevalence of male dominance there were constraints imposed on women in terms of acquisition of education, employment, forced child marriages, Sati, restrictions on widow remarriage, political leaderships, property rights, purdah systems and more. The status of women before the independence of India was deteriorated and they were seen as a sole property of their husband, father and brother. The cruelty and injustice against women rights and freedom were increasing to the point where society believed daughters being born in a household are bad omen to the family. They were not allowed to step out of their homes without a male member. It was presumed that the ultimate destination of women is marriage. But over the years, the women reformers and activists fought for a gender-just society that we live in today. For equal treatment of men and women. Today, women can be seen taking active participation in every field from being a sole proprietor to serving the nation's prosperity and growth. With the help of legal system and provisions women have become independent socially and politically and do not lack any opportunity.

INTRODUCTION

Women are seen as the epitome of love, strength, sacrifice and courage. In the midst of great revolution of women's development, the voices of women are being heard in the Parliament, Courts and streets. The embarkation being their homes, women around the world had to fight for their basic rights such as the right to vote, right to education, and other similar rights.

Women enjoyed equal status to that of a man from the ancient period in India and the works of the ancient grammarians like Patanjali and Katyayana enlightens that woman were educated in the early Vedic period and the verses from Rigveda states that women were married at a mature age having choice to select their husband, this practice was known as "Swayamvara". The scriptures Rigveda and Upanishads states about women sages and seers such as Gargi and Maiteryi while some kingdoms in the ancient India followed the tradition of "Nagarvadhu" means "Bride of the City" in which women competed to win the coveted title of Nagarvadhu.

The verses from Rigveda also recognized the right of inheritance to unmarried daughter. The Practice of "Anuloma" recognized by Upanishads states that the male of higher caste was married to female of lower caste. However, the rise of religious ceremonies by priest resulted to weakening of women's eminent position.

Women in earlier days were held back from getting education and their rights were curtailed. They were treated like property and was not entitled for will of their own. This paper enlightens on the Ancient-Medieval to Modern transformation of women, various inciting rituals and reformatory movements. It further acknowledges the legislation for protection of rights and status of women and punishments for cruelties against them.

ANCIENT-MEDIEVAL ERA

Women enjoyed equal status and rights during the early Vedic period receiving education, skills, literary, and the right to choose their husband. Verses from Rigveda and Upanishads suggest that women had to perform not only caretaking but also learn skills such as art, paint, dance, traditional fight, bow and arrow, medicines and healing. However, in the 500 B.C., the status of women started to decline after the Smritis (Manusmriti) and Islamic invasion of Babur and Mughal Empire and later Christianity curtailing the rights and freedom of women. They started to face circumscriptions and restrictions. The sixth century commenced the practice of child marriage leading to various reformatory movements.

Medieval India was the dark age for women where they were considered to be a sole property of their father, brother or husband and cannot inherit a property on herself. Invaders had the power to pick any women they want which led to a rise in polygamy and a fall in the status and freedom of women in India. As a result, women were restricted to move freely and their freedom was curtailed leading to further deterioration of their rights and status. These problems changed the mindset of people and women were considered as drastic burden to their families, escalating life threatening practices and traditions such as child marriage, Sati, Jauhar, restriction on girl education and Devadasis.

