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### GOVERNMENT POLICIES FOR GENDER EQUALITY AND CONSTITUTIONAL MEASURES IN INDIA: AN ANALYSIS

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#### **Abstract:**

“PRAKRITI” the Nature, or ‘The creator’ itself is a female word as per Indian philosophy. From Vedic period women had higher status, even in our scriptures too. But in real practice the status of women were not satisfactory from medieval to modern India, including the British period. Women empowerment in our present society has become a significant topic of discussion in regards to development. This study discussed about the various schemes launching by the government of India to empowerment of women in India. The government of India is implementing a number of programmes, for improving access to employment, education, health, infrastructure development etc. Some of these are flagship programmes like Mahatma Gandhi National Rural Employment Guarantee Scheme, Integrated Child Development Scheme, SarvaSikshaAbhiyanand National Rural Health Mission. It improves the social status of women in India.

“You can tell the condition of a nation by looking at the status of its women”.

-Jawaharlal Nehru.

#### **(1) Introduction :**

Gender equality and women empowerment are two sides of the same coin. Both have multiple dimensions that together yield a wide variety of indicators. It means replacing patriarchy with parity. Gender discrimination is the least of worries in India, known otherwise as the fourth most dangerous country in the world for women. It results in the problem of illiteracy, deprivation, inefficiency, ignorance, lack of managerial skill and innovative thinking, self motivation shyness etc. From the socio-economic points of view in 21<sup>st</sup> century, the term gender equality gets a new shape as National Population Policy 2000 has empowered women in health and nutrition. In the Millennium Development Goals (MDG) of United Nations (2000) also sets gender equality and women empowerment as one of the goal.

#### **(2) Historical Background of Gender Equality in India:**

In ancient India women were paid higher respect and higher status. MANU said “Where women are honoured, the Gods are pleased, but where they are not honoured, no sacred rite yields any award”. In Mahabharata it was mentioned “ the sweet speeches of wives are their husbands friends on the occasion of joy,

they are as their father on occasion of religious acts; and they are as mothers in hours of illness and woes”.

In the medieval India though gender equality was minor, even then Sankaracharya emphasised the supremacy of Vedas to encounter the spread of Buddhism, and the Vedas had given status of equality of women. The Bhakti movement of Ramanujacharya encouraged women to read religious books and to educate themselves. Thus it gave a new life to women.

In British India the Gender equality got a great importance in the Orthodox Indian society. Substantial progress was achieved in eliminating inequalities between man and woman education, employment, social rights and so forth. In that period the important aspects that affected the status of women were industrialization, spread of education, weakening cast system, social movement initiated by some spiritual leaders, growth of women organizations etc. Government abolished the system of SATI in 1829 with the support of RajaRammohanRoy and Widow Remarriage Act was passed in 1856, which legalised the remarriage of Hindu widows in all jurisdictions of India under East India Company rule. In 1917 the first women delegation met the Secretary of state to demand political right of women. In 1949 independent India gave them their due by enshrining in the constitution the right and equality for women.

### **(3) Why Gender Equality:**

Without discrimination on social construction based on sex, it is a proven fact that by promoting gender equality, a nation can reach developed in all fields. India could add 60% to 2025 GDP by bridging gender gap at work place, according to a new study by the McKinsey Global Institute (MGI). India is only at 119<sup>th</sup> position at gender related development Index and 135 in Human Development Index (HDI) out of 187 in 2014. India moved up 130 in 2017 and 129 out of 189 countries on the 2019 Human Development Index (HDI). So being a great social concern, extensive step for gender equality is necessary.

### **(4) Objective:**

The objective of the Research Paper is to

- Bring in the light the benefit of Gender Equality to the economy and society.
- Bring in the light the government policies and constitutional measures to have an awareness among group, including public.
- Focus on the government role and policies which brings the gender status to equality.

### **(5) Hypothesis of the paper :**

\* Impact of Government policies yet to reach the backward areas and every corner of our country.

\* Policies may not be satisfactory to all types of people and community till date.

\* Changing the mindset of people is a long run issue.

### **(6) Definition of the Key Terms:**

Equality: From Latin Acqualitas, from Acqualis. Meaning-the state of being equal, especially in status, rights, or opportunities (Oxford Dictionary).

Gender- Based on Latin Genus. Means birth, family, nation (Oxford Dictionary).

Empowerment- The process of becoming stronger and more confident. Especially in controlling one's life and claiming one's rights (Oxford Dictionary).

Policy: From Greek word Politeia, citizenship. From polities, citizen. From Polis, means city (Oxford Dictionary).

**(7) Limitations of the Study:**

- \* The study is based only on Government policies and some constitutional provisions related to women in India.
  - \* The analysis mainly focus on up to date Government policies.
  - \* The analysis is based on secondary data only.

