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“WOMEN EXPLOITATION IN INDIA: AN INVISIBLE STRUGGLE”

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ABSTRACT

The Paradoxical situation of women in India is alarming. On the one hand they are worshipped as Goddess, while on the other hand burnt for dowry. Boys are seen as a big support for parents in old age-are considered necessary in order for the family lineage to continue. Girls on the contrary, are unwanted yet embody the ‘honour’ of the family. It is a double bind on for the girls or the women as they do not only have to preserve this family ‘honour’ in society, but also be silent when various atrocities such as abuse, violence, rape, early marriages happen. In the few cases in which they break their silence, the repercussions are immense.

Swami Vivekanand rightly said, 'Just as a bird can not fly with one wing only, a Nation can not march forward if the women are left behind'. Men and women are the two sides of a same coin. Their unity leads to strength their separation results in fragility. Each has what the other does not have. Both of them completes eachother. Etymologically, the word 'woman' mean - half of man. The relation of the male and female is very well illustrated in our Nyaya Darshan by the analogy of mind and matter, which means that man and woman are closely associated with each other, as the soul and body. Therefore the women ought to be respected.

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1. INTRODUCTION

Women in ancient times were honoured and were given respectable status. They were considered the ‘source of power’, (shakti swaroopa). Women like Gargi, Anusiyaand Maitreyi were the epitome of Goddess Saraswati. The status of women was evident from the shloka from ‘Manusmriti’, “यत्रनार्यस्तुपूज्यन्तेरमन्तेतत्रदेवताः।यत्रैतास्तुनपूज्यन्तेसर्वास्तत्रफलाः क्रिया”(yatra naryastupujyanteramantetatradevtah, yatrestastunapujyantesarvastatrahfalahkriyaah), which means where women are honored, divinity blossoms there, and where women are dishonored, all actions no matter how noble remain unfruitful. Women played a very encouraging role in spreading education and in carrying various social obligations with perfection. But this could not carry on for too long, with passage of time women’s social condition started deteriorating.³ Instead of giving them education and upbringing their status, they were subjected to sufferings under purdah system, child marriage, dowry, female infanticide, female feticide etc. They were mentally and physically exploited. This exploitation still continues and in addition has aggravated to the infinite.⁴

2. VARIOUS FORMS OF WOMEN EXPLOITATION

Women are exploited at every sphere of life. From personal security to professional one, from home to workplace, from physical to emotional, at every realm of her life she is made to suffer in every form and in every role, whether she is a daughter, she is a sister, she is a wife, or she is a mother , or she is working as a colleague. Women are exploited in the following ways:⁵

2.1 Exploitation at Home: Domestic Violence

The exploitation of women starts at home, whether physically or mentally. They are beaten up by their husbands and Family members after getting drunk and getting involved in drugs. Various reasons and other bad habits in males lead them to abuse women at their home at sometimes beat them up till death also. There are lotys and lots of cases reported everyday regarding the domestic vilence, and yes, many of them remain unreported as well.

2.2 Exploitation for Dowry

Women are exploited for dowry from the very past. But now this dowry has changed into a deal , a family and a business collaboration, now the dowry has upgraded from a car to a luxury car, from fan to an air conditioner, lots of jewellery and cash. It is hard to believe , but a bitter truth , that the qualification and profession of the groom decides the amount of dowry. More the groom is qualified, heavy is the amount of Dowry. Failing to which or the greed of the in laws make them torture the women physically aswell as emotionally, causing mental trauma. Many young married girls are killed or forced to kill themselves for this menace of dowry.

2.3 Sexual Exploitation

³S.C. Gupta, “151Essays for UPSC” 548(Arihant Publications ,New Delhi ,2006)

⁴Sanjeev Sirohi, “Molestation of women cannot be justified under any circumstances” Pratiyogita Darpan 97 june (2017)

⁵ Preeti Garg, “Status of Women in India” Pratiyogita Darpan, 81, March (2017)

Everyday we come across news that women are raped and sexually molested, at every sphere . she is not safe anywhere. They are touched without their consent and are considered to be materialistic , just the mode of fulfilling sexual pleasure. If not that, after raping they are killed brutally. The Delhi Nirbhaya case is an example of such brutality. Kotkhai rape and murder case in Shimla is also amongst the same. And day by day, this brutality and exploitation is becoming unending.

2.4 Exploitation at workplace

Women are also exploited at workplace , by not giving them their due credit and by application of gender biased policies in any workplace concerned. In *Vishaka v. State of Rajasthan*,⁶ The Supreme Court said that the equality and security of a worker is seriously challenged when they are harassed at their workplace. For this purpose, Vishakha guidelines have laid down by the Supreme Court to improve the working conditions of the women and to ensure them safe and comfortable environment.

