



## THE MENACE OF GENDER-BASED BIASNESS: A STUDY

**AUTHOR** – MS. SAPNA RANI, ASSISTANT PROFESSOR IN UNIVERSITY INSTITUTE OF LAW AT SANT BABA BHAG SINGH UNIVERSITY, JALANDHAR

**BEST CITATION** – MS. SAPNA RANI, THE MENACE OF GENDER-BASED BIASNESS: A STUDY, ILE MULTIDISCIPLINARY JOURNAL, 4 (2) OF 2025, PG. 140-151, APIS – 3920-0007 | ISSN – 2583-7230.

### Abstract

In today's world the females are not equal as male counterparts. This is prevalent since time immemorial. Gender discrimination against women starts when she is in her mother's womb and continues till her death. Gender inequality also known as gender biasness, means the gender stratification or differentiating between male or female. In order to bring the women to the mainstream there is dire need to focus on the root cause of such inequalities. Patriarchal mindset of the society is major cause for gender discrimination. Social, economic, cultural, political and legal biases existing in society. This study has been conducted while relying on both primary and secondary sources. The researcher through this research paper proposes that however there are plenty of laws are dealing to eradicate the inequality among men and women but they are not enough. Women must be educated and financially independent. An educated and aware women can nurture her children in gender neutral way and resultantly making next generation free from patriarchal mindset. She must be able to hold the position of authority. Women should adopt zero tolerance for violence. It is required on the part of government to launch various schemes to uplift the position of women in society.

### Introduction

Gender inequality has always been an issue of concern in our society. Gender discrimination is basic feature of our patriarchal society. gender discrimination is prevalent in most of the societies of world. Parents consider girl child as a financial burden despite her contribution towards home, children and care of elders. gender discrimination starts before the birth of girl and continues till her death. when there is denial of equality and opportunities on the basis of gender ,is called gender inequality. Women are always taught to become tolerant towards the inequality and violence by men. Women have always been denied from their rights and freedom. Society expects different kind of behaviour from men and women. for example, men should be aggressive and dominant while women should have submissive attitude. Society expects that certain things are the duty of female only like housework, cooking, child rearing, care of elderly.

The status of an individual in the society can be examined through certain indicators like education level, health condition, political participation, decision making and ownership over property. The position of women in these factors is not welcoming. According to Manu "women is dependent on her father when she is single, her spouse when married and her son when became older."

### Meaning

Gender inequality means not treating women equal with men only because of her gender. This discrimination exists while nurturing, educating, employment and in every sphere of life. Gender biasness begins when a girl is in her mother's womb. female foeticide is committed in order to prevent the birth of girl child as she is regarded as social and financial responsibility in the society. Female infanticide is committed when a girl child is born in case boy child is expected by family and in cases where girl child



is not killed, she is not nurtured in same manner as a boy. She didn't get enough nutritious food for her good health. She didn't get proper education as per her choice. Even if she is educated, at the time of employment decision of family matters more than her choice. She is paid less than her male counterparts which has given rise to recognising her right to equal pay for equal work. Skill regarding household chores is provided to her as it is presumed that she has to perform household duties only throughout her life. In spite of spending on her education, parents save money for her marriage and her marriage takes place in early age to release the financial burden of parents. Honour killing takes place if she chooses her partner by herself. After marriage she faces domestic violence and cruelty from her husband due to immature age and lack of understanding between both. Sometimes cruelty also takes place due to non-fulfilment of dowry demands of in-laws. She has to face everything as she is taught to remain silent on aggression and violence of her husband and more importantly because she is financially dependent on her husband. She is not welcomed by her own parents if she says no to the violence of her in-laws and returns to her parents' home. Then abortions take place against her wishes if family don't want girl child. She can't take decisions about the education of her children. For female foeticide it is not only men who are responsible but old ladies of the family are equally responsible.