1. **Sati:** This ritual was practiced between 320CE to 550CE, also known as “Sahagaman”. The wife is abetted to burn at the funeral pyre of her husband in a belief that the wife goes to heaven. Sati was considered to be a better option than to live as a widow. Initially this was not an obligation for women but the women practicing this were highly respected in the society.
2. **Jauhar:** Jauhar means mass suicide prevalent in the Rajput Kingdom. The wives perform this while their husband was still alive. When the Rajput kingdom were sure they are going to die in the hands of their enemies, the women in the Rajput societies arrange a large pyre and set themselves on fire, while their husband will have to fight their last decisive battle called as “Shaka” to protect the sanctity of women and their community.
3. **Child Marriage:** The practice of child marriage arose in the Sixth Century. Girls were married off between the age of 8-10 years and were not allowed to acquire education like boys of their age. Women during this era were treated like material objects and were not given any will of their own, leading to many obstacles like increased birth rate, poor health of women, maternity problems due to repeated child bearing and rise of mortality rate of women and children.
4. **Restriction on widow remarriage:** After the death of the husband, women were subjected to a lot of restrictions such as; restriction to enter in any celebration, directed to live a pious life, their hair was shaved, restricted to remarry and the presence of the widow in any celebration or good work was considered as bad omen resulting to the practice of Sati.
5. **Purdah System:** The Purdah system was widely followed in the Medieval period in India to protect the women folk from the eyes of foreign invaders.

6. **Girls Education:** During the Medieval period, the girls were restricted to attend school or move out of their houses. They were advised and educated on household chores. Vatsyayana, a famous Indian philosopher wrote that women must be skilled in sixty-four arts including cooking, grinding, recitation, spinning, knowledge of medicine and many more.
7. **Devadasis:** This custom was prevalent in South India during the Yellamma Cult, girls were dedicated to temples in the name of God and Goddess and are then called as Devadasis meaning “Servant of God”. They live a celibacy life and all the requirement of Devadasis are fulfilled by the grants given to temples. They worship God, perform dance and sing in the temples. During the medieval period, the Kings invite Devadasis to perform dance in the courtroom for the pleasure of Courtiers while some Devadasis are then converted to Rajadasis meaning “Palace Dancers”.

Religious back hold of Women’s status and rights: The restrictions in the Medieval Indian period in Hindu societies was very inflated while other communities like Jainism, Christianity and Buddhism were lenient and liberal in their approach compared to Hindu societies. These communities had access to education and considered that gender is not an issue to attain salvation. During the time of King Ashoka, women also started to engage in religious preaching. Sanghamitra, daughter of King Ashoka along with her brother, Mahendra moved to Sri Lanka to preach Buddhism. However, the status of women in Southern India was at better state than that of Northern India. Queens like Priyaketaladevi, wife of King Vikramaditya ruled three villages during her time. The wife of Sattarasa Nagarjuna, Jakkiabbe ruled seventy villages after the early demise of her husband and her daughter succeeded her. Women in the Southern part of India took part in every field equal to that of men such as wrestling, blow trumpet, handle sword, handling account expenses, recording the affairs of kingdom, etc.

CHANGE FROM ANCIENT-MEDIEVAL TO MODERN WOMEN

The change of women from the Ancient-Medieval to Modern India can sum up from the words of the great poet Rabindranath Tagore, he quotes “*O Lord Why have you not given woman the right to conquer her destiny? Why does she have to wait head bowed, by the roadside, waiting with tired patience, hoping for a miracle in the morrow?*”¹. The rise of women making their active participation and effort in all fields from the period of British India to modern India can

¹ <http://www.legalservicesindia.com/article/1867/The-Socio-Economic-Status-of-Women-in-India-Ancient-to-Modern-Era.html>. Accessed on May 21, 2021, Friday.

be seen with the example of Rani Lakshmi Bai of Jansi who fought with British rulers and defeated the British Governor General while other reformers like Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar, Swami Vivekanand and Swami Dayananda Saraswati succored women to gain their status in the society. Mahatma Gandhi spread message of gender equality and was against child marriage.

