



Women's Protectional Rights under the Indian Penal Code, 1860

By: Sham Chand*
Prof.(Dr) Ajeet Singh**

* Research Scholar, Deptt. of Law, Mewar University, Chittorgarh, Rajasthan.
** Dean, Deptt. of Law, Mewar University, Chittorgarh, Rajasthan.

Introduction

Criminal law is uniformly applicable to everyone. The law relating to various offences have been described in Indian Penal Code, 1860. Except few provisions, it has uniform application to both, men and women. Section 10 of Indian Penal Code provides that “woman denotes a female human being of any age.” There are certain specific provisions in Indian Penal Code which exclusively deal with and is applicable to women. Besides Indian Penal Code, there are certain special criminal legislations for women in respect of matters relating to dowry, sati and indecent representation of women, pre-natal diagnosis and termination of pregnancy.

Offence of Dowry death

Unnatural death of a married woman where motive for want of dowry is existing and such death is taking place within 7 years from the date of marriage is called dowry death¹.

Section 304-B of IPC “Dowry Death”²

(1) Where the death of a women is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within 7 years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for or in connection with, any demand for dowry, such death shall be called dowry death and such husband or relative shall be deemed to have caused her death.

(2) Whoever commits dowry death shall be punished with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life.”

¹ Ss.304-B Indian Penal Code,1860.

² Ss.2 of the Dowry Prohibition Act 1961 (28 of 1961).

Purpose of Section 304-B

Section 304-B of the Indian Penal Code, 1860 and the cognate provisions are meant for eradication of the social evil of dowry which has been the bane of Indian Society and continues unabated inspite of emancipation of women and the women's liberation movement.

Section 304-B was inserted into the Indian Penal Code by Act No. 43 of 1986 to save bribes from being brunt for non-payment of dowry, and to curb any social evil which was gaining momentum³. where there was proper evidence of harassment for the non-payment of dowry and unnatural death which has occurred within seven years after the marriage, under these circumstances, the presumption of dowry death was right.

Essentials for establishing the offence⁴

“The death of the women should be caused by burns or bodily injury or otherwise than under normal circumstances. Such death should have occurred within seven years of her marriage. She must have been subjected to cruelty or harassment should be in connection with demand of dowry”. The offence under Section 304-B is cognizable, not-bailable and non compoundable and triable by the court of session.

What are the ingredients required to be proved⁵ : The Rajasthan High Court has laid down the ingredients which are required to be proved by the prosecution while dealing with the offence as to dowry death cases. The burden on the prosecution is to prove the following ingredients–

- a) that it is a death of a woman,
- b) that death is caused by burns or burns of bodily injury or occurs otherwise than under normal circumstances,
- c) that it is within seven years of her marriage,
- d) that it is shown that soon before her death she was subjected to cruelty or harassment.
- e) that it was by her husband or any relatives of husband or
- f) that it was in connection with any demand of dowry.

The prosecution side is required to prove all the above ingredients for an offences committed under Section 304-B of the Indian Penal Code. The burden of proof in absence of presumption of law never goes to the accused because the burden of proof continues to lie on the prosecution all the time like any other criminal case.

Where in suicide is committed by burning but there is no evidence of demand for dowry. However, there is material contradiction and serious omission in the statements of even created witnesses. Mere bringing girls of bad character to house may be the cause of misery to the deceased, but that does not attract the ingredients of Section 304-B, that deceased was being subjected to cruelty or harassment soon before her death in connection with demand for dowry.

³ *Amarnat Gupta vs. State of M.P.* [(1991) Cr. L.J. 2163.

⁴ *Shanti vs. State of Haryana* (1991)

⁵ *Lila Ram vs. State of Rajasthan* (1993) 1 BMC 62 (Rajasthan).

1) **Abetment of Suicide (Section 306)** If any person commits suicide, whoever abates the commission of such suicide, shall be punished with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.

2) **Intention to outrage the Modesty of women (Section 354)** An assault short of rape is punished under under Section 354 of the Indian Penal Code which reads as under–

“Whoever assaults or uses criminal force to any woman intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both.”

