

ROLE OF THE INDIAN CONSTITUTION ON GENDER EQUALITY AND WOMEN'S RIGHTS

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Abstract: The principle of gender equality is enshrined in India's Preamble, Fundamental Rights, Essential Duties and Directive Principles. The Constitution not only allows women to have equal rights, but also allows the state to give due consideration to women. Within the framework of democracy, our laws, policy developments, plans and programs are designed to enhance the advancement of women in various fields. India has also ratified various international conventions and human rights instruments aimed at providing equal rights to women. The most important of these is the ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1993. This article provides information designed to demonstrate economic and social gender equality. Various articles of the Constitution of India contain gender equality, rights, responsibilities, and legal rights granted to women.

Keywords: Gender, Women, Indian Constitution, Articles, Gender equality, Preamble, Fundamental rights, Women in society

1.0 Introduction

India has been a patriarchal society for a long time, and it is time for women to stand on their own feet. Even today, the inequality between men and women is quite wide. We see this discrimination not only in the workplace but also in our homes. Age-old traditions and customs have been deeply rooted in Indian society for so long that they limit women's freedom, independence and individuality. Women are not given opportunities; Their ideas are not allowed, and they are locked in their homes, making them dependent on men. It is important to understand the difference between sex and gender. Everyone knows that sexuality is a biological decision and gender is a social decision. However, there is still a view that there is no real difference between biological sex and gender and that one turns into the other from the beginning. In this model, we will understand that gender is a decision and gender is a relationship. We have a binary understanding of gender as male and female or male and female. There is also the view that a man's gender determines his sexuality; This is the view that men are only attracted to women and vice versa. This is the heteronormative perspective that assumes everyone is heterosexual. Therefore, the binary understanding of gender and sexuality combined with heteronormativity pushes LGBT individuals to the sidelines. This section examines some of these ideas and how the Constitution has been invoked to challenge these trends.

1.0 Review of Literature

Guravaiah, A (2016) Highlighting the need for education of girls. Today's school girls are tomorrow's strong women. Our country has made some progress in universalizing primary

education. The Education Act 2010 provides free and compulsory education for children under 14 years of age. Currently, some schools in India do not have playgrounds or toilets. Sandeep Kumar (2016) concluded that in the mid-nineties, our legislature, judiciary and administration took the issue of gender inequality from various laws, amendments and other laws. Gender equality and women's empowerment are positively associated with improved health. Research shows that the liberalization era benefited women in all professions and increased their participation in various roles. This leads to the emergence of crimes against working women, despite differences between states in women's health and the level of discrimination against women. This article presents several important measures for women's empowerment in a modern context, based on interviews and images.

2.0 Why Gender Equality

There is no gender discrimination in social development, and it has been proven that only by promoting gender equality can a nation be built in all areas. India can increase its GDP by 60% by 2025 by closing gender inequality in the workplace, says a new study by McKinsey Global Institute (MGI). In 2014, India ranked only 119th out of 187 countries in the Gender Development Index and 135th in the Human Development Index (HDI). HDI rose 130 places and ranked 129th among 189 countries. Therefore, it is necessary to use various measures for gender equality as an important social problem.

3.0 Objectives of the Study

The objective of the Research Paper is to bring to light the benefit of Gender Equality to the economy and society. gender equality, the rights, obligations, and legal arrangements given to women in various Articles under our Indian Constitution have been proposed.

4.0 Research Method

This analysis is mainly based on secondary data collected from various government sources, websites, and law enforcement agencies. The analysis focuses on the laws and regulations of the Indian government. Therefore, the scope of reform is limited.

5.0 Description of the Data

Regarding gender equality, the rights, obligations, and legal arrangements given to women in various articles under our Indian Constitution have been proposed as follows.

5.1 Traditional concepts in Indian society

Since ancient times, women were expected to marry, work for their husbands and take care of the family. In the past, the traditional belief was that men should go out and earn money, while women should stay at home, cook and take care of the children. This is still true today, but often against women's will. They should quit their jobs and stay at home and work for their husbands and wives. People should behave according to gender roles. Men have power and authority and have the final say on many matters, including decisions. While the male child is considered a blessing because the family can have a male heir, the female child is looked after and considered a burden, and the girl's mother is blamed for everything. The boy gets more opportunities and freedom, which gives him a better life, while the girl is forced to marry at a young age, thus leading a miserable life with no opportunities.