INDEPENDENT INDIA:

Before the enactment of the Constitution of India, women were subjected to harmful rituals and practices pertaining to marriage, maternity, abortion, inheritance and crimes against women were increasing at a higher rate. However, in the 19th century, British rulers passed various laws to abolish Sati and other detestable practices by enacting Hindu Widows Remarriage Act, 1865 and Brahmo Samaj Marriage Act, 1872. After independence, women started to actively participate in all fields like education, politics, media, art, culture, work, service sectors, literary, science and technology and more. Following the framing of the Constitution, women were guaranteed rights and laws protecting their rights and modesty as categorized under:

Protection of women under various provisions of the Constitution of India:

- Article 14: Right to Equality
- Article 15(1): No Discrimination by State on the grounds of religion, race, sex, caste or place of birth.
- Article 16: Equality of opportunity in terms of public employment under the State.
- Article 39(d): Equal pay for men and women.
- Article 15(3): Special provisions in favor of women and children.
- Article 51A (e): Renounces practices derogatory to the dignity of women
- Article 42: Provisions to be made by the state for securing just and humane conditions of work, and for maternity relief.

Protection under Personal Laws:

- The Hindu Marriage Act, 1955
- Hindu Adoption and Maintenance Act, 1956
- Hindu Succession Act, 1956

Protection under Social Laws:

- The Dowry Prohibition Act, 1961
- The Commission of Sati (Prevention) Act, 1987
- Protection from Domestic Violence Bill, 2002 (Protection of Women from Domestic Violence Act, 2005)
- The Immoral Traffic (Prevention) Act, 1956

Protection of women against sexual harassment:

- The Protection against Sexual Harassment of Women at Workplace Bill, 2005
- The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013
- The Criminal Law (Amendment) Act, 1983 (Anti-Rape Law)
- The Indian Penal Code, 1860
- The Indian Evidence Act, 1872

Social Change Laws: (Legalization of Abortions)

- The Medical Termination of Pregnancy Act, 1971
- Indecent Representation of Women (Prohibition) Act, 1986
- Pre-natal Diagnostic Techniques (Regulations and Prevention of Misuse) Act, 1994

National Commission for Women:

The National Commission for Women is a statutory body, set up in the year 1992 under the National Commission for Women Act, 1990. The Commission studies and monitors matters relating to constitutional and legal safeguards provided to women and reviews the existing legislations, suggestions and amendments whenever necessary.

These fundamental rights and laws led women to access Court and claim relief when one is subjected to discrimination or curtailment of their rights. Before the Modern Hindu laws were passed, women were restricted to do inter-caste marriages and after marriage, women were considered to be a sole property of their husband and his family. After the establishing of the Special Marriage Act, 1955 the essential conditions for a valid Hindu marriage are:

- i. Monogamy

- ii. Sound mind
- iii. Aged above 18 years (according to Indian Majority Act, 1875)
- iv. Parties must not be in prohibited relationship

After the enactment of Special Marriage Act, 1955 Section 44 states that any man who marries another woman while his wife is still alive and not divorced will be punished with imprisonment of seven years and imposed fine.² However the Muslim code of conduct allows polygamy up to 4 wives, the marriage will be rendered invalid under the section 4 of Special Marriage Act, 1955 if the marriage is:

- Either party is suffering from mental disorder
- Both the parties are minor (boy-21 years and girl-18 years)
- Both the parties are within the degrees of prohibited relationship
- Impotence of either of the party

Laws pertaining to wife:

The wife can access Court for relief or divorce in the cases of commission of rape, sodomy, bestiality by husband. The Hindu Adoption and Maintenance Act, 1956 and Criminal Procedure Code, 1973 states that a wife is entitled to claim maintenance from her husband under Section 125 upon the decree of maintenance against the husband and the couple living apart for one year. This shall be a ground for divorce or dissolution of marriage.

Dowry:

The Dowry Prohibition Act, 1961 states that *“If any person, after the commencement of this Act, gives or takes or abets the giving or taking of dowry, he shall be punishable with imprisonment for a term which shall not be less than five years, and with the fine which shall not be less than fifteen thousand rupees or the amount of the value of such dowry, whichever is more”*³. The term dowry refers to the presents to the departing daughter. The bride after the marriage is listed to bring certain presents to her in-law's house that was fixed before the marriage. This practice overtime became a social evil resulting in horrible obstacles, burden, sufferings, leading to domestic violence and increasing high rate of crimes against women. The few factors that cause dowry death and cruelties are the underlying issues of poor economic

² Marriage & Divorce Laws, 2018.