3) **Kidnapping, Abducting or inducing woman to compel her Marriage (Section 366) :** Under the Indian Penal Code, 1860 kidnapping, abducting or inducing woman with the intent to compel her for marriage is an offence. Section 366, of the Code deals with such offence. It reads as under–

“Whoever kidnaps or abducts any woman with intent that she may be compelled or knowing it to be likely that she will be compelled, to marry someone against her will, or in order that she may be forced or seduced to illicit intercourse or knowing it to be likely that she will be forced or seduced to illicit intercourse, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine, and whoever, by means of criminal intimidation as defined in this Code or of abuse of authority or any other method of compulsion, induces any woman to go from any place with intent that she may be, or knowing that is likely that she will be, forced or reduced to illicit intercourse with another person shall also be punishable as aforesaid.”

Above reading of Section 366 of the Code shows that to constitute the offence under this Section, there must be kidnapping or abducting or woman with intent that–

- i) women in question may be compelled to marry any person against her will, or
- ii) she may be compelled or seduced to illicit sexual intercourse, or
- iii) she may be forced or induced to illicit sexual relationship by means of criminal intimidation.

However, it is immaterial whether the woman in question is married or not.

4) **Procuration of Minor Girl (Section 366-A) :** For the purpose of prostitution procurement of minor girl from one part of India to another part is an offence under *Section 366-A* of the Indian Penal Code, 1860. It reads as under–

“Whoever, by any means whatsoever, induces any minor girls under the age of 18 years to go from any place or to do any act with intent that such girl may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall be punishable with imprisonment which may extend to ten years, and shall also be liable to fine.”

5) **Importation of Girl from Foreign Country (Section 366-B)** Importing the girl below 21 years of age from outside India for the purpose of prostitution is an offence under *Section 366-B* of the Indian Penal Code, 1860. This section reads as under–

“Whoever imports into India from any country outside India or from the State of Jammu and Kashmir, any girl under the age of 21 years with the intent that she may be, or knowing it to be likely that she will be forced or seduced to illicit intercourse with another person shall be punishable with imprisonment which may extend to 10 years, and shall also be liable to fine.”

- 6) **Sexual Offences (Section 375) :** A man is said to commit ‘rape’ who except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the six following descriptions—

First— Against her will.

Secondly— Without her consent.

Thirdly— With her consent when her consent has been obtained by putting her or any person in whom she is interested in fear of death or of hurt.

Fourthly— With her consent, when the man knows that there is another man to whom she is or believes herself to be lawfully married.

Fifthly— With her consent, when at time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by him personally or through another of any stupefying or unwholesome substance, she is unable to understand the nature and consequences of that to which she gives consent.

Sixthly— With or without her consent, when she is under 16 years of age.

Explanation— Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.

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Exception— Sexual intercourse by a man with his own wife, the wife not being under 15 years of age, is not rape.

Punishment for rape (Section 376):

(1) Whoever, except in the cases provided for by sub-section (2), commits rape shall be punished with imprisonment of either description for a term which shall not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine unless the woman raped is his own wife and is not under twelve years of age, in which case, he shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both—

Provided that the court may for adequate and special reasons to be mentioned in the judgement, impose a sentence of imprisonment for a term of less than seven years.

(2) Whoever–

- a) being a police officer commits rape–
 - i. within the limits of the police station to which he is appointed; or
 - ii. in the premises of any station house whether or not situated in the police station to which he is appointed; or
 - iii. on a woman in his custody or in the custody of a police officer subordinate to him; or
- b) being a public servant takes advantage of his official position and commits rape on a woman in his custody as such public servant or in the custody of a public servant subordinate to him; or
- c) being on the management or on the staff of a jail, remand home or other place of custody established by or under any law for the time being in force or of a women’s or children’s institution takes advantage of his official position and commits rape on any inmate of such jail, remand home, place or institution; or
- d) being on the management or on the staff of a hospital, takes advantage of his official position and commits rape on a woman in that hospital; or
- e) commits rape on a woman knowing her to be pregnant; or
- f) commits rape on a woman when she is under twelve years of age; or
- g) commits gang rape–

shall be punished with rigorous imprisonment for a term which shall not be less than ten years but which may be for life and shall also be liable to fine–

Provided that the court may, for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment of either description for a term of less than ten years.

Explanation-1 : Where a woman is raped by one or more in a group of persons acting in furtherance of their common intention, each of the persons shall be deemed to have committed gang rape within the meaning of this sub-section.

