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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provide dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

EMPOWERMENT OF WOMEN IN PRESENT SCENARIO

AUTHORED BY - DR. RAJ KUMAR* & TAYYABA**

Abstract

Women's empowerment in India is heavily dependent on many different variables which include geographical location (urban/rural), educational status, social status (caste and class) and age. Policies on empowerment of women exist at national, state and local (panchayat) levels. Still women face differentiation in many sectors like health, education, economic opportunities and political participation which shows that there are significant gaps between policy advancements and actual practice at the community level. This paper reveals current status of women empowerment indicators in India. The origins of the concept of empowerment go back to the civil rights in the USA in the 1960. Since the mid-1980s the term empowerment has become popular in the field of development, especially in reference to women. Women Empowerment in India The status of Women in India has been subject to many great changes over the past few millenniums. In early Vedic period Women enjoyed equal status with men. Rigved & Upanishads mention several names of women sages and seers notably Gargi & Maitrey. Later the status of women began to deteriorate approximately from 500 B.C., the situation worsened with invasion of Mughals and later on by European invaders. The real change came after independence. The group level deals with the collective action and sense of agency that woman experience together, in a group.

Keyword: Constitution, woman empowerment, grassroots.

INTRODUCTION

The origins of the concept of empowerment go back to the civil rights in the USA in the 1960. Since the mid-1980s the term empowerment has become popular in the field of development, especially in reference to women. In grassroots programs and policy debates alike,

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empowerment has virtually replaced terms such as welfare, upliftment, community participation, and poverty alleviation to describe the goal of development and intervention. Women constitute almost 50% of the world's population but India has shown disproportionate sex ratio whereby female's population has been comparatively lower than males. Women Empowerment in India The status of Women in India has been subject to many great changes over the past few millenniums. In early Vedic period Women enjoyed equal status with men. Rigved & Upanishads mention several names of women sages and seers notably Gargi & Maitrey. Later the status of women began to deteriorate approximately from 500 B.C., the situation worsened with invasion of Mughals and later on by European invaders. The real change came after independence. Constitution of India guarantees equality to women. There are other articles too which ensure rights of women e.g. no discrimination by the state equality of opportunity etc. We are proud that in Indian Women got voting right much before USA and some other European countries. Empowerment of Women in India The concept of empowerment flows from the power. It is vesting where it does not exist or exist inadequately. Empowerment of women would mean equipping women to be economically independent, self-reliant, have positive esteem to enable them to face any difficult situation and they should be able to participate in development activities. The empowered women should be able to participate in the process of decision making. In India, the Ministry of Human Resource Development (MHRD- 1985) and the National Commission for Women (NCW) have been worked to safeguard the rights and legal entitlement of women. The 73rd & 74th Amendments (1993) to the constitution of India have provided some special powers to women that for reservation of seats (33%), whereas the report HRD as March 2002 shows that the legislatures with the highest percentage of women are Sweden 42.7%, Denmark 38%, Finland 36% and Iceland 34.9%. In India "The New Panchayati Raj" is the part of the effort to empower women at least at the village level. Last few years the most positive development has been the growing involvement of women in the Panchayati Raj institutions. There are many elected women representatives at the village council level. At present all over India, there are total 20,56,882 lacs village panchayat members, out of this women members are 8,38,244 (40.48%), while total Anchalik panchayat members are 1,09,324, out of this women members are 47,455, (40.41%) and total Zilla parisad members are 11,708, out of this women members are 4,923 (42.05%). At the central and state levels too women are progressively making a difference. Today we have seen women chief ministers, women president, different political parties leader, well establish businessmen etc. Different Levels of Empowerment In line with most theorists on empowerment the one has to view empowerment as taking place on different levels and that