³<http://www.bareactslive.com/ACA/ACT116.HTM> Accessed on May 21, 2021, Friday.

conditions of people, lack of education, unawareness of rights among women, general bias against women, etc.

Crimes against women:

Women are subjected to various crimes. The National Crimes Records Bureau report of 1998 stated that the crime rates against women would increase at a higher rate by 2010 comparing to that of population rate.⁴ Crimes includes:

- Sexual Harassment
- Dowry
- Child Marriage
- Female infanticides and sex selective abortion
- Domestic violence
- Trafficking

DEVELOPMENT OF SOCIAL CONDITION OF WOMEN

In earlier times, women and girls were never given an opportunity to access education or go to work and were forced to carry out domestic work. Caretaking of the family and husband became their prime purpose, oppressing many women to step out of their houses. The literacy rate of female citizens in India started to decline rapidly than that of male literacy rate, girls were dropped out of their education and were married off.

According to National Sample Survey Data of 1997, the states of Kerala and Mizoram have approached the universal female literacy rate while the Non-Formal Education Programme mentions 40% of centers in the states and 10% of centers in UTs are reserved for females. As of 2000, 0.3 million NFE centers were catering 7.42 million children and out of it 0.12 million were for girls while in the urban India mentions the girls to be on par with boys on terms of education compared to that of rural India.⁵

Women's Education in India:

⁴ <http://www.legalservicesindia.com/article/1867/The-Socio-Economic-Status-of-Women-in-India-Ancient-to-Modern-Era.html> Accessed on May, 21, 2021, Friday.

⁵ <http://www.legalservicesindia.com/article/1867/The-Socio-Economic-Status-of-Women-in-India-Ancient-to-Modern-Era.html> Accessed on May 21, 2021 Friday.

Women had access to education during the Vedic period which gradually curtailed because of outdated incoherent customs and traditions. During the British period, various socio-religious movements were led by Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar, Mahatma Jyotirao Phule, Baba Saheb and B R Ambedkar for women education. Post-independence, the government emphasized on providing mandatory education for children irrespective of gender or social status, as a result women's literacy rate increased with 14.87% as compared to 11.72% of male literacy rate.⁶

Importance of education girl children:

- ❖ Educating women will empower to seek gender equality in society.
- ❖ Women will be able to earn, it strives independence and contributes to the economic growth of the country and raise their status in society.
- ❖ Education helps women to understand the advantage of small and planned family, which helps to achieve stabilized population goals of the country.
- ❖ An educated woman educates not only her child but a family and society.
- ❖ Women education restores the settlement and dignity.
- ❖ Education of women narrow downs the social disparities and inequalities and lead to sustainable development.

The very first school for women in India was started in 1st January, 1848 at Pune, Bhide Wada initiated by Savitribai Jyotirao Phule along with her husband, Mahatma Jyotirao Phule, as an initiation to work on social front to build up the self-esteem and confidence of other women and to provide access to education to girl children.

Workforce participation:

Women have active participation in the workforce. However there are very few women in the paid workforce, while in the urban India women make an impressive number in the workforce compared to the male workers, on terms of wage, position and workplace, on the contrary, in rural India, the agriculture and the industrial sector employ 89.5% of female labour, and their contribution is estimated at 55% to 66%, while in the accounts sector, the World Bank report

⁶ <https://www.yourarticlelibrary.com/education/the-history-of-womens-education-in-india/9982> Accessed on May 21, 2021, Friday.

mentions, 94% of employment in the dairy production in India, and 51% in the forest-based small-scale enterprises.⁷

ROLE OF WOMEN IN SOCIETIES

Women Empowerment:

