

Women's Plight in India: A Comprehensive Study

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Abstract

Women have historically battled for their standing and rights in society. They have been fighting for equality for a long time in order to lead lifestyles that are exactly like those of men. Even after independence, they are still at odds. In the current context, a lot of women continue to struggle with these problems. In Indian culture, women are regarded as goddesses. But the challenges they face only serve to illustrate the opposite of this notion. People treat them cruelly and hold less respect for women, yet on the one hand, they revere them as goddesses. It is common for women to experience marginalization and exclusion due to sociocultural, socioeconomic, and political factors. Social structures and patriarchal norms ultimately control the process of empowerment and resource access. Deprivation of the fundamental legal right to engage in socioeconomic activities; prohibitions on working outside the home; lack of education and skills; incorrect interpretations and realizations of personal restrictions; shame related to women's sexual orientation; and household chores. From ancient times to the present, women's roles have had various ups and downs. Many factors, including economic dependence, caste restrictions, religious prohibitions, lack of leadership abilities, male-dominated society, dowry practices, trafficking in girls, prostitution, domestic violence, and sexual harassment, continue to contribute to women's dissatisfaction with their participation in society today. The paper will explore the plight of women in the society and within the household. Various policies and Government schemes will also be discussed in this paper.

Keywords: Oppression; Restricted Rights; Constitution guarantees; Violence; Ancient India.

INTRODUCTION

We, the Indians have rich cultural heritage and we are preserving well all these heritages. Are we securing our women, like we are securing our cultural heritage? Women in India even after ages are not safe, secure, independent and empowered.

India, a nation with a rich cultural history, has long been known for its gender inequality and the mistreatment of women. The goal of this study is to present a thorough awareness of the difficulties that Indian women confront, their socioeconomic situation, and the initiatives being taken to better their lot in life. Women have played a significant role in Indian culture and society since ancient times. However, there has long been discussion and worry about the situation of women in India. Even with the recent advancements, women in India still face numerous obstacles today. India's initiatives to empower women have made significant progress in recent years. In an effort to increase women's access to economic opportunities, education, and health, the government has put in place a number of initiatives. The proportion of women in the workforce has significantly increased, and

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they are now holding prominent positions in a variety of industries, including politics, business, and entertainment. We can observe from our evolutionary history the biological and cultural contributions that women make to society. From ancient times, women have been acknowledged in our Vedas and other literature and have been given significant roles. The texts of the Ramayana and Mahabharat have been greatly impacted by the contributions of women, and because of this, it's possible that they have become the most sacred of all.

Gradual change in women status

In ancient Indian society, women's status underwent constant change throughout various phases of history. Women had an honorable standing in society and access to education throughout the Vedic Period (300 BC). Women enjoyed rights, were treated with respect, and were important members of society in many spheres. Women had access to education and were permitted to study Vedic texts, mantras, and rites. They were regarded as knowledgeable and frequently participated in religious rites and celebrations. Arranged marriages were common, although the partner's preference was also taken into account. While polygamy was common, certain areas also tolerated polyandry, or having many husbands. Divorce was legal and, in some cases, could be started by women. An ancient Indian text called the Manava Dharma Shastra, or Manusmriti, describes legal and ritual requirements along with social and moral rules. Rishi Manu offers advice on a variety of topics in this work, including women's roles and responsibilities. It is important to keep in mind that these opinions may not accurately reflect current viewpoints on gender roles and equality because they were molded by the cultural context of the period. According to Rishi Manu, woman's role in life was to serve and care for her husband, to be faithful and submissive to him. Women totally lost their independence when these laws were put into place in society.

The 19th century saw disparities in women's standing among various social strata and geographical areas. All things considered, though, it can be claimed that women's rights and opportunities were generally less than those of men. Throughout the 19th century, women did not enjoy the same political and legal privileges as males. In some areas, they needed the approval of a male relative to vote, occupy public office, or sign contracts. For many women, access to school was

restricted. Even though some middle-class or rich women were able to pursue higher education, it was frequently concentrated on social graces and household skills rather than academic subjects. Girls were not always included in public education systems, and when they were, their curricula were sometimes inferior to those of boys. There were few job options for women, and they were frequently required to engage in low-wage domestic jobs. During the industrial revolution, some women worked in factories as well, but their pay was usually lower than that of men, and their working conditions were frequently subpar.