Vishakha, a public interest class-action lawsuit, came before the Supreme Court to deal with the gender based harassment in some workplaces, which involved individual social workers and non-governmental organizations (NGOs). Their allegation was that though there are provisions available for the protection of women but the implementation is not up to the mark, that is why they approached to the Supreme Court for the enforcement of their fundamental rights enshrined by the Constitution of India.⁷

2.5 Cyber exploitation

Not physically only, women are exploited in virtual world. There also they are not spared. Women are followed and stalked on social network and unde advantage is taken. Their accounts are hacked and obscene things are published in their names. By hacking their accounts their pictures are used in fake porn stuff. And in the name of that, women are black mailed and harassed, causing a lot of mental harassment.

3 AN INVISIBLE STRUGGLE

Women from very ancient times throughout have been mishandled, exploited or harassed or many of them are acquainted with ones who have faced the same. Still reporting such stories is a taboo. They are suppose to bear a lot of pressure, humiliation and defamation and in addition to it they are labeled as a bad character women. So this being the reason it was not that easy for them to come out and speak and share their stories .⁸

Indian Society intends to protect its culture, and they put it all on the shoulders of women to not be just responsible for their own dignity, but also to the dignity of the family as a whole, and this pressure for too long had been making them stay silent and tolerate and in fact get adaptive with the ‘rape culture’ in India.

⁶A.I.R 1997 SC 3011

⁷ibid

⁸Jhalak Jain, “India and its #Me Too Movement in 2020: Where are we now” available at <https://feminisminindia.com/2020/02/03/india-metoo-movement-2020> (last visited on February 2, 2021)

Generally, in most of the cultures, women are demoralized and are held back from speaking up against harassment. In India, things are even worse. If she dares to come out, the tag of the victim continues to be with her forever. This does not end here, she also has to face victim shaming. But with the advent of this me too revolution, it became easier for them to tell their stories.

Now the women have realized that they are not the only one who have faced such agony. Generally women are made to believe that it is they, who are responsible, or it is their fault that they had to go through such sexual harassment. The thought they are inculcated with is that, it is better to stay quiet and not report such cases and bear such a victim tag for lifetime. But with me too revolution women after listening to each other's stories women have started gathering strength and have started coming out and speak about the grievances. They have started realizing that getting sexually assaulted is not a matter to be ashamed of. It is not their fault.

It signifies towards one thing, that is the failure of the justice system in our Country. It implies that what so ever provisions are incorporated in law for sexual harassment in India they are not up to the mark. The women who have been silently suffering throughout their lives, they are now angry and this anger is coming out in the form of outrage in the Country, and have started speaking, expressing naming and shaming about their Harassers and letting other people know about their painful stories.⁹

The Paramountcy of being a woman lies upon the invisible struggle which the women face throughout. The victims or we can say the survivors have to go through various mental and psychological pain. The trepidation of being expelled out of the society always remain in their mind, which leads them to be labeled as a rabble rouser. All this motivates women from naming their harassers. Going into the Court room, reliving the pain is no where less than a torture to the victims.

The main condemnation of Me Too Movement is that, here women instead of going to the Courts or Legal System, prefers to state themselves at Social Media Platform which implies not trusting and believing our formal Legal system, that guarantees fairness to the accused, otherwise it would lead to the Public Trial only.¹⁰

3.1 Opinions of various journalists in this regard

- A Journalist Seema Mustafa has motivated the women who have come forward and expressed themselves and put forth their agony and their bad experiences. This according to her is a big deal for women of India. But on the other hand, there also lies a drawback on the part of this revolution, that it lacks internal criticism, which would have aided in making this revolution more strong.
- Tavleen Singh of The Indian Express has also put forth her disagreement criticizing this movement saying that the so called broad minded people who are commanding this revolution do not accept any disagreement to their point of view broadly.
- Govind Krishnan V of Firstpost accorded with the view of Seema Mustafa and in addition to it stated that one of the negative point of this movement is that it lacks the positive

⁹Rau's Notes, Issues of General Relevance, 46-47, Rau, s I.A.S Academy, New Delhi, (2012)

¹⁰Becky Hayer, "The Critics of # Me Too And the Due Process Fallacy" available at <https://medium.com/the-establishment/the-critics-of-metoo-and-the-due-process-fallacy-92870c87c0cd> (last visited on May 28, 2021)

disapproval or criticism. He said that for the movement like me too, more of such open communication and richer debates need to be done, so as to make the deep impact of this movement.

