



Dr. B.R Ambedkar as Champion of Women 's Rights: Shaping Contemporary Legal Frameworks Concerning Maintenance under Hindu Code Bill

Dr. Arneet Kaur 1st, Alka Rani 2nd

Assistant Professor 1st, Assistant Professor 2nd

Department of Law, Guru Nanak Dev University, Amritsar, India 1st

Department of Law, Rayat Bahra College of Law, Hoshiarpur, India 2nd

Abstract

This paper focuses upon the work done by a Baba Saheb Ambedkar to empower the women by providing them the Right to maintenance under Hindu code Bill. This landmark reform was one that aimed to modernize the Hindu Personal laws by integrating provisions for women's rights, such as equal inheritance, divorce, and Maintenance, ensuring financial security and dignity for women within the structure of the family. Baba Saheb pleaded for the roots of social justice for the maltreated and needy segment of Indian society but also sweated hard in his entire life to challenge the legitimacy of orthodox Hindu social order that institutionally sanctioned improper gender relations.

Keywords: Indian, Baba Saheb Ambedkar, India, Maintenance, Women, Hindu code Bill, wife

Introduction

His work on India's Structure was not just about codifying rights but almost reclassifying the reason of law itself, seeing it as an instrument for social freedom, especially for the persecuted, counting ladies. Unlike many social reformers of his time, who approached sexual orientation uniformity as an ethical issue, Ambedkar approached it with a legal and religious focus in the understanding that laws about marriage, inheritance, and maintenance were inherently political and supportive of systemic patriarchy. His work on the Hindu Code Bill was very emblematic of his appreciation for how legal structures might be used to either further or undermine social treacheries. The Hindu Code Charge attempted to reform personal laws governing Hindus, with a special emphasis on empowering women by ensuring rights to property, inheritance, and, most importantly, maintenance. Baba Saheb Ambedkar's contribution to gender equality was not only about granting women formal rights but also about setting foundational auxiliary changes in social attitudes. He agreed that financial empowerment, particularly through maintenance laws, was necessary to achieve sexual orientation equality because financial independence is the root of women's liberation. Under the structures of the Hindu Code Bill, Ambedkar proposed legal provisions which, institutionalizing the financial obligation of spouses toward their spouses, ensures rights to maintenance irrespective of marriage status, rights in heritage or otherwise patrilineal norms. Through the Hindu Code Bill, Baba Saheb Ambedkar has proved to be visionary in how sexual orientation, social, and financial equity would intersect; it laid the foundation for further changes in India's legal framework. These have been very significant and enduring efforts to secure rights to women through the Hindu Code Bill, with specific focus upon those laws governing support, and they significantly continue affecting modern legal systems regarding the same-sex equality in India. Baba Saheb Ambedkar was very keen on these inequalities with an eye on being visionary for social reforms and main architect of India's constitution. Baba Saheb Ambedkar's assurance to women's rights was not just imaginary but interpreted into practical authoritative changes pointed at moving forward the lives of ladies in India. Baba Saheb Ambedkar's vision for gender correspondence was grounded in his acknowledgment that laws must act as rebellious of social change, not fair reflections of endearing societal states of mind. Whereas the Bill's central core was on reforming laws governing Hindus, it contained provisions that indicated a radical change in the status of women in Hindu society. The efforts of Baba Saheb Ambedkar while preparing the Draft looked at all rights of women in marriage, separate, inheritance, and maintenance that challenged the ages of patriarchal dominance over women's lives. The Hindu Code Charge proposed to create noteworthy strides in women's independence, particularly by tending to their financial and legitimate rights. Baba Saheb Ambedkar accepted that financial strengthening was key to accomplishing genuine sexual orientation correspondence, and in this way, the Charge included arrangements guaranteeing women's right to support and property. The Responsibility advocated the right of women to get property on par with men and the right of maintenance from their husbands. The demand of measures by Baba Saheb Ambedkar reflected his greater visualization, gender equality was not an optional view of social transformation but a vital condition for a just and equitable society. Baba Saheb Ambedkar's efforts to correct sexual orientation imbalance through enactment also exaggerated to his work on the Indian Structure. His protected system showed that it would provide rise to openings for ladies in education, work, and open life, and his principle within the transformative control of law guaranteed that women's rights were valued within the lawful texture of the

country. Baba Saheb Ambedkar's commitment to gender equity and correspondence remains the foundation of his legacy, for his doings laid the establishment for consequent lawful changes in India, pushing the cause of women's rights in major ways.