change on all levels is necessary if the empowerment of women is really to occur. We have to relate empowerment at three levels: empowerment on the individual, group, and societal/ community- level and the interaction between these. The societal level deals with the permissiveness of the political and social climate, the societal norms and the public discourse on what is possible and impossible for women to do, how women should behave etc. The policy was aimed at ensuring women empowerment through positive economic and social policies for the full development of women. The policy assured equal access to women to health care, quality education, participation and decision making in Social, Political and Economic life of the nation. The National Policy also aims at strengthening legal system for eliminating discrimination against Women. It also visualizes strengthening partnership with Civil Society, particularly Women's organizations. States have also taken various measures for empowerment of women. Social Empowerment of Women Under the social empowerment of women steps needs to be taken to improve the health status of women, reduce maternal mortality especially in the areas which do not have good medical facilities. A programme for checking the spread of sexually transmitted diseases like HIV / AIDS and infections / communicable diseases like T.B. needs to be launched. Steps Undertaken in India for Women Empowerment The Constitution framers were very much conscious of the problem of women empowerment hence they ensured that the Principle of Gender Equality is enshrined in the Indian Constitution in its Preamble, Fundamental duties and Directive Principles. The various articles mentioned in the earlier paragraph are meant for ensuring gender equality. Moreover the Constitution also empowers the states to adopt measures of positive discrimination in favour of women. The National Policy for the Empowerment of women was an important step taken by the Government of the time for accelerating the pace of women empowerment. Women face high risk of malnutrition hence focused attention would have to be given to meet the nutritional needs of women at all stages of their life cycle. The problem in the country is serious about the women belonging to disadvantaged groups. They are the most exploited lot. Education and Empowerment Education is a powerful tool of social transformation. Hence, education for Women has to be paid special attention. Greater access for women to education must be ensured in the educational system. Gender sensitivity must be developed. A watch has to be kept on dropout rate of girls and corrective measures should be taken to check the dropout rates. Role of NGO's in Women Empowerment Governmental Organizations are formal agencies working for the empowerment of women. But this work requires multidimensional approach and hence a large number of voluntary organizations / NGO's have gained increased attention in the field from grass – root level to national & international level. Their role is so impressive because

they work with missionary zeal and commitment. The working style of NGO's is open, transparent and personal. So, they are more effective in this direction. They organize seminars, conferences and workshops for the awakening of the masses. Their mass appeal – style contributes to a better understanding of women's rights and of the means to ensure the enjoyment of those rights and the elimination of discrimination. They prepare urban and rural uneducated women for self – employment, which is vital for the economic empowerment of the women. In short, all these programs and functions of NGO's contribute towards the realization of sustainable community development and hence women empowerment.

Conclusion The Empowerment of women has become one of the most important Concerns of 21st century not only at national level but also at the international level. Efforts by the Govt. are on to ensure gender equality but Government initiatives alone would not be sufficient to achieve this goal. Society must take initiative to create a climate in which there is no gender discrimination and women have full opportunities of Self decision making and participating in the Social, Political and Economic life of the Country with a sense of equality.

STATUS OF WOMEN IN INDIA

(a) Population

As per Census 2011, India's population was 121.1 Crore with 48.5% female population and the total population is expected to reach to 152.2 crore during 2036 with a slightly improved percentage of female population (48.8). The female population has consistently grown over the decades in both rural and urban areas. In 1951, the rural female population was 146.7 million, while in 2036; it is projected to reach 456.7 million, indicating a significant rise. The urban female population was 28.9 million in 1951 and is projected to grow to 285.9 million by 2036. The Report of the Technical Group on Population Projections for India and States 2011-2036 indicates that in 2011, 60.7% of India's population fell within the working age range of 15-59 years. This percentage is expected to increase to 64.9% by the year 2036. India's population in 2036 is expected to be more feminine compared to the 2011 population, as reflected in the sex ratio which is projected to increase from 943 in 2011 to 952 by 2036, highlighting a positive trend in gender equality. In 2011, the sex ratio (number of females per 1000 males) at all India level was 943 and the same for rural and urban areas are 949 and 929 respectively. Sex Ratio at Birth for the country has gone up by 3 points to 907 in 2018-20 from 904 in 2017-19. Between 2014-16 and 2018-20, the sex ratio in urban areas has surpassed that of rural areas. This shift may suggest that female migration is increasing alongside