In general, women's position in the 19th century was defined by their restricted rights, opportunities, and social expectations. However, in certain nations, the foundation for notable advancements in women's rights and opportunities was established by the rise of social movements and slow societal transformations.

During the 20th century women and men were granted equal rights. Women would inevitably be granted the same rights as males due to developments in economics and technology. Indian women saw tremendous social, political, and economic change in the 20th century, which raised their standing and expanded their prospects. Women's education was made possible by the Indian Women's University Act of 1920 and the Indian Education Act of 1891. There has been a notable surge in the enrolment of girls in schools and institutions. In 1927, the Indian National Congress issued a resolution permitting women to take part in the freedom struggle. Women were given the ability to vote in provincial and local elections in 1932. Following India's independence in 1947, women were granted the ability to vote at the federal level. Indira Gandhi became India's first female prime minister in 1967. The Hindu Marriage Act of 1955, the Hindu Succession Act of 1956, the Dowry Prohibition Act of 1961, and the Protection of Women from Domestic Violence Act of 2005 are just a few of the laws that have been passed to defend women's rights.

Indian women have achieved great progress in the 21st century in a number of societal domains. They have made remarkable advancements in social awareness, politics, careers, and education. Indian women's literacy rates have risen dramatically and they now have access to high-quality education. Higher education and professional degrees are being sought after by women in a variety of professions, including STEM (Science, Technology, Engineering, and Mathematics). Top roles in a

variety of fields, including technology, business, and healthcare, are currently held by Indian women. Over time, the number of women in Indian politics has increased. There are now more women in the Indian Parliament and state legislatures, and some of them have even occupied prominent roles like governors and chief ministers.

The plight of women in society and household

In our scriptures, women are considered to be symbols of spirituality. However, in prehistoric India, women were not granted equality or privileges. In comparison to men, they have received worse treatment. In the past, there was a great deal of social evil, including female infanticide, child marriage, the sati system, and dowries. Throughout history, women's struggle in society has been a complex and varied subject. Because of their gender, women have experienced a variety of forms of oppression, injustice, and unfairness.

Lot of progress has been done in recent years but there is still more to be done to protect women's rights and gender equality.

India's initiatives to empower women have made significant progress in recent years. In an effort to increase women's access to economic opportunities, education, and health, the government has put in place a number of initiatives. The proportion of women in the workforce has significantly increased, and they are now holding prominent positions in a variety of industries, including politics, business, and entertainment. Women's health and reproductive rights are also very important issues. Worldwide, a large number of women lack access to safe abortion procedures, comprehensive sexuality education, and family planning options. Maternal mortality, unsafe abortion practices, and unwanted pregnancies may result from this. Millions of women worldwide are impacted by the widespread problem of violence against women. This covers violence of all kinds, including sexual, physical, and psychological, in the community, at work, and at home.

Lack of access to economic and educational opportunities is one of the most important problems facing women worldwide. Girls are often denied the opportunity to go to school, which hinders their ability to grow as individuals and feeds the cycle of inequality and poverty. Obstacles for women in the workforce include harassment at work, the gender pay gap, and a lack of leadership possibilities.

The silent suffering of women can be seen in their household. Women take on a disproportionate amount of domestic work within the walls of the home. Without enough assistance or acknowledgment, women frequently find themselves juggling many jobs, from childcare and eldercare to cooking and cleaning. Despite progress made in the area of gender equality, cultural expectations and conventions uphold the idea that household chores are exclusively the domain of women, keeping them confined to the home. Women's dependence inside the household is further entrenched by their frequent exclusion from decision-making processes, economic possibilities, and education. Their dependence on this source not only restricts their independence but also leaves them vulnerable to many kinds of abuse and exploitation.

Legal reforms for women in India

Legislation has made it possible for all Indian women to enjoy the same rights and protection from discrimination that the Indian Constitution guarantees. Equal rights legislation has a critical role in changing the nation's ideals, mechanisms, and views as well as women's access to justice, healthcare, and education. Women make up half of the population. Women's involvement in public life has increased in the modern age. An increasing number of Indian women are entering the workforce, pursuing careers in banking, trade, international forums, advertising, fashion, and other multinational fields. They have also demonstrated their competence in roles such as legislators, bureaucrats, judges, lawyers, doctors, engineers, accountants, and so on. To be able to participate actively in the development of their country, women want laws and policies that are robust.