**(8) Methodology of the Study:**

The analysis is mainly based on secondary data collected from various government sources, websites, constitution. The analysis is mainly on government of Indian policies and laws. Therefore limited scope for modifications.

**(9) Findings and Discussions:****9.1 Gender Equality in Independent India:**

The gender equality principle as a concept come to be enshrined in the constitution of India in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. Equality is ensured there without cast, creed, sex ,religion. In the 5<sup>th</sup> Five Year Plan (1974-78) only approached towards women issues shows a shift from welfare approach to developmental approach.

**9.2 Government of India Statutory Body and Commission:**

Government of India has a numbers of Statutory bodies and commissions related to gender equality and women empowerment. They can be specified as follows-

9.2.1 Ministry of Women and Children: In 2006 Department for Women and Children was constructed to an independent Ministry, splitting from the Ministry of Human Resource Development, to execute and evaluate the programmes and policies, amend legislation, guide and coordinate efforts of Government and Non government organisations working in the field of women and children.

9.2.2 National Policy For the Empowerment of Women (NPEW):Through positive economic and social policies for holistic development of women with equal care, advancement, development and empowerment, the national policies for empowerment of women was initiated in 20<sup>th</sup>March 2001. It includes mainstreaming gender perspective in development process and strengthening legal system. For a conductive social change it was implemented to promote all round development of women by concerned ministries and departments.

9.2.3 National Commission for Women (NCW) : The National Commission for Women was set up as a statutory body in January 1992 under the National Commission for Women Act 1990 to review the constitutional and legal safeguards to women and recommend remedial legislative measures. The Commission has 7 full time members- a Chairperson, 5 Members and a Member Secretary and is working successfully for two and half decades.

9.2.4 National Mission for Empowerment of Women (NMEW)-2010 : For all round development of women and to strengthen all sectors coverage facilitate the process of co-ordinating all women welfare and socio economic welfare programmes across different ministries and departments the National Mission for Empowerment of Women was launched in 8<sup>th</sup> March 2010. The Mission has Executive Director and experts in different fields like health and nutrition, law, central budgeting poverty alleviation, information and communication technology. At the state level, State Mission Co-ordinator with the chairmanship of Chief Minister and Minister of concerned departments and state resource centre for Women work with the support of National Mission for Empowerment of Women. At the village level 'PoornaShakti Kendra ' through which service to women would be facilitated with the strategy of strengthening institutional framework for greater efficiency in support of women established. It also concerned with crime against women , declining sex ratio, child

marriage, save and educate girl child. The Mission also conducted research in leading areas of women empowerment, organizes seminar, conference, discussion, competition and award programmes.

### **9.3. Initiative by Government of India in Financial and Professional Fields for Gender Equality:**

Government for time to time implemented policies for skill development and employability of women. In this regard we may mention about Training and Employment Programme (STEP) for women scheme which was introduced in 1986-87. Sectors like fishary, animal husbandry, dairy, sericulture, waste land development, handloom, handicraft etc.

#### **9.3.1. Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) :**

MGNREGA enacted in 5<sup>th</sup> September 2005 and come in to force in February 2006. The Act is a legal guarantee to provide 100 days employment in a year to every rural family whose adult members (men/women) are willing to do unskilled manual work at the statutory minimum wage. One of the salient features of the act is to employ women for economic strength. Right to employment mandates 1/3<sup>rd</sup> employment to women and equality in terms of payment. By earning equal wage, they enjoy gender equality and equal status in the society.

#### **9.3.2. Women Vocational Training Programme:**

National Council On Vocational Training (NCVT) under Ministry of Skill development and Entrepreneurs provide training facilities to bring women to equal status of men through 369 Women Industrial Training Institutes (WITI) and 844 Women wings in General ITI and Private WITIs. In general training institute the council has ensure 30% seats reservation for Women trainees only.

#### **9.3.3. SIDBI Scheme for Women:**

Small Industries Development Bank Of India (SIDBI) has implemented two special schemes for gender equality. These are mentioned below –

- MahilaUdyamNidhi (MUN) provides financial assistance to women entrepreneurs to transform their entrepreneurial activities.
- MahilaVikashNidhi (MVN) provides developmental assistance for persuitof income generating activities.

#### **9.3.4. Prime Minister Employment Generation Programme (PMEGP):**

To inspire women in the field of micro small and medium enterprises, it is a credit linked subsidy scheme up to 25 lakhs and more than 65000 Women benefited till date.

#### **9.3.5. AdivashiMahilaSashaktikaranYojna (AMSY):**

An exclusive concessional scheme for Women implemented by Union Ministry of Tribal Affairs under National Schedule Tribes Finance and Development Corporation (NSTFDC). 90% loan for ST women for unit costing up to 50,000. Remaining 10% is contributed as subsidy or promoter contribution.