urbanization. The Sex ratio in case of rural areas is expected to increase from 949 in 2011 to 969 in 2036 whereas in urban areas it is expected to hover around 929 with a decline to 926 in 2036. The only States/UTs with a favorable sex ratio in 2011 were Kerala and Pondicherry. The sex ratio for 0 - 19 age group was 908 while that of 60+ age group was 1033. The sex ratio in the economically active age group (15 - 59 years) was 944. As per Report of the Technical Group on Population Projections for India and States 2011-2036, the sex ratio (females per 1000 males) in 2036 is expected to be more favorable to women compared to the 2011. Sex ratio in the age group 0 - 6 years has increased in rural from 906 in 2001 to 923 in 2011. However, the ratio has a decline in urban area in the same period. The mean age at marriage has slightly gone up from 22.1 years in 2017 to 22.7 years in 2020. For rural areas, it has increased from 21.7 years to 22.2 years while in urban areas it has increased from 23.1 to 23.9 years. The median age of first marriage (among women 20–49 years of age) has increased from a level of 17.2 years in 2005–06 to 19.2 years in 2019–21. For men (age 25-29), this increased from 22.6 to 24.9 during the same period. As per National Sample Survey (July 2011 - June 2012), 11.5% households in rural areas and 12.4 % households in urban areas are female headed households.

(b) Health

It is evident that from 2016 to 2020, Age Specific Fertility Rate in the age group of 20-24 and 25-29 has reduced from 135.4 and 166.0 to 113.6 and 139.6 respectively. The ASFR for the age 35-39 for the above period has increased from 32.7 to 35.6 which show that after settling in the life, women are thinking of expansion of family. The General Fertility Rate (GFR) is observed to be higher among illiterate women compared to literate women, with those having lower levels of education (below primary) showing the highest fertility rates. Even though the adolescent fertility rate (15-19 years) showed a random trend but the rate being 11.3 in 2020 is a concern to be addressed through awareness and augmentation of existing policies and programs, considering that ASFR is the most sensitive fertility index. The ASFR in the age group of 15-19 years, i.e. adolescent fertility rate was 33.9 for illiterate population, whereas 11.0 for the literate in 2020. This rate, obviously, is zero for graduates and above and considerably lowers for even those who are literate but without any formal education (20.0) as compared to illiterate women reemphasizing the importance of imparting education to women. The mean age at marriage for women has slightly gone up from 22.1 years in 2017 to 22.7 years in 2020. For rural areas, it has increased from 21.7 years to 22.2 years while in urban areas it has increased from 23.1 to 23.9 years. Total Fertility Rate (TFR) was 2.3 in 2016 and

2.0 in 2020. In rural areas, TFR has reduced from 2.5 to 2.2 while in urban area it has reduced from 1.8 to 1.6. TFR was high for illiterate women both in rural and urban areas, higher among rural illiterate women and statistics reveal that improvement in educational level lowers the TFR. The life expectancy has reached 68.6 and 71.4 years for males and females respectively during 2016- 20 and is expected to reach 71.2 and 74.7 years respectively by 2031-36. India has successfully achieved the major milestone of bringing down its MMR (97/lakh live births) in 2018-20. The rate is already below 70 in eight States. Female IMR had always been higher than that of male but in 2020, both were equal at the level of 28 infants per 1000 live births. The under 5 mortality Rate (U5MR) has decreased from 43 in 2015 to 32 in 2020. So is the case for both boys and girls and the gap between boys and girls have also reduced. As per the NFHS 2019-21 (NFHS-5), the percentage of women who had at least four Ante Natal Care (ANC) visits during their pregnancy was 58.5%. While 62.4 percent of mothers received postnatal care from a doctor/nurse/LHV/ANM/midwife/ other health personnel within 2 days of delivery in 2015-16, the percent rose to 78 during 2019-21. While in 2015-16, 78.9 percent of deliveries took place in health institutions and among the births that took place in home, 4.3 percent were attended by skilled health personnel, in 2019-21, the figures on the same parameters were 88.6 percent and 3.2 percent respectively. During 2015-16, 53.2 percent of non-pregnant women aged 15-49 years were anemic which increased to 57.2 percent during 2019-21. Among pregnant women aged 15-49 years, 50.4 percent were anemic during 2015-16 which rose to 52.2 percent during 2019-21. As per NFHS-5, female sterilization remains the most popular modern contraceptive method. Among currently married women age 15-49, 37.9 percent use female sterilization, followed by male condoms (9.5%) and pills (5.1%). As per NFHS-5, during 2019-21, 38 percent of males and 8.9 percent of females above the age of 15 years used tobacco. As per the NFHS -5, 22.9% of males and 24% of females in the age group 15-49 years were found to be obese. Proportion of adult male who are obese (BMI = 30.0) increased from 3% in 2015-16 (NFHS-4) to 4% in 2019-21 (NFHS-5). Similarly, in adult females, the proportion increased from 5.1% to 6.4% during the same reference period. As per NSS 75th round (July 2017- June 2018) on Household social consumption on Health, the percentage of persons that reported as ailing (PPRA) in last 15-days period is 13.5% (Female) and 10.1% (Male) in urban areas, while the same percentage is 9.9% (Female) & 8.0% (Male) in rural areas.