### History

In ancient India, women enjoy the position of high esteem. She is regarded as equal with men. She is worshipped as Durga, (goddess). Women have right to take decisions about her life and to perform administrative duties in upper caste especially. Women enjoys ownership of property and deals with transfer of property. She is allowed to choose her spouse they are skilled in Vedas and Upanishads. They are skilled in art, science, music etc. During the later Vedic age, position of women gets deteriorated. Female foeticide and infanticide came into existence. The birth of boy child is

also desirable because as per Hindu religious belief only boy child can perform religious duties for the attainment of salvation for his parents. Women became dependant on male members of the family. Without the consent of male members of family, women cannot travel anywhere. With the advent of Muslim invaders, various malpractices against women came into existence. Muslim rulers started kidnapping and abducting every women they like, It gave rise to the practice of purdah pratha, Jauhar. During British era, various legislations were passed to raise the status of women in society. Various social reformist plays important role in uplifting the position of women. After independence, our constitution makers tried hard to create gender equality. Various legislations are passed recognising the rights of women.

In the historical epic Mahabharata, the war of Mahabharata took place due to insult/assault committed on Draupadi. In Ramayana, Lord Rama killed Ravana to bring his abducted wife Mata Sita back with due respect and honour. These incidents show that insult of women is not tolerated in any form and dealt with in very strict manner.

### Types of gender discrimination

According to Nobel Laureate prof. Amartya Sen (2001), there are seven kinds of gender inequalities present in India.

- 1.) **Mortality Inequality**:- in this inequality, it is examined that death rate is high in females as compared to men. Due to urge to get a boy child, female foeticide and female infanticide takes place. Girl child is provided with less nutritious diet resultantly causing high mortality in females. Female deaths also occur during illegal abortions or delivery of a child. This led to great difference in sex ratio.
- 2.) **Natality inequality**:- it includes giving more preference to a boy than girl child. In our patriarchal society, girl child birth is not welcomed. Due to advancement of technology, gender



selection has become an easy process. It led to increase in female foeticide.

- 3.) **Employment inequality:**- in case of employment opportunities and promotion in jobs is concerned, women faced discrimination. Women are paid less as compared to their male counterparts.
- 4.) **Ownership inequality:**- from the ancient times, women have always been denied to own property. Even they are restricted to succeed to the property of their husband after his death. Ownership of property will confer women the right to participate in various social, cultural activities and to take decisions for herself.
- 5.) **Special opportunity inequality:**- it includes discrimination in providing higher education and professional training . parents don't prefer to send their girls far away for higher education studies due to their safety and security issues.
- 6.) **Basic facility inequality:**- even when demographic features do not show anti female bias, there are other ways in which women can have less than a square deal.
- 7.) **Household inequality:**- A girl child faces discrimination in her own household from her childhood. She will not get the same diet as her brother is receiving. Even in providing education to their children , parents discriminate. In case both husband and wife are working, it is always expected from wife to compromise and perform all the household duties.

#### Factors responsible for Gender inequality

##### 1.) **Economic factors:-**

###### **Labor Participation**

- Wage Inequality: Women face significant wage gaps compared to men.
- Delayed Entry: Many women enter the workforce in their 30s, after

completing childcare responsibilities.

##### **Access to Credit**

- Disparities in Banking: Women have limited access to banking services and lack collateral for loans.
- Micro-Credit Issues: Micro-credit schemes have raised concerns about coercive lending practices.

##### **Occupational Inequality**

- Limited Roles: Women are excluded from combat roles in the military and face restrictions on career advancement.
- Leadership Opportunities: Women face challenges in moving up to higher-paid positions.

##### **Property Rights**

- Legal Rights vs. Practice: Women have equal rights under the law, but face disadvantages in practice.
- Weak Enforcement: Laws like the Hindu Succession Act of 2005 are not strongly enforced.

##### **Inheritance Inequality**

- Cultural and Religious Barriers: Women are often deprived of their rightful inheritance due to cultural and religious norms.
- Societal Reluctance: Even when laws permit equal inheritance, societal attitudes hinder women's access to property.