The modern India has brought a drastic change in societies and empowered women in a positive manner, upbringing the change of thinking persisted in the medieval India on women as a property of their husband, father or brother but now, women have empowered to establish their rights, individuality, identity and independence. Education has played a vital role in provoking the self-esteem and building a woman to build other women in the societies at par with men on terms of wage, field, position and literacy. Some of the great idols in India are: Mother Teresa, Indra Nooyi, Pratibha Patil, Kalpana Chawla, Indra Gandhi and more. The role of women in the modern India have changed tremendously, as the changing technology and development of societies have also widened the opportunities and hope to contribute a positive change of women from housewives engaging in domestic household works to CEOs of corporate and other workplaces, establishing their identity, mark and participation in politics, economic, social, media, military, defense and every field proving women are no longer considered as unfit or weak for any workforce.

Financial/Economic Empowerment:

Sukanya Samridhi Yojana is a bank account for parents to save money for their girl children. Women specific health insurance scheme is offered by Non-Banking Financial Companies in India. Banks play a vital role in financial and economic empowerment of women in India through various measures as self-help group and cooperative societies corporate social responsibility to promote literacy and vocational skills for rural women and offering bank loans for women entrepreneurs at a lower interest rate.

Self Sufficiency:

⁷ <http://www.legalservicesindia.com/article/1867/The-Socio-Economic-Status-of-Women-in-India-Ancient-to-Modern-Era.html> Accessed on May 22, 2021, Saturday.

Pradhan Mantri Awas Yojna provides low-cost housing to widows and women living with children without their partner. NBFCs offers house loans at lower interest rate and reservation for women in central and state government jobs.

Social Empowerment:

Awareness on various societal norms created among women with various social schemes, laws and rights available for them. Women enjoy relatively more freedom and less restrictions on their movement from home and outside home for social or business purpose and empowering women to take active participation in the family and government decisions and demanding their rights.

Political Empowerment:

After independence and reformatory movement, women were given the opportunity to access education and this has led to participation of women in various aspects of fields including governmental and political aspects. Women started to take a massive participation in politics, and self-government, panchayat, urban local bodies, village administration, state legislatures, municipal bodies, Indian Parliament and the percentage of voting by women have also gone up considerably.

Educational Empowerment:

The government of India guarantees free education from primary to tertiary level. Some states offer free primary education while other states extend till the secondary and some states offer free primary and high secondary education including specific vocational courses and certain number of seats are reserved for women in all fields.

Career Empowerment:

Women are no longer considered weak or unfit. They have come a long way to mark their identity and individuality in the society. Workforce are now open to women in every field such as employment of female pilots by national carrier, Air India and private airlines, recruitment of women in railways for positions of locomotive and local train drivers, priest at Hindu temples, quota in central and state government jobs, corporate CEOs and many more.

Women Empowerment in Sports:

Women have also made their mark in sports, including Women's Cricket, Tennis, Boxing, Kabadi, Football, Hockey and have won awards at Olympics, Asian Games, Commonwealth Games, etc. Some of the notable idols are: Mary Kom, P.V. Sindhu, P.T. Usha, Sania Mirza, Saina Nehwal and Mithali Raj etc.

Nari Shakti Puraskar:

This award is constituted by Women and Child Development and is given on International Women's Day every year to the persons who have contributed to the women empowerment in the country. The Ministry of Women and Child Development was established in the year 2006 to deal with issues pertaining to women and child development under the purview of Ministry of Human Resources and Development by creating opportunities to women and launching various programs for the female population in the country.

DALIT WOMEN IN INDIA

"Dalits", India and other south Asian countries have discriminated people on the basis of their work, descent, and status for over centuries. Over 200 million people are Dalits known as "Untouchables" or "Outcasts". Dalits around the countries are subjected to violence, hate speech, hate crimes, discrimination, social exclusion on daily basis, even though the economic growth in India is strong the caste and community discrimination still prevails.