LITERACY AND EDUCATION

As per Census 2011, the literacy rate at all India level was 72.98% and the literacy rate for females and males are 64.63% and 80.9% respectively. During the last decade, the highest improvement in literacy rate was observed for rural females (24%). At primary level, GER was recorded at 93 in 2023-24 which indicates that India, in principle, is able to accommodate all of its primary school-age population, but does not necessarily mean universal primary education. GER of female child has always been higher than that of male child at primary level from 2012-13 onwards. A decreasing trend can be seen in GER as we move to higher levels of education viz. Upper primary, secondary and higher secondary in case of both males as well as females. Female GER at higher secondary level was 58.2 in 2023-24 (39.4 in 2012-13). Further, there is not much difference in GER of male and female population at higher education level. At this level, during 2021-22, GER of female was recorded at 28.5 which were slightly more than male GER of 28.3. According to the NSS 79th round survey (July, 2022-June, 2023), the average number of years completed in formal education by males in both urban (11.2) and rural areas (8.5) is higher than that of females (urban - 9.7; rural - 6.4) for those aged 15 years and above, highlighting gender gap in educational attainment. The mean years of schooling in formal education are marginally higher in the age-group 15 years and above compared to the age group 25 years and above. In higher education, Women show a significantly higher inclination towards Arts (36.41%) compared to men (32.18%). Similarly, Education (6.80%) and Medical Science (6.23%) attract more female students than their male counterparts (3.73% and 4.16%, respectively), reinforcing traditional career choices among women in teaching and healthcare. On the other hand, Engineering & Technology remains a male-dominated field, with 15.95% of men opting for it compared to only 7.21% of women. Overall, the data reveals that while women dominate Arts, Education, and Medical Science, men still lead in Engineering, IT, and Technology-related fields. Dropout rate has been considerably decreased in secondary level of education from 21% in 2013-14 to 14.1% in 2023-24 and it is interesting to see that dropout rate of female from secondary education (12.60) has been slightly lower than that of males (15.50) over the years but has been slightly higher than that of males in Upper primary level. As per NSS 75th Round (July, 2017- June, 18), only 8.3% of the females of age 15 years & above by highest level of education have successfully completed graduation and above level of courses. While 12.8 % of males of age 15 years and above by highest level of education, have successfully completed graduation and above level of courses. As per NSS 75th Round (July, 2017- June, 18), only 4.5 % males and 3.1 % females are pursuing

technical/professional courses. In urban, 8.3 % of male and 6.3 % females are pursuing technical/professional courses. The number of females per 100 males in University education in major disciplines was highest in Medicine (157.1), followed by Arts and Social Sciences (111.6), Science (89.1), commerce (85.9) and Engineering & technical (38.7). From 2012-13 to 2021-22, number of female teachers per 100 male teachers at primary level increased from 100 to 126. At higher levels also, a similar trend was seen. However, representation of female in tertiary education teachers is quite low at 41.6 % as per 2021-22 data.

PARTICIPATION IN ECONOMY

Periodic Labour Force Survey (PLFS) results indicate that the worker population ratio for females in rural sector was 17.5 and 51.7 for males in 2017-18. In Urban sector, the ratio is 14.2 for females and 53.0 for males. In both rural and urban areas, WPRs for females were considerably lower than WPRs for males. It needs to be highlighted that unemployment rate is the maximum for urban females in the 15-29 years' age group followed by urban males in that age group. Labour Force Participation Rate - LFPR of the persons aged 15 years and above has been increasing from 2017-18 onwards for both male and female population. However, LFPR of female population is far behind than that of male population in the age group of 15 years and above (78.5 for males and 37 for females in 2022-23) and the disparity has remained almost the same over the years. In 2022-2023, Worker Population Ratio (WPR) was 54 in rural area and 55.6 in urban area for male population but 30 & 18.7 respectively for female population. Average wage/salary earnings received by female workers of regular wage/salary employees is still lagging behind the average earnings received by male workers in both rural and urban areas. Similar trend was also observed in average earnings received per day by casual labourers engaged in works other than public works. Average wage of women is lower than that of men and the disparity is more in urban than in rural areas. This disparity is found in all occupations. Percentage distribution of Workers according to broad employment status, in rural area major proportion of males (58.8%) and females (71%) were self-employed and least was engaged in regular wage/salaried employment.