Explanation 2 : “Women’s or children’s institution” means an institution, whether called an orphanage or a home for neglected women or children or a widows home or by any other name, which is established and maintained for the reception and care of women or children.

Explanation 3 : “Hospital” means the precincts of the hospital and includes the precincts of any institution for the reception and treatment of persons during convalescence or of persons requiring medical attention or rehabilitation.

Intercourse by any member of the management or staff of a hospital with any woman in that hospital (Section 376-D) : Whoever, being on the management of a hospital or being on the staff of a hospital takes advantage of his position and has sexual intercourse with any woman in that hospital⁶, such sexual intercourse not amounting to the offence of rape, shall be punished with imprisonment of either description for a term which may extend to five years and shall also be liable to fine.

7) **Commission of Offences Relating to Marriage :** A woman may report and prosecute an offender for the following offences—

a) **Cohabitation caused by a man deceitfully inducing a belief of lawful marriage :** Every man who by deceit causes any woman who is not lawfully married to him to believe that she is lawfully married to him and to cohabit or have sexual intercourse with him in that belief, shall be punished with imprisonment for either description for a term which may extend to ten years, and shall also be liable to fine.

b) **Marrying again during life-time of husband or wife :** Whoever being a husband or wife living, marries in any case in which such marriage is void by reason of its taking place during the life of such husband or wife, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine. But such person will not be liable for this offence, whose marriage with such husband or wife has been declared void by a court of competent jurisdiction. Nor any such person will be liable who contracts a marriage during the life of a former husband or wife, if such husband or wife, at the time of the subsequent marriage, shall have been continually absent from such person for seven years, and shall not have been heard of by such person as being alive within that time provided the person contracting such subsequent marriage shall, before such marriage takes place, inform the person with whom such marriage is contracted of the real state of facts so far as the same are within his or her knowledge.

c) **Same offence with concealment of former marriage from person with whom subsequent marriage is contracted :** Whoever commits the offence defined above (in Section 494) having concealed from the person with whom the subsequent marriage is contracted, the fact of the former marriage, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

d) **Marriage ceremony fraudulently gone through without lawful marriage :** Whoever dishonestly or with a fraudulent intention, goes through the ceremony of being married, knowing that he is not thereby lawfully married, shall be punished with imprisonment of either description for a term which may extend to seven years and shall also be liable to fine.

e) **Adultery :** Whoever has sexual intercourse with a person who is and whom he knows or has reason to believe to be wife of another man, without the consent or connivance of that man, such sexual intercourse not amounting to the offence of rape, is guilty of the offence and adultery, and shall be punished with imprisonment of either description for a term which may extend to five years, or with fine or with both. In such case, the wife shall not be punishable as an abettor.

⁶ “Hospital” shall have the same meaning as in Explanation 3 to sub-section (2) of Section 376 of IPC.

f) **Enticing or taking away or detaining with criminal intent a married woman :** Whoever takes or entices away any woman who is and whom he knows or has reason to believe to be the wife of any other man, from that man, or from any person having the care of her on behalf of that man, with intent that she may have illicit intercourse with any person, or conceals or detains with the intent any such woman, shall be punished with imprisonment of either description which may extend to two years, or with fine or with both.

8) **CRUELTY:** Cruelty against a woman by her husband or relatives of husband is punishable offence under Section 498-A of Indian Penal Code.

Husband or relatives of husband of a woman subjecting her to cruelty : Whoever being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which they extend to three years shall also be liable to fine.

Explanation– For the purposes of this section ‘cruelty’ means–

- a) any wilful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or
- b) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.

This section says that the offender must be–

- 1) husband of a woman, or
- 2) a relative of husband.

Explanation of this section defines cruelty by saying that for the purpose of this section cruelty means (a) any wilful conduct which was of such a nature as was likely to drive the woman to commit suicide or to cause grave injury or danger to life limb or mental or physical health of the woman. (b) harassment of the woman where such harassment was caused with a view to forcing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.

Unlawful demand of dowry is punishable offence under this section because it is amount to mental cruelty against woman⁷. Section-498-A of Indian Penal Code is applied only when, the harassment and cruelty are established with a view to forcing wife to commit suicide or to fulfil. Illegal demands of husband and his relatives⁸.