##### **Employment Inequality**

- Gender-Based Imbalances: Women face challenges in advancing to higher-paid positions.
- Power Dynamics: Men often hold higher positions, while women are relegated to lower-paid roles.



## 2.) Social Factors Contributing to Gender Inequality in India

### Education

Lower Female Literacy Rate: Female literacy rate (65.46%) is significantly lower than male literacy rate (82.14%).

### Health

Gender Disparities in Health: Women face health challenges due to violence, disease, and other factors, affecting their life expectancy and overall well-being.

### Patriarchal Society

Male Dominance: India's patriarchal customs perpetuate male authority over women, influencing inheritance, property rights, and family dynamics.

### Dowry System

The dowry system contributes to the perception that girls are a burden, limiting resources invested in them and their bargaining power within families.

### Gender-Based Violence

Prevalence of Violence: Women in India face various forms of gender-based violence, including rape, assault, and trafficking, highlighting the deep-seated inequalities.

### Decision-Making Power

Women have less decision-making power and authority than men, both within and outside the home, contributing to gender inequality.

## 3.) Cultural Factors Contributing to Gender Inequality in India

### Preference for Sons

- Old Age Security: Sons are preferred for old age support and security.
- Patrilineality System: Property and titles are inherited through the male lineage.

### Religious and Cultural Significance

Sons are expected to perform religious rituals and funeral rites for their parents. Boys are valued for inheriting family name and

property, and are seen as a status symbol.

### Perception of Daughters

- Daughters as Liability: Daughters are often viewed as a liability due to dowry costs and being "lost" to their husband's family.
- Cultural Beliefs: These beliefs perpetuate gender inequality and influence family decisions.

## 4.) Political and legal factors:-

India's Constitution guarantees equal rights for men and women, but despite these laws, gender inequality persists due to various factors. The legal system faces challenges in implementing equality, and societal attitudes often hinder progress.

- Legal Bias: Weak enforcement and biased interpretations of laws hinder equality.
- Societal Attitudes: Deep-rooted patriarchal norms and stereotypes perpetuate inequality.
- Personal Laws: Different personal laws for various religions often discriminate against women, requiring reform.

### Constitutional provisions dealing with gender inequality

The Constitution of India is a cornerstone for promoting gender justice and equality. It ensures dignity and equal rights for all individuals, regardless of sex, community, or birthplace. The Preamble sets the tone for this vision, striving for equality of status and opportunity for all citizens. Key provisions within the Fundamental Rights and Directive Principles of State Policy reinforce this goal, prohibiting discrimination and promoting equal opportunities.

Articles 14, 15, 16, and 17 are particularly significant, guaranteeing equality before the law, prohibiting discrimination based on sex, ensuring equal opportunities in public employment, and abolishing untouchability.



These provisions aim to create a society where individual rights and social interests are balanced to achieve community goals.

Justice V.R. Krishna Iyer's quote emphasizes that the struggle for women's rights is not just about gender equality, but about upholding human dignity and worth. It's a call for restoring universal justice and achieving cosmic harmony, which can only be attained when women's rights and dignity are respected. The quote highlights the interconnectedness of human well-being and the importance of recognizing women's value in society.

### **Right to Equality (Article 14):**

The idea of equality is thought to be the cornerstone of republicanism and has been deemed essential to the rule of law. The Constitutions ensure the right to equality through various Articles. Article 14 guarantees that the Government shall not deny any person equality before law and equal protection of laws. It does not speak of mere formal equality before the laws but embodies the concept of real and substantive equality which strikes at the inequalities arising on account of vast social and economic differentiation and is thus consequently an essential ingredient of social and economic justice. It guarantees to every person the right to equality before the law.