Legal framework related to women

India claims to be a modern nation with great pride, but it does not treat all of its residents fairly. India is home to the patriarchal social structure, in which men are viewed as holding the majority of power. The government has made an effort to protect women by enacting laws and rules that are focused on their well-being. Some legal provisions are follows as under:

Dowry Prohibition Act, 1961

Kanyadan is connected to the traditional Vedic marriage customs. According to Dharamshastara, until the bridegroom receives a dakshina,

Kanyadan's meritorious deed is not complete. Thus, varadakshina, or giving something in kind or cash to the bridegroom upon her surrender, is required. There was nothing forceful about the consensual nature of the activity. Over time, the dowry's voluntary component has vanished and its coercive component has gradually increased. It has been deeply ingrained in both pre-marital and post-marital relationships. What was formerly meant to be the bridegroom's taken dakshina has now grown out of proportion and taken on the name "dowry." This tradition has evolved into a means of extorting the bride's family for as much money as possible; failing to do so would result in the married woman being harassed by her in-laws. Deaths from demands of dowry are not unusual in Indian households and villages. One of the main reasons domestic violence occurs in marriages is the inability to pay dowry. Therefore, on May 1, 1961, the Dowry Prohibition Act was passed in order to outlaw the practice of offering or accepting dowries and to prevent actions that would follow from this malpractice. Since the Act's passage, certain changes have been made, and the Domestic Violence Act of 2005 was put into place to provide further legal protection for women who experience violence in their homes the majority of which is caused by the dowry custom.

Maternity Benefit Amendment Act, 2017: Women have always been subject to various constraints and compulsions in civilizations where men have held a dominant position. The issue of her repression transcends all geographical boundaries, religious affiliations, and sociocultural connections. The modern workplace culture demands that employees always be at the top of their job, maintain their competitiveness, and carefully observe all deadlines. A woman may find it difficult to strike a balance between her personal and professional lives as a result of the strain of raising a newborn and the additional pressure to perform well at work. The Maternity Benefit Amendment Act of 2017 was enacted with the intention of protecting recently given mothers and preventing any negative reaction that they might have as a result of becoming moms. It has also been demonstrated that a mother's physical and emotional health improves when she spends time bonding with her child. The 2017 update to this Act was a progressive one that eliminated long-standing patriarchal ideas and helped to create a more fair and safe workplace for women.

Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) - POSH Act, 2013:

For many years, women's rights activists and organizations have worked to have the Indian Constitution amended to include legislation safeguarding women's rights. Section 75 of Bharatiya Nyaya Sanhita (BNS), 2023: defines Sexual harassment. A man committing any of the following acts: **(i)** physical contact and advances involving unwelcome and explicit sexual overtures; or **(ii)** a demand or request for sexual favours; or **(iii)** showing pornography against the will of a woman; or **(iv)** making sexually coloured remarks, shall be guilty of the offence of sexual harassment. When sexual harassment occurs at work, it becomes problematic since it not only compromises the terms and conditions of employment by not fostering a safe environment, Women's rights require extra protection in a patriarchal society like India, which is why numerous laws have been created to do just that. One such piece of law is **Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) - POSH Act, 2013.** The Hon'ble Supreme Court noted the necessity for such legislation for the first time in *Vishaka v. State of Rajasthan* (1997). Since there was no legislation establishing procedures to prevent workplace sexual harassment, the Court in this decision imposed rules that had to be adhered to by all workplaces. This lawsuit set a precedent for safeguarding women against sexual harassment in the workplace. The Honorable Supreme Court ruled that a woman's fundamental rights under Articles 14, 15, 19, and 21 of the Constitution are violated when she is subjected to sexual harassment at work.

Section 78 of Bharatiya Nyaya Sanhita (BNS) 2023, defines the criminal act of Stalking a female person by any male person, corresponding to older section 354-D of Indian Penal Code (IPC), 1860

Government initiatives to overcome the challenges faced by women:-

Government of India has indeed taken various initiatives to empower women and improve their socio-economic conditions in recent years. However, there is still a long way to go to ensure that all women in India are provided equal opportunities and rights.

1. **Beti Bachao Beti Padhao** Launched in 2015, this campaign aims to improve the Child Sex Ratio and ensure the education and well-being of the girl child.
2. **Maternity Benefit (Amendment) Act, 2017:** This act increased the duration of paid

maternity leave for women from 12 weeks to 26 weeks, providing better support for working mothers.