Wilful Conduct of Husband : The term ‘wilful conduct’ is not defined in the Indian Penal Code. Webster’s Dictionary defines the ‘wilful’ as governed by one’s own will. Generally wilful means–

⁷ Wazir Chand vs. State of Haryana AIR1989SC378

⁸ Sarla Prabhakar Baghmare vs State of Maharashtra (1991)1DMC310

- a) Obstinate
- b) Refractory.
- c) Way Ward
- d) Intentional and
- e) Self willed.

Taking away of the child without the consent of mother : Where petitioners taken away of the son of complainant (mother of child) without obtaining her consent. It has been held that the said conduct of the petitioners is amounted to cruelty because the intention to take away the child was to harass the mother of child on account of her failure to meet the demand of dowry⁹.

Denial of Conjugal life : Where the fact says that the couple did not have any issue in spite of a marriage life for four years, it is not sufficient to indicate denial of conjugal life therefore it is not amounted to cruelty¹⁰.

Coming late home and assaulting the wife : Where the husband used to come to late in the nights it does not amount to cruelty within the meaning of Section 498-A of the Indian Penal Code but wife question about his being late and beaten by the husband it has to be treated as cruelty within the meaning of Section 498-A¹¹.

If the husband taking drink and coming late home it is against the will of woman but not amounts to cruelty but the acts of beating, harassing and demanding the dowry is certainly cruelty defined in Section 498-A of the Indian Penal Code¹².

Presence of mother-in-law in the family and cruelty : Where the domestic quarrels occur on account of the presence of the mother-in-law in the family it does not amount to mental cruelty.¹³

It is true that cruelty has not been defined but it has been used in relation to human conduct or human behaviour, it is course of conduct.

Cruelty may be–

- a) Mental
- b) Physical
- c) Intentional, or
- d) Unintentional.

Refraining conjugal relationship – Cruelty : Refraining conjugal relationship and not touching the meals prepared by the wife are the ill treatments against the wife.

⁹ Vijaya Kumar Sharma vs State of UO(1991)DMC244

- 9) **To insult the modesty of a woman (Section 509) :** *Section 509* of the Indian Penal Code, 1860 deals with the offence regarding word, gesture or act intended to insult the modesty of a woman. This section reads as under–

“Who ever, intending to insult the modesty of any woman, utter any word, makes any sound or gesture, or exhibits any object, intending, that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to one year or with fine or with both.”

- C) **Women’s Protectional Rights under Evidence Act :** *Section 113-A* and *113-B* of the Evidence Act as amended deal with the presumption as to abetment of suicide by a married woman. The legislature with the view to deal with the evil of dowry death incorporated section 304-B and 498-A in the Indian Penal Code and these provisions relate to dowry death and cruelty by husband or relatives of husband. In order to tackle this evil legal presumptions relating to abetment of suicide and dowry death were provided in the Present Evidence Act, so that the perpetrator can not take advantage of legislative incompetency for want of proof because the offence as to dowry death has certain peculiarity as it is usually committed inside the matrimonial home.

This section reads as under–

“Presumption as to abetment of suicide by a married woman (Section 113-A) : When the question is whether the commission of suicide by a woman had been abetted by her husband or any relative of her husband and it is shown that she had committed suicide within a period of seven years from the date of her marriage and that her husband or such relative of her husband had subjected her to cruelty, the Court may presume, having regard to all the other circumstances of the case, that such suicide had been abetted by her husband or by such relative of her husband.

Explanation– For the purposes of this section, ‘cruelty’ shall have the same meaning as in Section 498-A of the Indian Penal Code (45 of 1860)”.

“ Presumption as to dowry death (Section 113-B) : When the question is whether a person has committed the dowry death of a woman and it is shown that soon before her death such woman had been subjected by such person to cruelty or harassment for, or in connection with, any demand for dowry, the court shall presume that such person had caused the dowry death.

Explanation– For the purposes of this section, “dowry death” shall have the same meaning as in Section 304-B of the Indian Penal Code 45 of 1860.”

The provisions contained in *Section 113-A* show that to attract the applicability of Section-113-A it must be shown that–

- 1) the woman has committed suicide;
- 2) such suicide has been committed within a period of 7 years from the date of her marriage;
- 3) the husband or his relatives, who are changed had subjected her to cruelty.