In the case of AIR India v/s. Nargesh Meerza (AIR 1981 SC 1829) the Apex Court, while dealing with the fixation of different ages of retirement for male and female employees and the provision preventing the female employees from having child, expressed the view to the effect that the retirement of Air Hostesses in the event of marriage taking place within four years of service does not suffer from any irregularity or arbitrariness but retirement of Air Hostesses on first pregnancy is unconstitutional being violative of Articles 14 and 16 of the Constitution. It was considered that such a provision was callous, cruel and an insult to Indian womanhood, the most sacrosanct and cherished institution.

### **special provisions for women under article 15(3)**

Article 15 provides prohibition of discrimination on grounds of religion, race, caste, sex or place of birth. Article 14 embodies the general principle of equality before the law. A specific application of the same principle is provided in Article 15. Article 15 concretizes and enlarges the scope of Article 14. Art. 15. (1) The State shall not discriminate against any citizen on grounds only of religion race, caste, sex, and place of birth or any of them. (2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to- (a) access to shops, public restaurants, hotels and places of public entertainment; or (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public. (3) Nothing in this article shall prevent the State from making any special provision for women and children. Thus, it would be no violation of Article 15 if institutions are set up by the State exclusively for women or places are reserved for women at public entertainments or in public conveyances. The main object of Article 15(3) is based on protective discrimination keeping in view the weak physical position of women. The reason is that women's physical structure and the performance of maternal functions place her at a disadvantaged position in the struggle for subsistence, and her physical wellbeing becomes an object of public interest and care in order to preserve the strength and vigor of the race. This provision has enabled the State to make special statutory provisions exclusively for the welfare of women. In Yusuf Abdul Aziz vs. State of Bombay, the validity of Section 497 of the Indian Penal Code was challenged under Articles 14 and 15(1) of the Constitution.

In Paramjit Singh v/s State of Punjab, (AIR 2009 P&H) the plea was filed that a woman belonging to S.C. category, cannot contest for the post of Sarpanch, reserved for candidates belonging to S.C. category and not reserved for



women belonging to that category, Court held that this would not be tenable. Article 42 of the Constitution enjoins the State to make provision for securing just and humane conditions of work and for maternity relief. A law made to implement this Directive, securing maternity relief to women workers, would not be violative of Article 15(1), but would be within the purview of clause (3) of this Article.

#### **Article 39A Free Legal Aid**

The Constitution of India is based on the ideals of liberty, equality, apart from its principles of upholding the dignity of human beings. Legal Aid is a vital limb of the Constitution. Hence by 42nd Amendment Act, 1976, a new provision has been incorporated in the Constitution under Art. 39 A, for providing free Legal Aid and the concept of equal justice found a place in our Constitution. The Article 39-A provides the opportunity to seek justice. The Supreme Court observes while interpreting Art.21 that free legal service is an essential ingredient of reasonable, fair and just procedure for a person accused of an offence and it is implicit in the guarantee of Art.21. It is mandate not only from Article 39-A but also from Articles 14 and 21. It imposes an imperative duty upon the State to provide free legal aid to the poor and to enable the poor litigant to have an easy access to a court of law to invoke legal right and to secure him equal protection of laws against his opponent.

In *Khatri v/s State of Bihar* (AIR 1981 SC 928) the Court held that it is the Constitutional mandate under Art. 21 to provide free legal aid to the poor and needy person. The Court further held that State Government cannot avoid its constitutional obligation to provide free legal services to poor accused person by taking the plea of financial or administrative inability. The Court directed all the State Governments to make provisions for grant of free legal aid to the poor people who are brought before the court and who cannot engage a lawyer to represent their case.

#### **Art 42. Provision for just and humane conditions of work and maternity relief**

Article 42 of the Constitution of India states that “the State shall make provision for securing just and humane conditions of work and for maternity relief”, this Article exhibits the concern of the framers of the Constitution for the welfare of workers and especially female workers. The Court may not enforce the Directive Principle as such, but they must interpret laws so as to further and not hinder the goals set out in the Directive Principles, the Supreme Court expressed *M.C. of Delhi v/s Female Workers (Muster Roll)* (AIR 2000 SC 1274) the maternity relief has been extended to women (muster roll) employees, working on daily wages. To achieve the goal enumerated under Article 42 various laws have been passed such as the Employees State Insurance Act, 1948, The Contract Labour Act.