Research Methodology

The present research will take a qualitative research approach that will be doctrinal in nature. The material for the present study will be collected from primary as well as secondary sources related to Baba Saheb Ambedkar's role in advocating for women's rights. The primary sources include conventions, documents, reports, judicial decisions, debates and discussions held on the topic. Material information gathered from relevant books authored by different scholars who dealt with this subject, articles appearing in periodicals, journals, newspapers, websites etc, that are secondary sources.

Need of the Study

This study is important to understand the intersection of the law, gender justice, and social reforms of India. The topic reflects the progressive legal framework because it addresses some of the deep-rooted inequalities and empowers marginalized groups such as women who have, for centuries, been denied equal rights. There is a need to consider Baba Saheb Ambedkar's vision and efforts as a case study, which would indicate how law was used for social transformation, challenges, and resistance while confronting an entrenched patriarchal structure. This topic also insight into the evolution of women's right of maintenance in India.

The Hindu Code Bill; A Revolutionary Framework

Recognizing that the existing laws propagated sexual orientation disparity and anticipated ladies from getting a charge out of their essential rights and flexibilities, Baba Saheb Ambedkar looked for to bring approximately a legitimate change that would give ladies rise to status inside Hindu society. The Charge was a reaction to spans of lawful and social hones that oppressed ladies, especially in things of property, legacy, marriage, and family life. Baba Saheb Ambedkar envisioned that the legal structure would be reconstituted to provide rights to women in uniformity, independence, and security, thereby forming the basis of a just and vibrant society. One of the most serious highlights was the research for equal rights of women in property and inheritance. The Charge proposed that lady's ought to have the same lawful standing as men in terms of acquiring property, challenging centuries of patriarchal conventions that denied ladies of property rights. This arrangement made sure that women appear gain ancestral property on an increasing rise to equate their male counterparts, enabling them to gain their financial security and build greater gender equality in the family structure. Charge also included provisions for protection of women against separation in marriage and family matters. The provisions were revolutionary as they endowed women with legal rights in areas already dominated by customary traditions and social norms that often-treated women as just property or dependents. Preserving areas of society, including Hindu universality and forceful political leaders, protested the Bill because it destroyed traditional family values and sacred traditions. In the long run, however, the Hindu Code Bill, even in its disjointed form, marked a significant step forward in the fight for women's rights in India, providing the foundation for further legal changes aimed at attaining gender equality and equity. Maintenance Under the Hindu Code Bill Also, the Charge enabled women the right to demand support not only to herself but also to her children, encourage highlighting the financial burdens of the spouse and ensuring that women and children are protected from financial vulnerability. These provisions recognized that economic burden within a family should not rest solely with the wife, and, upon surrender or abandonment, women were entitled to claim support regardless of social stereotypes. Compared to the pre-Ambedkar laws, which were regularly failing to provide women with adequate financial security, especially in cases of separation or divorce, the changes proposed under the Hindu Code Bill marked an outstanding step towards financial equality for women, with their rights being instilled in law rather than left to the vagaries of social norms. His advocacy for women's economic security, in particular for maintenance orders, helped in laying the foundations for several critical legal frameworks such as Section 144 of Bharatiya Nagarik Suraksha Sanhita 2023, in which spouses, children, and parents are to be maintained so as not to eject them without some form of compensation, irrespective of marital status or income. Baba Saheb Ambedkar's vision also impacted the Hindu Adoption and Maintenance Act 1956, (section 18-19) provides the right to maintenance for a Hindu wife during her lifetime, maintenance of widowed daughter-in-law, the vision behind these provisions lies in protecting the financial security and dignity of women within the framework of a marital relationship. Hindu Marriage Act, 1955 (section 24-25) the vision of these provision to ensure that both parties have a fair opportunity to seek justice during and after the dissolution of a marriage. in its codification of the rights of women to assert claim, assist in the strengthening idea that financial support could indeed become a main right under circumstances of marital breakdown or collapse. Legal explanations in succeeding decades have always supported and expanded these principles, strengthening the belief that maintenance is not only a moral obligation but a legal entitlement that assures sexual equality and economic fairness. The effect of Baba Saheb Ambedkar's thoughts is additionally seen in broader women's rights assurances inside India's lawful framework, with courts deciphering and applying support laws in ways that ensure ladies from financial exploitation and guarantee their nobility post-divorce or deserting. His vision of sexual orientation uniformity through legal reforms has long continued to influence the debate on women's rights, and making supportive laws a strong tool in advancing gender equity in India.