3. **Pradhan Mantri Matritva Vandana Yojana (PMMVY):** Introduced in 2017, this scheme provides a cash incentive to pregnant women and lactating mothers to improve maternal and child health.
4. **Women's Reservation Bill:** The Constitution (One Hundred and Sixth Amendment) Act, popularly known as the Women's Reservation Bill, 2023 (ISO 15919: Nārī Śakti Vandan Adhinyam), was introduced in Lok Sabha on 19 September, 2023 during the special session of Parliament. This legislation seeks to allocate 33 percent of the seats in the directly elected Lok Sabha.
5. **Ujjawala Scheme:** Launched in 2016, this initiative aims to provide free LPG connections to women from below poverty line families, promoting their safety and health.

Despite these initiatives, challenges persist. Women in India still face issues like gender-based violence, lack of education and employment opportunities, unequal pay, and limited access to healthcare services. Addressing these challenges requires continuous efforts from the government, civil society, and individuals to create a more inclusive and equitable society for women.

CONCLUSION

However, there is still space for progress in India with regard to women's safety and gender equality. To further empower Indian women in the twenty-first century, concerns including sexual harassment, domestic abuse, and gender inequality must be addressed. Women still confront obstacles in the modern society, notwithstanding a minor improvement in their status. They have to strike a balance between their personal and work commitments. They could collaborate without the support of their husbands. It is even more uncomfortable for women when family members torture them instead of helping them. In the workplace and at home, sexual harassment by co-workers, supervisors, neighbours, friends, and other family members is more common. It is important to remember that women did not have the same status as males throughout the various Era. Women's duties remained mainly restricted to the home, and they still relied heavily on men for

social and financial assistance. Women's standing decreased and they were subjected to additional limitations and injustices as Indian culture developed. While it is true that women today have more independence than they did in the past, discrimination still occurs in many areas of society, making this statement untrue in many ways. Even though modern Indian women enjoy a high status, the entire image of women's status in India is not adequate. Finally, but just as importantly, we need to keep in mind that a country cannot advance without the active involvement of its mothers, wives, sisters, and daughters.

Eliminating crimes against women is still a difficult task, though. Women's rights in India have come a long way, but there is still much more to be done to protect and empower them. Examples of these forms of abuse include rape and sex discrimination. By upholding women's autonomy and enhancing their involvement and decision-making authority in the home and in public life, we can avert evils. Every person is entitled to a particular set of fundamental rights. Sadly, not everyone has equal access to and ability to exercise these rights; women and girls are one such group. Women face abuse and humiliation everywhere in the world, which makes them fight a battle that never needed to be fought in the first place. The condition of women in India is appalling, whether it is a girl child being killed the moment she is born or the horrifying stories of sexual abuse we hear about on a daily basis.

REFERENCES

1. Yadav, Akshatha D.S. & kumar, Naveen K.J. The Role of Women In today's Society: A Review. *Journal of Research in humanities and Social Science* 2021;9(6).
2. Sharma Sarika, (2015), *Women Empowerment in India: A analytical Study*, Kunal Books, Delhi.
3. United Nations Human Right, (2014), *Women's Rights Are Human Rights*, United Nations Publication.
4. Mainwal, Sujata. Changing status of Women in modern India: A sociological Study. *International Journal of Engineering and Mangement Research* 2014; 4(2): 288-290.
5. Banerjee, Arpita. Status of Women and Gender Discrimination in India. *International Journal of development research* 2013; 3(2): 057-067.
6. N. Vikash. Status of women through ages in India. *International journal of social sciences* 2013; 3(1): 21-26.

7. S.K. Sachindra.(2010), Women's Empowerment in India: Philosophical Perspectives, Originals, Delhi. Promoting Women's Economic Empowerment), New Delhi.
 8. Nelasco, Shobana (2010), Status of Women in India, Deep & Deep Publications.
 9. Kumbhare, Arun R. (2009), Women of India: Their Status Since the Vedic Times, iUniverse.
 10. Ministry of Labour And Employment, Ensuring Equality, Empowerment For Women, Women Workforce Participation (Gender Equality & 11. Flavia Agnes. (1999), Law and Gender Inequality: The Politics of Women's Rights in India, Oxford University Press.
 12. Mita Bhadra (ed.). (1999), Girl Child in Indian Society, Rawat Publications, New Delhi.
 13. Chatterji, Angana. Women in Search of Human Equality. Social Action. 1990;40:46-56.
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