### **9.4. Education support by Government for Women Empowerment :**

**9.4.1. BetiBachaoBetiPadhao (BBBP):** The scheme was launched by the Prime Minister, Narendra Modi on 22<sup>nd</sup> January 2015 in HariyanaPanipat District which was one of the lowest sex ratios in the country. The scheme focuses on the issue of survival, protection and education for the girls child.

Initially the scheme was focused on 100 districts with low child sex ratio. Now it has been expanded to 61 more districts. The educational side of the scheme implemented through SarvaShikshaAbhiyan (SSA) and RastriyaMadhyamikShikshaAbhiyan (RMSA) by facilitating girls through various ways for better attainable education.

**9.4.2. SarvaShikshaAbhiyan (SSA):** SarvaShikshaAbhiyan implemented to achieve the goals for universal access and retention, bring the gender and social

gapes in enrolment levels and enhancement of learning levels of all children. SSA provides for

- \* The opening schools in the neighbourhood to make access easier for girls.
- \* Free textbooks, free uniforms, separate toilets for girls.
- \* To bridge social, regional and gender gaps with the active participation of community in the management of schools.
- \* Programme with budget provision for strengthening vital areas to achieve universalisation of elementary education.

9.4.3. MahilaSamakhya (MS): Under National Policy of Education 1986, to transform the status of women MahilaSamakhya was implemented as a pilot project in six states of India with the financial support of Netherlands Government which was supposed to be improved the participation of women in decision making and make them conscious about right and opportunities.

### **9.5. Initiative in Health Sector and Women Empowerment :**

9.5.1. National Rural Health Mission (NRHM): National Health Mission was launched in 2005 and NRHM is a sub-mission of NHM initiated in 2013, which provides medical and health care to rural population. It has a numbers of maternity schemes for better health of mothers and Children and awareness programme to improve sex ratio.

9.5.2. Indira Gandhi MatritvaSahayogYojana: It is an welfare programme for better health and nutrition to pregnant and lactating mothers. It was introduced in 2010 using the ICDS platform. The scheme was launched in 53 districts in pilot basis. Around 12.5 lakhs pregnant and nursing women are expected to be benefited with the scheme through direct cash transfer to their saving bank accounts or post offices only. First two live birth is eligible to include in the scheme.

9.5.3. Janani Suraksha Yojana (JSY): Janani Suraksha Yojana was launched in 2005 for safe motherhood intervention under the National Rural Health Mission with the objective of reducing maternal and neo-natal mortality by promoting institutional delivery among the pregnant women. It is mentioned that through this scheme the institutional delivery rate touches to 80%.

### **9.6. Women Rescue, Safety, Rehabilitation and Empowerment**

9.6.1. UJJAWALA Scheme: It is a comprehensive scheme for the prevention of trafficking, rescue and rehabilitation of women and children victims of trafficking for commercial sexual exploitation in India. The scheme was launched in 2007 by Ministry of Women and Children Development. The scheme has five components i.e. prevention, rescue, rehabilitation, re-integration, repatriation.

9.6.2. Pradhan MantriUJJAWALA Yojana: To reduce physical labour with health hazard and for environmental balance the scheme was launched in 1<sup>st</sup> May, 2016 by Prime Minister of India. The women were worst suffers as traditionally they are one who cook for the whole family. It provides cooking gas at subsidized rate to BPL families.

9.6.3. Mobile App "HIMMAT" : In January 2015 Delhi Police launched its own App for women safety. The App is launched basically for women who travel alone at night . The App will work within 30 second and will send information to police, relatives, friends etc.

9.6.4. Panic Button in Mobile Phones: Panic Button is superior and faster mode than mobile apps to alert. Hence, department of telecommunication has notified the rules on panic button under the Indian Wireless Telegraph Act 1933 in April 2016. This facility will ensure women security and will make women to feel secure like men without any restrictions. As per rules since January 2017 all mobile phones will have the facility of panic button and from

1<sup>st</sup> January, 2018 all mobile phones will be required to have the facility of identifying the location through satellite based GPS.

### **9.7. Schemes Related to Girl Child and Gender Equality :**

9.7.1. SukanyaSamriddhiYojana (SSY): Prime Minister Narendra Modi launched a scheme on January 22, 2015 for small deposit as a part of BetiBachaoBetiPadhaocampaign. SukanyaSamriddhiAccount can be opened at any time from the birth to 10 years of her age with a minimum deposit of Rs250 and thereafter any amount in multiple of Rs 100 can be deposit. For one time, a girl child who has attained the age of 10 years prior to one year from the date of introduction of the scheme. Initially the interest rate was set at 9.1% but later revised to 9.2% in late March, 2015.