#### **Art 44. Uniform Civil Code for the citizens-**

it directs “the State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India”. This particular goal is towards the achievement of gender justice. Even though the State has not yet made any efforts to introduce Uniform Civil Code in India, the judiciary every time has recognized the necessity of the uniformity in application of civil laws. There is no UCC in India but uniform criminal code exists. The Criminal law is equally applicable to all citizens irrespective of their religious affiliation. However, in the case of civil law particularly in the matter of personal laws there is no uniformity. The laws relating to marriage, divorce, maintenance, guardianship and succession governing the Hindus, Muslims and Christians etc., is different and varies from one religion to other.

#### **Fundamental Duties**

Art. 51-A (e) 35 – It relates to duty towards women and her dignity. It imposes a duty on Indian citizens to renounce practices derogatory to the dignity of women. The duties under Article 51-A are obligatory on citizens, but



it should be invoked by the Courts while deciding cases and also should be observed by the State while making statutes and executing laws. Many efforts have been taken by the legislature to safe guard the women's dignity but women's self-actualization is too important to be left to a single section of the society. This responsibility has to be shared by the State, Community Organizations, Legislators who frame the laws and the judiciary which interprets the Constitution and other laws in order to give a fillip to the legal reform in the field of gender justice and to usher in the new dawn of freedom, dignity and opportunity for both the sexes equally. Awakening of the collective consciousness is the need of the day. The Parliament has succeeded in its efforts in providing reservation of seats for women in election to the Panchayat and the Municipalities, Reservation of seats for women in Panchayats and Municipalities have been provided in Articles 243-D and 243- T of the Constitution of India. Part IX and IX-A have been added to the Constitution by the 73rd and 74th Amendment Acts with Articles 243, 243-A to 243-D and Articles 243-P, 243-Z. According to Article 243-D (3), not less than one-third, (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled up by direct election in every Panchayat, shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat. Article 243-T (3) of the Constitution provides It shall be the duty of every citizen of India-to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women; similar provisions for reservation of seats for women in direct election in every Municipality. Therefore, reservation of 33% of seats for women candidates to hold office and perform all public functions at the Panchayat and Municipal level is within the constitutional mandate.

### The Panchayats

Art. 243-D. Reservation of seats.-(1) Seats shall be reserved for- the Scheduled Castes; and the Scheduled Tribes, in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat. (2) Not less than one-third of the total number of seats reserved under Clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes. (3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat. (4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provided; Provided that the number of offices of Chairpersons reserved for the Scheduled Castes and the Scheduled Tribes in the Panchayats at each level in any State shall bear, as nearly as may be, the same proportion to the total number of such offices in the Panchayats at each level as the population of the Scheduled Castes in the State and of the Scheduled Tribes in the State bears to the total population of the State: (5) The reservation of seats under Clauses (1) and the reservation of offices of Chairpersons.

### The Municipalities

Art. 243- T. Reservation of seats.-( 1) Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in every Municipality and the number of seats so reserved shall bear, as



nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Municipality as the population of the Scheduled Castes in the Municipal area or of the Scheduled Tribes in the Municipal area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Municipality. (2) Not less than one-third of the total number of seats reserved under Clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be the Scheduled Tribes. (3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Municipality. (4) The offices of Chairpersons in the Municipalities shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law provide (5) The reservation of seats under Clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under Clause (4) shall cease to have effect on the expiration of the period specified in Art. 334.