A base reading of *Section 113-A* of the Evidence Act shows that presumption under this Section is not mandatory and it is only permissive. The Supreme Court in *Ramesh Kumar vs. State of Chhattisgarh (2001 (7) SLT 356)* observed that provision was introduced by Criminal Law (Second) Amendment Act, 1983 with

effect from 26-12-1983 to meet a social demand to resolve difficulty of proof where helpless married women were eliminated by being forced to commit suicide by the husband or in laws and incriminating evidence was usually available within the four corners of the matrimonial home and hence was not available to anyone outside the house. However, still it can not be lost sight of that the presumption is intended to operate against the accused in the field of criminal law.

The Commission of Sati (Prevention) Act, 1987

Today, the status of women in India can be gauged quite closely from the fact that a practice such as Sati is possible, and publicly supported and glorified. The 10th anniversary of Roop Kanwar's sati has come and gone, but it appears that nobody is keen to eradicate or remove this social evil prevalent in our country, because more and more cases are being reported in daily newspapers.

The new Anti Sati Act, substitutes the various legislations that have been operative in different parts of the country with a Central Law that seeks not only to prevent and punish the commission of the act itself, but also makes any glorification of the act of Sati an offence.

Specifically, the Act makes a criminal offence, equivalent to murder, the abetment or encouragement of a Sati or an attempted Sati. Such action is liable to sentence of death or life imprisonment, with an appropriate fine [Section 4].

Sati means the burning or burying alive of—

- i) any widow alongwith the body of her deceased husband or any other relative or with anything or article associated with husband or such relative, or
- ii) any woman alongwith the body of any of her relatives—

Such burning or burying may either be voluntary or otherwise [Section 2 (1)(c)].

The Sati herself is liable to prosecution as suicide, the penalty being a year's imprisonment with fine [Section 3].

The glorification of Sati is defined as the observation of any ceremonies or the taking out of processions in connection with the incidence or practice of Sati; the support, justification or propagation of the practice; or the arrangement of or participation of any function to eulogise a person committing Sati; the creation of a trust or fund or collection of donations for the purpose of a temple or any other structure with a view to perpetuate or honour the memory of a person committing Sati; or the performance of any ceremony for the same purpose [Section 2(1)(b)].

Under the Act, all temples dedicated to such practice or persons are to be removed [Section 7].

The penalty for glorification of Sati is imprisonment from 1 to 7 years, a fine of Rs. 5,000 to Rs. 30,000 and the confiscation of all assets collected in the name of Sati [Section 5].

Special Courts are to be convened for the trial of offences under this Act, equivalent to sessions courts, with Judges of equivalent powers [Section 9].

All such cases are to be tried without delay, there being required reasons to be furnished if trials are adjourned beyond the next day [Section 12(3)].

The onus of proof of innocence rests with the accused [Section 16]. No. person who had abetted the commission of Sati may inherit the estate, either whole or even in part, of the deceased woman [Section 18].

The Act unfortunately does not take into consideration two important facts—

The first is that the widow is a victim of her social environment and pressures, treating her instead as a criminal.

The second is that funds for the glorification of Sati are often donated not by individuals but by corporate entities for publicity purposes or tax evasions.

However, prior to the enactment of this Act, in similar cases of Sati, the accused were held liable for the offence of abetment of suicide under Section 306 of the Indian Penal Code.

Recently, in *Gaurav Jain vs. Union of India* the Supreme Court has given comprehensive instruction to the government for rescue and rehabilitation of the fallen women and their children. For better rehabilitation, it is necessary to provide them with dignity of person, means of livelihood and socio-economic empowerment. Economic rehabilitation is one of the most important factors that can prevent such practice. It is also necessary to enroll all these persons in resocialization programmes that provide vocational training and psychotherapy.

Dowry Prohibition Act, 1961

Under this Act, both the giving and receiving of dowry are prohibited. Under Section 2, Dowry has been defined as any valuable asset, property or gift that is given or received by either party of the marriage, or the parents of either party of the marriage, to either each other or to any other person, in connection with or consideration of the marriage.