9.7.2. Restructured Integrated Child Development Scheme (ICDS): ICDS was launched in 1975 to raise the health and nutritional status of poor children. These services are provided through Anganwadicentres, established mainly in rural areas. It also provides nutrition products to pregnant women.

9.7.3. Rajiv Gandhi Scheme for Empowerment of Adolescence Girls (RGSEAG-SABALA) :

To empower the adult women the SABALA scheme was in 2010-2011 which covers the age group between 11-18 years. The scheme was launched in 205 selected districts.

The objective of the scheme was to

- Enable adult girls for self development and empowerment.
- Improve their nutrition and health status.
- Promote awareness on health hygiene nutrition, reproductive and sexual health.

As per the scheme each adolescence girl is provided with 600 calories and 18-20 gm protein and micronutrients per day for 300 days in a year.

### **9.8. Other Equalization Measures:**

9.8.1. Gender Budgeting: Women comprising of 48% of total population of India. To improve the status of women purposeful and targeted budget allocation is necessary. The national budget impact different gender differently. Focussing on women economic, social, political and educational fields special care should be taken in allocation of funds.

9.8.2. Constitutional Reservation For Women: Reservation for Women Amendment Bill (108<sup>th</sup>Amendment) was passed on 9<sup>th</sup> March, 2010 for ensuring equal participation and equal representation in different government departments and local government. The 73<sup>rd</sup>constitutional amendment act 1992 involves women in decision making and 1/3<sup>rd</sup>seat reserve for women in Panchayat.

### **9.9. Laws, Acts Relating to Women :**

To improve the status of women different laws and acts were adopted and enacted since post independent period and these are mentioned below –

9.9.1. Maternity Benefit Act-1961: The Act aims to regulate women employees in certain establishment for certain period before and after child birth and provides of maternity and certain other benefits.

9.9.2. Equal Remuneration Act- 1976 : The Act aims to provide for the payment of equal remuneration to men and women workers and for the prevention of discrimination on the ground of sex against women in the matter of employment and matter connected there with or incident thereto.

9.9.3. Protection of women from Domestic Violence Act-2005: The law came in to force on 26<sup>th</sup> October, 2006. It provides more protection to women within the constitutional ambit from any kind of violence against women or any types of occurring against women within the family.

9.9.4. Prohibition of Child Marriage Act 2006 : The Act came in to force in the year of 2007. It was enacted to prohibit the marriage of persons who has to completed 21 years in case of male and 18 years in case of female. Any kind of Child Marriage will be considered as criminal offence as per the law.

9.9.5. Right to Education Act 2009 : It is the act to provide free and compulsory education to the age group of 6 to 14 years. It is included in the Article 21-A of Indian Constitution. India becomes one of the 135 countries to make education a Fundamental Right. The Act came in to force on 1<sup>st</sup> April, 2010 and it envisaged equality to women without any discrimination with men.

9.9.6. Sexual Harassment of women at workplace (Prevention, Prohibition and Redressal) Bill-2013 : For equal economic and professional rights of women, the Act was passed to provide protection against sexual harassment of women at workplace and for prevention and redressal of complaints of sexual harassment and for matters connected therewith or thereto.

9.9.7. Criminal Law (Amendment Act-2013) : It is an amendment act of Indian penal code. This new act has expressly organised certain acts as offences which were dealt under related laws. These new offences like acid attack, sexual harassment, voyeurism, stalking have been incorporated in to Indian penal code.

#### **10. Some Recommendations to meet the Problem :**

Following points are very essential attribute for the empowerment of women-

- Free and Compulsory Education up to the secondary stage.
- A favourable parental attitude is necessary for promoting women empowerment.
- Provision of scholarship for Women in different institutions.
- 33% reservation for women should be strictly followed in practice regarding representation.
- As government has declared 2001 as the “National Women's Empowerment Year”, celebration of Women’s Day is thereby also important in every year.

#### **11. Conclusion:**

Women play a key role in the socio-economic progress of any society. They must therefore be equally participant and equal beneficiaries of development programmes. Swami Vivekananda had said, “As a bird cannot fly on one wing, no society can make progress unless it’s women too join men in all activities “. This statement has highly made clear the importance of women in our society. It is unfortunate that despite a high growth rate and plentiful government measures to gender equality, the gender gap still exists in India. Rape cases , violation of human rights of women, girl trafficking, dowry death are continuing till date. Only government roles and policies are not enough for gender equality and women empowerment. In this regard people's mindset must be changed and orthodox activities must be removed from our society. From this forgoing account we come to the conclusion that women are undoubtedly the foundation of the basic unit of society- the family. Even in traditional roles they demonstrate great innovation, skill, intelligence, hardwork and commitment. If we can harness these attributes effectively, India’s growth can be more inclusive and equitable.

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