Dr. Ambedkar quotes "*I measure the progress of a community with the degree of progress women have achieved*"⁸

Dalit women:

The women belonging to the Dalit community are subjected to various obstacles like hate, sexual harassment, violence and need special attention as they are the most segregated group, they are discriminated on the three factors as; they are poor, they are women, and they are Dalits. Every day, Dalit men and women are subjected to the same taboo from the society. They are discriminated not only by the higher castes and other communities but also with their own community.

⁸ <https://www.womensweb.in/2020/04/dr-ambedkar-important-pillar-indian-feminist-movement-apr20wk3mad/> Dr. B.R. Ambedkar, 6 Quotes by B R Ambedkar To Remember Him By, 14 April, 2020.

India is a member of Human Rights Treaties including the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) these treaties provide equal rights for both men and women, imposing an extra obligation on government to ensure and promote awareness of the rights of women in the country including the measures to be taken by the government on aspects of policies and budgetary measures and to make sure that women can fulfil their rights. By imposing punishments for those engaging in caste-based violence and discrimination.⁹

The economic, social and cultural rights; India being a party to the International Covenant of Economic Social and Cultural Rights (ICESCR) ensures the people to enjoy the economic, social and cultural rights without any interference or discrimination and these rights includes protection of family, right to form trade unions, right to social security, right to an adequate standard of living.¹⁰

In the year 2002, 189 countries around the world accepted the Millennium Declaration to take necessary action to attain eight specific goals laid down under the Millennium Development Goals (MDGs) which includes the accessibility of education and health care for Dalit women, as the Dalit women are 2% of the world population and in India 60 million children do not have access to primary education due to poverty. India accounts to more than 20% of maternal death to that of 1,00,000 birth stressing the accessibility of education and health care and proper plan of family is needed.¹¹

While in case of Civil and Political rights, the government of India has obligation to ensure every women including Dalit women irrespective of their status, caste must enjoy the human rights and other rights guaranteed under the treaties, such as; the right to life, freedom from torture, cruelty, inhuman and degrading treatment or punishment, right to quality and equal

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http://www.rightlivelikelihoodaward.org/fileadmin/Files/PDF/Literature_Recipients/Manorama/Background_Manorama.pdf Accessed on May 22, 2021, Saturday.

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http://www.rightlivelikelihoodaward.org/fileadmin/Files/PDF/Literature_Recipients/Manorama/Background_Manorama.pdf Accessed on May 22, 2021, Saturday.

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http://www.rightlivelikelihoodaward.org/fileadmin/Files/PDF/Literature_Recipients/Manorama/Background_Manorama.pdf Accessed on May 22, 2021, Saturday.

protection of law, right to privacy, right to marry only with free and full consent, right to take part in the public affairs, freedom from slavery and more.¹²

Movements:

Dalit women have made active participation since the history. They have been actively involved in the Anti-Caste and Anti-Untouchability Movements in the year 1920s in various Indian Villages for land rights and marking them as independent thinkers, writers and various aspect of field. However, the discrimination, violence and cruelty against them still exist. The National Federation of Dalit Women (NFDW) was initiated to undertake certain tasks to bring out positive changes to lives of Dalit women and for political and economic empowerment, building self-confidence, leaderships and to enforce legal action against caste-based cruelties and atrocities.

Dalit Mahila Samiti:

The DMS is the organizational name for movement of Dalit women in the Northern Indian state of Uttar Pradesh. This movement was launched by the government of India in the year 1980 and was initiated by Vanangana, Indian Feminist. The goals of the movement were:

- To change caste equations in the region they work.
- To promote leadership of local women.
- To negotiate terms of the DMS with the upper caste during the election.
- To ensure the benefits of government schemes for Dalit-run regime flows to all eligible Dalits.
- To protest against all sort of violence, discrimination on women and men.