The legitimate owner of any assets of property given to bride as dowry or given in connection with her marriage is the bride. In the event that such assets have been received by any other person, they are to be handed over to the woman within three months of receipt or of the marriage or of the attainment of majority of the woman, in case she received to dowry as a minor. In case this is not done, a complaint must be made within one year from the date of expiry of the three months. The penalty for contravening this law is a minimum term of six months imprisonment which can be extended upto two years, or a fine upto ten thousand rupees or both. The court has no discretion to award a prison term of less than six months [Section 6 (1) and (2)].

Even though dowry received or given before this Act is not covered by the Act, complaints in respect of retrieving such dowry are covered by the legislation.

The dowry Prohibition Amendment Act, 1986 has placed a ban on advertisement by any person, of any share in his property or of any money as consideration for the marriage of his son or daughter or any other relative. Such offence is punishable with imprisonment for a term of minimum 6 months which can be extended to 5 years or with fine which may extend to Rs. 15,000 [Section 4A].

It is also to be noted that the anticipatory bail should not be granted in such case.

Offences under this Act are non-cognizable and non-bailable [Section 8].

The Hon'ble Supreme Court defined 'dowry' as following—

“In this Act, ‘dowry’ means any property or valuable security given or agreed to be given either directly or indirectly—

- a) by one party to a marriage to the other party to the marriage; or

- b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person, to either party to the marriage or to any other person, at or before *or* after the marriage as consideration for the marriage of the said parties, but does not include dower or maher in the case of persons to whom the Muslim Personal Law (Shariat) applies.

The above definition of ‘dowry’, quoted by Hon’ble Supreme Court is obsolete, which has been amended by the Dowry Prohibition (Amendment) Acts, 1984 and 1986. The present definition of ‘dowry’ under Section 2 of the Dowry Prohibition Act, is as following–

“In this Act, ‘dowry’ means any property or valuable security given or agreed to be given either directly or indirectly–

- a) by one party to a marriage to the other party to the marriage; or
- b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person; at or before (or any time after the marriage) (in connection with the marriage of the said parties but does not include) dower or maher in the case of persons to whom the Muslim Personal Law (Shariat) applies.

Domestic Violence Act, 2005

In the year 2005 Protection of Women from Domestic Violence Act, 2005 has been enacted by the Parliament. Domestic violence results in one of the worst denials of human rights to women. The Beijing Declaration and platform of Action (1995) had regarded domestic violence as a human rights issues and a serious deterrent to development.

Conclusion

Under the chapter, “Fundamental Duties” described in Article 51-A of the Constitution, it has been provided that it is the duty of every citizen of India to renounce practices derogatory to the dignity of women.

In view of the recommendation of United Nations General Assembly to prepare a report on the “status of women in the country, a Committee on the Status of Women (CSWI) was constituted in 1971. The Committee was assigned the task to examine the following aspects of women-

- a) To examine the constitutional, legal and administrative provision that have a bearing on the social status of women and employment,
- b) To assess the impact of these provisions during the last two decades on the status of women in the country, particularly in rural sector, and to suggest more effective measures,
- c) To consider the development of education among women determine the factors responsible for the slow progress in some areas and suggest remedial measures,
- d) To survey the problems of working women, including discriminate in employment and remuneration,
- e) To examine the status of women as housewives and mothers in the changing social pattern and their problems in the sphere of further education and employment,
- f) To undertake survey or case studies on the implications of the population policies and family planning programmes on the status of women,
- g) To suggest any other measure which would enable women to play their full and proper role in building up the nation.

The Committee submitted its report entitled “Towards Equality” in December 1974. The report has been a landmark in the social history of India heralding a conscious change in attitude, behavior, law, establishment of special institution and creating both infrastructure and environment for equality for women.

As a result of recommendations in the report of the Committee on the status of Women in India (CSWI), the National Commission for women was established in 1990 which has undertaken a detailed mission to find

measures to raise the status of women in various spheres of life. Commission has made several recommendations for the upliftment of status of women and has monitored the steps for emancipation of women.

By fulfilling its constitutional obligations, the State has enacted several Acts pertaining to various crimes against women in the field of personal laws, labour laws, and other welfare laws in the interest of women. Family Courts have been established for speedy trial of matrimonial disputes in respect of women. A detailed study of the working of National Commission for women has been carried on onwards in the book.

It is to be noted that still a lot remains to be done by the State for the improvement of social, educational, economical and political status of women in the country to achieve real equality' for women.

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