Conclusion

Baba Saheb Ambedkar's reform work in women's rights still stands as a foundational step in India's legal and social reforms. By initiating pioneering work on the Hindu Code Bill, Ambedkar strived to break the long-existing gender inequality through advocating for progressive rights of women concerning property, maintenance, and divorce. He understood that only through legal empowerment for women was real social justice possible, presenting the issues as indispensable in the formation of a just and fair society. Although his vision was vigorously resisted and never fully realized during his lifetime, the principles that he introduced have fundamentally altered India's legal landscape and guide the contemporary debates on gender justice. The provisions of maintenance under the Hindu Code Bill were an enormous step towards securing the economic security and dignity of women. For the first time ever, the law institutionalized that husband had to provide some form of economic support both during and even after marriage, reflecting the attitude of deep understanding connecting economic autonomy with social equality. These were reforms contrary to the patriarchal norm, in favour of protecting women against exploitation and financial dependence. On the other hand, in reality, despite receiving a hostile reaction that compelled him to quit his position as Law Minister at last,

Baba Saheb Ambedkar's incessant struggle enabled forward-looking legislation, including the Hindu Marriage Act, the Hindu Succession Act. Baba Saheb Ambedkar reminds us that in order for any legal reform to really become equal in reality, it has to be supported by social change. His life and work emphasize how legislation can challenge systemic inequalities and empower marginalized groups. His battle for gender justice is by no means over yet, but his vision will drive that effort toward filling the gap between legal rights and social realities so women see not merely protection on paper but power to practice in reality.

References

- [1] Ambedkar, B.R. 1957. The Buddha and His Dhamma (A.S Rathore and Ajay Verma Eds.). New Delhi: Oxford University Press.
- [2] Ambedkar, B. R. 1950. The Hindu Code Bill. Legislative draft and related debates in Indian Parliament.
- [3] Ambedkar, B. R. 1916. Castes in India: Their mechanism, genesis and development. Analysis of caste dynamics and implications for social justice.
- [4] Smith, D. E.1963. India as a secular state. Princeton University Press.
- [5] Gupta, C.2001. Hindu women, marriage and the law: Hindu Code Bill controversy. Economic and Political Weekly, 36(12), 1021–1030.
- [6] Keer, D. 1954. Dr. Babasaheb Ambedkar: Life and mission. Popular Prakashan.
- [7] Agnes, F. 1999. Law and gender inequality: The politics of women's rights in India. Oxford University Press.
- [8] Government of India.1950. Constitution of India. Legal framework laid down by Dr. B. R. Ambedkar.
- [9] Sharma, J. 2010. The role of Ambedkar in framing Hindu Code Bill. Journal of Social Studies, 8(4), 225–238.
- [10] Mukherjee, A. 2002. Empire, nation and the modernization of Hindu personal law. In Modern Indian history. Macmillan Publishers.
- [11] Bharatiya Nagarik Suraksha Sanhita, 2023. Section 144. Provision for maintenance of spouses, children, and parents.
- [12] Hindu Marriage Act, 1955, Bare Act with Short Notes, Universal Law Publishing, Lexis Nexis, 2015.
- [13] Hindu Adoption & Maintenance Act, 1956, Bare Act with Short Notes, Universal Law Publishing, Lexis Nexis, 2015.