### **Measures to deal with gender inequality**

#### **Economic independence**

Although through various legislations efforts have been taken to ensure economic equality. There is much to do in this regard. By amendment in Hindu succession act, women are conferred with absolute ownership over property. Women shall be regarded as coparcener equal with men. In statute books, equal property rights are conferred on both men and women. But in practice, we hardly observe that women are acquiring any property. A daughter who gets share from her father's property is seen as greedy person it is said that she had taken the share of her brother. She is not entitled to share from her father's property after her marriage. In our society, we

hardly observe women are having ownership of property especially in rural areas they are only given the right to maintenance from family's income. She should be given an equal access to resources, employment, market, trade, technology, information in order to make her able to achieve financial freedom. Its economic independence which will resolve 80% of her problems either its domestic violence, sexual abuse, any kind of discrimination she faces in society. If women will become economically independent, she has not to live a controlled life, she can take decisions for herself either with respect to education, choice of employment, choice of partner or even if she faces marital abuse she can choose to live apart as she is economically independent now and there is no need to suffer any kind of harassment.

#### **Zero tolerance policy for all forms of violence should be adopted**

Firstly, women have to learn to say no to violence. Every individual is having right to live with human dignity. Each member of family has to resist such act of violence. In schools and colleges, it should be taught to children that violence is an illegal act which is liable to be restricted and to raise voice against it. There is need of proper implementation of laws against domestic violence. Police have to conduct proper investigation, reporting of complaints properly. Coordinating efforts on the part of individuals, groups, states, organisations are required to promote zero tolerance to violence.

#### **women rights and laws shall be included as compulsory subjects in eliminary and secondary schools and colleges**

it is necessary to make everyone aware about the rights of women, crimes prevalent in our Indian society against women and stringent legislative provisions providing punishment for these crimes. Children should be taught gender equality, non-violence, human rights, rights of women, role of women etc. as it's hard to eradicate this evil of gender discrimination from old generation but it is possible to raise new generation with ethical values, morals and



believes so that they should respect the dignity of women and treat men and women equal. We have to take efforts that this idea of discrimination, inequality shall not take birth in the mindset of new generation.

### **Educational and employment opportunities for women**

In order to raise the status of women in society it is necessary to educate her. Only then she will become aware about her rights and can raise voice in case she faces any kind of discrimination and violence and harassment. An educated woman would be able to choose employment of her choice. At workplace she should be provided safer and healthy environment to work and achieve economic independence. At workplace, maternity leave with paid wages shall be provided to her when needed as it's her right to run her professional life and personal life together smoothly. As it's not only the right of men to have family and professional life simultaneously. It's the right of women as well.

### **Role of non-government organisations**

Non-governmental organisations have always played excellent role in social reforms to remove the social evils existing in the society either against women, children or weaker or vulnerable sections of society or to caste, religion-based discrimination from the society. In present times efforts are required on the part of these non-government organisations to eradicate these evils existing in society against women those are causing hinderance in her overall growth and development of society as a whole.

### **Women need to change her mindset**

It is generally observed that when a woman is facing violence or discrimination or harassment in the society it's the other women of the family who is either involved or supporting or remaining silent on this act. When a woman faces violence for not giving birth to male child it's the other women who is harassing her or supporting the violence on her for not having

male child. It is not appealable to my mind that how being herself a woman can criticise the other woman in the family or support this thinking to compulsorily having male child in the family. If a woman will start standing against this mindset that there is no necessity to have sons as the daughters are enough in itself then this will decrease the female infanticide and female feticide rate to larger extent. A lady has to take stand that she will not abort her female infant and other ladies of the family have also to support this decision.

### **Patriarchal mindset needs to be changed**

One major and most important cause for women exploitation at the level of family, at her employment, in the society is patriarchal mindset of the society. In our scriptures women are worshipped and regarded as equal and superior to men gods. But with the Mughals invasion and Englishmen advent, status of women started declining. Women were regarded as an object to satisfy the lust of men. After independence, various legislations were formed to raise her status and position in the society. These legislations and judiciary had played an important role in uplifting the position of women in society. But till today she is facing discrimination in the society the definition and kind of discrimination according to modern society is always changing. So, in order to raise the status and position of women in the society men must change their conservative attitude towards women and must start treating them at par with women. The growth of women, upliftment of her status in the society, her education, financial independence will become possible only when attitude of men will change towards women.