TRIBAL WOMEN

Tribal women otherwise known as Adivasis; symbol of self-assertion comprise of 8.2% of the population in India. They are concentrated in the north-east part of the country. The status of tribal women can be traced with their surnames, properties transferred through descent, system of authority he/she enjoys within the community and roles that they play. Earlier, tribal women

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http://www.rightlivelikelihoodaward.org/fileadmin/Files/PDF/Literature_Recipients/Manorama/Background_Manorama.pdf Accessed on May 22, 2021, Saturday.

were forest dwellers and they were engaged in food-gathering and walked long distance to fetch wood and fodder, collect fruits, roots, tubers, lac, gums, and leaves for consumption and sale. The tribes have often been exposed to industries and various project by the government for Dam and well construction as result the forest is often depleted and the tribes are left to rely on the little quality of land to cultivate. Now, the tribes are compelled to serve as coolies in the industrial sector. The men and women are often sexually abused and exploited by contractors and middlemen. The north-east engage in weaving, run shops in markets, small family business, agriculture labour, social and political field, traditional panchayat, underground army.

RIGHTS OF WOMEN

*Laxmi v. Union of India & Ors.*¹³ to curb the increasing number of acid attacks on women, Supreme Court gave direction to Home Secretary, Ministry of Home Affairs, Ministry of Chemical Fertilizers, Secretaries of State Governments, Administrators of the Union Territories to restrict the sale of acid throughout the country. As acid attack on a woman is equal to taking away her identity and such heinous crimes must be stopped.

*ABC v. The State (NCT of Delhi)*¹⁴ the unwed mother need not disclose the name of the child's father and she will be given all rights as a guardian to her child under the guardianship rights. The court emphasized on section 6(a) of Hindu Minority and Guardianship Act, 1956 and Mohammedan Law with respect to natural guardians of illegitimate child gives primacy to the mother over father and this not only protects the child from social stigma but also the mother's fundamental rights.

AUTHOR'S CRITIC

In opinion of the author, women just like any other living being must be given freedom not just on mere form of living but to their spirit, body, mind and the right to choose to positively evolve and reach what one perceives. We have female leaders, politicians, journalists, professors, CEOs and many more. The Author says, if women must be equal to men, it is an understatement because woman can achieve anything a man can. Women must be given equal opportunities like men in the societies. Their being is not confined to caretaking and domestic household

¹³ (2014) 4 SCC 427, Madan B. Lokur, Uday Umesh Lalit.

¹⁴ SLP (Civil) No. 28367 of 2011, DB. Vikramajit Sen, Abhay Manohar Sapre on 6 July, 2015.

because everyone dreams to become “known” and “acknowledged”. All men and women must be heard and their dreams and aspiration must not be limited or crushed down. When all of us can build a society free from limitation, restriction and curtailments of the basic rights and status that every human being is entitled for, why stop?

CONCLUSION

Dr. Ambedkar quoted “*We shall see better days soon and our progress will be accelerated if male education is persuaded side by side with female education*”¹⁵

India has evolved from Ancient culture, rituals, traditions and thinking that curtailed women in the societies to have a voice, education, skill, status and identity from treating women as property of their husband, in-laws, father or brother, to now, even though women are still being exposed to various obstacles, violence, abuse, cruelties and attacks. Women have overcome the stereotypes and restrictions to mark their presence through various movements, speeches along with great leaders. Making effective use of their rights and privileges when they are subjected to cruelties by initiating law suits, Courts and legislations. By actively bringing the cruelties, attacks and violence against women to the notice of public officials through various social media platforms for justice.

The State has enacted various legislations to protect their rights and impose penalties to those that violate the laws. Women have found their place not only in the workforce but in various epic field. The status and rights of women are not curtailed and they are led free to choose what they aspire to become and achieve. They have found their place in the society and proved that they are not less than any man. Now, this 21st century is an example of women empowerment and equality where both men and women are given equal rights and status in the society.

¹⁵ <https://www.womensweb.in/2020/04/dr-ambedkar-important-pillar-indian-feminist-movement-apr20wk3mad/> Dr. B.R. Ambedkar, 6 Quotes by B R Ambedkar on Feminism To Remember Him By, 14 April, 2020.