5.2 Constitution of India and Gender Equality

Gender equality means equality of men and women in all occupations, not the place of employment, wages earned or ability to provide. There should be no discrimination between men and women. Articles 14, 15, 16 and 39 of the Constitution of India are a few important articles surrounding the concept of equality. This is a fundamental law that ensures equality before the law of all Indian citizens and equality is based on caste, caste, class, religion, gender, etc. will not be rejected for any reason. It is also difficult to find further education and employment, making them dependent on men for every little thing. The pay and treatment given to men and women in the workplace should not be equal. Religion, gender, caste etc. Therefore, there should be no discrimination. There should be no discrimination between male and female employees in wages. The law aims to protect women against workplace harassment. This affects women's fundamental rights and affects their behavior. It is the responsibility of the government to provide them with a safe place by creating necessary rules and regulations. It should be removed. The woman and her family must meet her husband's needs in the form of expensive gifts, regardless of his family situation. If the rules are not followed, the woman will be subjected to torture, abuse and torment by the husband and wife, resulting in death in some cases. The Dowry Prohibition Act was enacted to eliminate and punish the practice of giving and receiving dowry. This is happening in many countries even today. The woman was abused by her husband, suffered domestic violence, suffered mental and physical abuse from her parents, and suffered poverty. These matters are not considered family and must be resolved within the family so that those who commit the crime remain unpunished. The purpose of this law is to inform people that domestic violence is illegal and punishable by law. Domestic violence should not be normalized. Burning to death. In ancient times, young women were supposed to marry middle-aged or elderly men. It is obvious that men will die early, after his death women are forced to meditate, causing suffering and death. This law is designed to put an end to this practice and ensure that committing or attempting to commit sati against one will be punishable by law and punishable by a fine and life imprisonment. Article Shayara Bano vs Indian Union and Ors. (2017); This document covers the concept of triple talaq when Rizwan Ahmed divorced his wife Shayara Bano in 2016 after 15 years of marriage. The Supreme Court ruled in favor of Shayara Bano and held that triple talaq was not valid. Triple talaq violates Article 14 as the husband can immediately dissolve the marriage regardless of the wife's efforts to save the marriage. etc. Rajasthan and Ors. (1997). This document is about a woman named Bhanwari Devi, a social activist from Rajasthan. She did not approve of child marriage and worked hard to stop it. For a year she tried to prevent the reluctant child from marrying; The Supreme Court said that the guidelines will be used as the main law to resolve the issue. Compared to Kerala and Ors. (1986). In this movie, widow Mary Roy is separated from her parents' family. His brothers cheated him on this, but he decided to take it because it was his right. She felt that her equal rights were violated and sued her brother in court. This document tells us about the long-standing patriarchal ideas and control in Indian society.

5.3 Pre-Constitution and Post-Constitution Period

- a. **Pre-Constitution Period:** At that time, India was ruled by the British, now India is ruled by the British. Therefore, there is no law. The British realized that the status and status of women in Indian society was not as secure as that of British women. Therefore, they created special policies to improve the lives of Indian women. Some of the laws against women include:

- b. **Slavery and human trafficking:** Many girls and women are bought, sold and forced to work without being provided with decent food and livelihood. They are forced to work in inhumane conditions and face poverty. Laws prohibiting slavery and human trafficking and those found guilty will be punished.
- c. **Abortion, antibiotics, and infanticide:** He said that abortion will not be done on a voluntary basis. Most often, when a girl is born in the family, she is killed. The number of pregnant women is increasing, and strict laws need to be put in place to stop such bad practices. The increasing prevalence and use of money crime makes us realize that it is much more than a craze. It should be a safe space for women. To have knowledge about women and all members of society to know their rights and to use these rights to protect themselves. For example, domestic violence. and opportunities. There are many women's organizations and NGOs that specialize in resolving women's problems, ensuring that their freedom is not restricted and that they receive justice. There are women police officers who specialize in sensitive issues including family matters. India is developing and we can see many changes from time to time.

7.0 Solutions to eliminate gender inequality.

Men and women should be treated with respect both in the workplace and at home. However, we see that there is a difference between the salaries that men and women receive for the same working hours in the workplace; Therefore, it needs to be replaced. Here are some solutions to address gender inequality; Raise awareness through social media: With today's technology in the world, most people use social media. It is the best platform to highlight issues and spread awareness about different issues faced by women. This is the fastest way to solve many people's problems and eventually rise to higher positions. Thanks to this medium, we can raise women's awareness about their rights and help them overcome different obstacles. This phenomenon is due to ancient traditions that people followed. The daughter is viewed as a burden and it is explained that her only job is to work for her husband, take care of the children and the house, and that this desire is passed down from generation to generation and the son is treated very well. When she had the opportunity, she told him that cooking and cleaning were reserved for women only. If people start treating their children properly, treat girls and boys equally, give them time and explain that work should be divided equally, our country will change beautifully.

8.0 Important Findings and Suggestions:

Gender equality is like an inextricable tree root that has taken root in the society and in this regard, the rights and obligations given to women in various articles under our Indian Constitution are indelible even though the legal systems have been given. Therefore, it should be the appropriate duty of the government to properly enforce all these Articles.

9.0 Conclusion

Whenever guests or relatives come to our house, we always see the men of the family sitting at the table, talking and having fun; The women in the family usually cook, host guests and clean in the living room. Why can't men and women cooperate equally? Even if the husband and wife have income, the wife should prepare breakfast and prepare the utensils, and the husband should prepare everything for her. All of this is happening in many places, but as our country grows, we see changes taking place as men help women and responsibilities are shared. But in some places, women still face inequality. Gender equality is an issue we have been talking about for a long time. Now it's time to put these theoretical concepts into action. The Government of India strives

to empower and empower women through timely and important bills and implementation of laws and regulations. There is no doubt that the Indian government has many weapons at its disposal to fight for women's empowerment and swift and aggressive action is needed. Law, regulation, rule, regulation, etc. Without it, the idea of women's empowerment cannot be realized. Therefore, the government's efforts are still inadequate and the process of women empowerment in India has a long way to go. Women have social, political and economic rights under the law, but they still face gender inequality in our society. Some traditions and customs prevent women from exercising their legal rights. Therefore, women need to get an education and through education, women will know their freedom and rights, then they can use these rights properly and thus the Indian society will achieve gender equality.

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