### **Judicial reforms**

The representation of women is very less in politics, government jobs and in judiciary. Out of 33 judges, there are only 3 women judges in honourable supreme court of India shows the representation of women in India. Till today no woman judge has been appointed as Chief Justice of India. The supreme court had first



female bench in 2013 and then in 2018. 11.5% judges in high court are female. About 30% judges are women judicial officers in subordinate courts. Out of 1.7 million advocates, only 15% are women. Only 2% of state Bar council's elected officials are women. the bar council of India has no female members. However, govt had set reservation of 33% seats for women judges. Judiciary is continuously taking efforts to promote women participation in judiciary. Representation of women in judiciary will ensure more gender just decisions. Women representation in judiciary will breakdown stereotypes and she will come up as powerful symbol of gender equality. Women judges will become role models for young women and girls. Women representation will lead to better decision making and improved legal reasoning. There is need to improve infrastructure in judiciary. Our previous chief justice Ramana noted that women less representation in judiciary is due to lack of infrastructure, gender stereotype, and social attitudes, clients prefer male attorneys over female, lack of rest rooms for women etc. all these factors discourage women to enter into legal profession.

### Government schemes

Government had taken various steps to improve the position of women in the society. For example, in Punjab and Delhi, the provision of no fare for women in government buses is good step for women empowerment. Now women are stepping out of their homes and male members are also encouraging them even the motive behind this is to save the fare. If women will start coming out of home then will surely become aware about their rights and gender discrimination existing in society will also decrease. Government has to take efforts to empower women socially, economically, politically. Equal opportunities of status and opportunities shall be created in the society so that women shall become financially independent. health insurance schemes shall be provided, loan facilities to women who wants to open up any business.

### Health insurance

It's our fundamental right enshrined under article 21 of constitution that everyone should get basic health facilities free of cost. On the part of state government, it is required that it should provide health insurance especially for women.

### Financial help by government

State government and central government must take necessary imperative to provide financial assistance to women in both rural and urban sector for small scale industries or opening of big industrial units. Government should provide loan to women at less interest rate. this will build confidence in women to take risk and put efforts to open up cottage industries, small scale industrial plants, units and large-scale industries and not only themselves become financially independent but also create job opportunities for other members of the society.

### Skill development

In order to make women of today self-dependent its necessary that she should acquire required skills. For elderly women and those are living in rural areas its mandatary to get some skilled knowledge. To give rural women necessary training in knitting, stitching, preparing handcrafted goods, vocational training to earn their livelihood. Promote handmade products use and encourage women to learn these skills.

### Educational and employment opportunities for women

In order to raise the status of women in society it is necessary to educate her. Only then she will become aware about her rights and can raise voice in case she faces any kind of discrimination and violence and harassment. At workplace she should be provided safer and heathy environment to work and achieve economic independence. At workplace, maternity leave with paid wages shall be provided to her when needed as it's her right to



run her professional life and personal life together smoothly.