PARTICIPATION IN DECISION MAKING

The percentage of women representation in Central Council of Ministers has decreased from 17.8 % in 2015 to 13.7 % in 2023. The passage of the Women's Reservation Bill by the Govt. of India represents a significant milestone for women empowerment in India. There were

471.54 million women electors in 18th Lok Sabha Election (2024) which had increased from 437.8 million in 17th Lok Sabha Elections (2019). In the 18th Lok Sabha, 14% of the total members are women (78 out of total seats). Women voter turnout in 2024 recorded 66 % during 2024 as compared to earlier elections - 65.6% in 2014 and 67.2% in 2019. At all India level, the women participation in the State Assemblies was 11% against the total elected representatives in the State Assemblies. Pertaining to the year 2023, in Supreme Court of India, out of 33 judges sitting in the office, only 3 are women. In high courts also, only 14% of the judges are women. As per the Udyam Registration Portal (URP) of the Ministry of MSME, women-owned MSMEs constitute 20.5% of the total number of MSMEs registered on the Portal since its inception in 1 July 2020. These women owned MSMEs' contribution to the employment generated by the total Udyam registered units is 18.73%, involving 11.15% of the total investment. The contribution of the women-owned MSMEs to the total turnover of Udyam registered SMEs is 10.22%. As per the data on Udyam Assist Platform (UAP) which registers Informal Micro Enterprises (IMEs), the contribution of women-owned IMEs to the total number IMEs (since inception of Udyam Assist portal on 11.01.2023) is 70.49%, and their contribution to employment is 70.84%. The total number of Start-ups recognised by DPIIT since inception (Jan 2016) till Dec'23 is 1, 17, 254. Total number of Women led Start-ups (Startups having at-least 1 woman director) recognized by DPIIT since inception till Dec'23 is 55,816 which constitutes 47.6 percent of the total Start-ups. In 2024, at all India level, 1.4 million women are serving as elected members of Panchayati Raj Institutions / Rural Local Bodies, constituting 46% of the total elected representatives of PRIs. Percentage of Female Police Officers in India is a meager 7.02.

SOCIAL OBSTACLES IN WOMEN'S EMPOWERMENT

On examination of the data for the years 2017 to 2022 it can be observed that three major crimes viz. Cruelty by Husband and Relatives, Assault on women with intent to outrage her modesty and Kidnapping & Abduction constituted more than 70% of the total crime committed against women with the rate of Cruelty by Husband and Relatives faced by women in their own house accounting for one-third of all crimes. One-third of the women in the country are facing violence from their husband. Percentage of ever married women age 18-49 years who have ever experienced emotional, physical or sexual violence committed by their husband, however, has marginally decreased from 33.3% in 2015-16 to 31.9% in 2019-21 but it is still quite high. As per the latest data published by NCRB, 71% of the total cases for investigation were

disposed by the police. As per NFHS, the percentage of women aged 20-24 years married before age 18 years has decreased from 26.8 in 2015-16 to 23.3% in 2019-21. Prevalence of child marriage is more than 40% in Bihar, Tripura and West Bengal and between 30 to 40 percent in Assam and Jharkhand. From 2004 to 2011, the ratio of male to female suicide incidence remained constant at 1.8 but from 2012 onwards, it started rising and reached at 2.6 in 2021. As per the NSS 76th survey, percentage of differently abled person was 1.9% for females and 2.4% for males.

CONCLUSION

Women is a companion of man created by God with an assurance of making the world more effective in companion with each other in all through the generations. Women are considered to be delicate members of society but in reality, it is the opposite particularly in the present scenario of transformation and change that is taking place worldwide. Women empowerment is the most discussed topic in the world and women are the essential and integral part of society and without women concept of society are not possible. Every religion pours importance on the women's rights, besides religious, there are many other factors that has the potential to influence the empowerment of the women in society such as economic, political, and social spheres. It is the fact that treatment to the women is not up to the mark in various corners due to the patriarchal system of the society. According to scholars, women do not have the right to freedom and liberty in many areas because of the patriarchal bargain in the society. The Society is considered to be the conservative that does not give freedom and rights to its female population.

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