## References

1. Agnihotri, S. B., Jones, R. P., & Parikh, A. (2002). Missing women in Indian districts: A quantitative analysis. *Structural Change and Economic Dynamics*, 13, 285-314.
2. Anand, S., & Ravallion, M. (1993). Human development in poor countries: On the role of private incomes and public services. *Journal of Economic Perspectives*, 7(1), 133-150.
3. Anand, S., & Sen, A. K. (1994). Human Development Index: Methodology and measurement (Human Development Report Office Occasional Papers No. 12). UNDP.
4. Bardhan, P. K. (1974). Size, productivity, and returns to scale: An analysis of the level data in Indian agriculture. *Economic and Political Weekly*, 9, 6-8.
5. Barro, R. J., & Lee, J. W. (1994). Sources of economic growth. *Carnegie-Rochester Conference on Public Policy*, 40, 1-46.
6. Basu, A. M. (1993). Women's roles and gender gap in health and survival. *Economic and Political Weekly*, 28(43), 2356-2362.
7. Bardhan, K., & Klasen, S. (1999). UNDP's gender-related indices: A critical review. *World Development*, 27(6), 985-1010.
8. Crocker, D. A. (1995). Functioning and capability: The foundation of Sen's and Nussbaum's development ethic. In M. Nussbaum & J. Glover (Eds.), *Women, culture and development*.
9. Dasgupta, M. (1987). Selective discrimination against female children in rural Punjab, India. *Population and Development Review*, 13(1), 77-100.
10. Dasgupta, P., & Weale, M. (1992). On measuring the quality of life. *World Development*, 20(1), 119-131.
11. Desai, M. (1991). Human development: Concepts and measurement. *European Economic Review*, 35, 350-357.
12. Dijkstra, A. G., & Hanmer, L. C. (2000). Measuring socio-economic gender equality: Toward an alternative for UNDP's GDI. *Feminist Economics*, 6, 41-75.
13. Dijkstra, A. G. (2002). Revisiting UNDP's GDI and GEM: Towards an alternative. *Social Indicators Research*, 57(3), 301-338.
14. Krishnaji, N. (1987). Poverty and sex ratio: Some data and some speculations? *Economic and Political Weekly*, 22(23), 892-897.
15. Klasen, S. (2004). Gender-related indicators of well-being (WIDER Discussion Paper No. 2004/05).
16. Krishnamoorthy, D. (2006). Gender disparities in India: Some evidences. *Conference Volume of Indian Economic Association's 89th Annual Conference*, 855-867.
17. Kumar, N. (2006). Gender empowerment in India. *Conference Volume of Indian Economic Association's 89th Annual Conference*, 1056-1059.
18. Malik, M. A. (2013). Right to legal aid in human rights perspective: A judicial response. *Indian Bar Review*, 40(3), 78.
19. Myneni, S. P. (2008). *Women and law* (2nd ed., p. 18). Asia Law House.
20. McGillivray, M. (1991). The Human Development Index: Yet another composite development indicator? *World Development*, 19(10), 1461-1468.
21. McGillivray, M., & White, H. (1993). Measuring development? The UNDP's Human Development Index. *Journal of International Development*, 5(2), 183-192.
22. Pandey, J. N. (2023). *Constitutional law of India* (60th ed.). Central Law Agency.
23. Program on Women's Economic, Social and Cultural Rights. (n.d.). *Locating women's livelihood in the human rights framework*. Retrieved March 29, 2024.
24. Razavi, S. (2003). Women's changing roles in the context of economic reform and globalization. *Background paper for EFA Global Monitoring Report 2003/04*.



23. Ranganath, S., & Raju, K. (2009). Gender development in India: Dimensions and strategies. *Management Trends*, 6(1-2), 120-126.
24. Seguino, S. (2006). Gender equality and economic growth: A cross-country analysis. *World Development*, 28(7), 1211-1224.
25. Singh, A., & Zammit, A. (2007). International capital flows: Identifying the gender dimension. *World Development*, 29(7), 1249-1268.
26. Sunden, A., & Surette, B. (2008). Gender differences in the allocation of assets in retirement savings plans. *American Economic Review*, 88(2), 207-211.
27. UNESCO. (2003). Gender and education for all: The leap to equality—Summary report. Retrieved from <http://www.efareport.unesco.org/> UNICEF Basic information and gender equality: [http://www.unicef.org/girlseducation/index\\_statistics.html](http://www.unicef.org/girlseducation/index_statistics.html)
28. UPSC Board V/s Hari Shankar, AIR 1979 SC 65