- Mustafa also kept forward a point of doubt upon the tendency of this me too movement on social media. She disapproved of this movement in the context that this movement fails to make a distinction between a person guilty of rape and sexual assault from a person who asked a woman for drink or sent some objectionable text message.
- Both Mustafa and Singh said that this movement in India is an elite and metropolitan in nature and fails to represent a common man of India.
- Mustafa talks about Justice in a way that no innocent man should be wrongly framed and no such injustice be done to a person who has not committed any crime. She proclaims me too movement to be arbitrary and lack the responsibility regarding the false and malicious implication of an innocent person.

4 LAW, ENFORCEMENT AND PUNISHMENT

In India every person has right to be protected against every kind of atrocities. Women like any other person are equally protected and safeguarded by Law of the Land. As far as the women are concerned, there are rights placed to protect women as a parent, wife, daughter, employee and most importantly as a woman. There are various Acts providing protection to women in India such as: **The Prohibition of Child Marriage Act, 2006, Special Marriage Act, 1954, Dowry Prohibition Act, 1961, Indian Divorce Act, 1969, Maternity Benefit Act, 1961, Medical Termination of Pregnancy Act, 1971, All these laws are there for safeguarding rights of the women. Following are some of them to be taken into consideration:**

4.1 National Commission for Women Act, 1990

The National Commission for Women or NCW, in short, is a legal body of Indian Government. It was established in January 1992 by the Government India. This women protection act represents the women’s rights in India and provides them a voice for their issues and concerns. It aims to improve the status of Indian women and to work on their financial empowerment.¹¹ This Act aimed to:

- To analyze the constitutional and Legal Safeguards for women
- To put forward corrective judicial actions
- To ease reparation of injustice and
- To guide the Government on all policy matters relating to women.

4.2 Indecent Representation of Women (Prohibition) Act, 1986

This Act forbids any kind of obscene depiction of a woman by any kind of advertisement or public reporting, whether be it in the form of writing, printing, figures or in any other way. This law ensures in the preserving and upholding the honor and prestige of the women in the society.

¹¹Rucha Joshi, “10 Women Protection act and Laws in India” available at <https://timesnext.com/women-protection-act-laws-india> (last visited on march 4,2021)

As the technology is getting advanced day by day ,with the advancement in the electronic media and Internet access to everyone, the need for such change and revolution was needed.

4.3 Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013(Vishakha Guidelines)

In 1997 the Supreme Court propagated certain set of recommendations, which came to be known as the Vishakha Guidelines. This was a set of rules which were prescribed for India for the cases of sexual harassment. These guidelines were further amended in 2013, and they came to be known as The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013. This Act intends to prevent women from sexual **assault and harassment** at the Workplace. This Act also provides protection against the false and malicious charges.¹²

In Vishaka v. State of Rajasthan,¹³ The Supreme Court said that the equality and security of a worker is seriously challenged when they are harassed at their workplace. For this purpose, Vishakha guidelines have laid down by the Supreme Court to improve the working conditions of the women and to ensure them safe and comfortable environment.

Vishakha, a public interest class-action lawsuit, came before the Supreme Court to deal with the gender based harassment in some workplaces, which involved individual social workers and non-governmental organizations (NGOs). Their allegation was that though there are provisions available for the protection of women but the implementation is not up to the mark, that is why they approached to the Supreme Court for the enforcement of their fundamental rights enshrined by the Constitution of India.¹⁴

4.4. Other Human Rights for Women

Following are the other human rights which are available for women in India. All of these are incorporated in the Constitution of India, either in the form of Directive Principles or in the form of Fundamental Rights.

1. Women have the right to equal pay

The Equal Remuneration Act, 1976 ensures the equal wages for the women in all sphere. That no discrimination shall be made on sexual basis as far as the equal remuneration for equal job is concerned.

2. Women have the right to dignity and decency

Women should be treated decently that to with dignity. In case if any such incident happens with the women, what so ever medical examination needs to be done at her should be done with in the presence of another woman.¹⁵

3. Women have a right against domestic violence

Women need to be protected against harassment. This harassment may be a sexual harassment or a domestic violence. Section 498 of the Indian Penal Code protects a woman, whether he is

¹²Vision IAS, “Harassment of Women at workplace” current affairs, 69 (August, 2018),

¹³A.I.R 1997 SC 3011

¹⁴ibid

¹⁵ 11 exclusive rights for women every Indian needs to know, available at <https://www.indiatoday.in/education-today/gk-current-affairs/story/11-women-rights-india-312263-2016-03-08> (last visited on February 3, 2021)

someone’s wife, mother sister everyone needs to be protected from domestic violence. This violence can be emotional, physical , sexual or of any other kind.The offence is non bailable and accused shall be punished with an imprisonment for a term which may extend to three years and shall also be liable to fine.¹⁶

4. Female sexual assault victims have the right to keep their identity anonymous

The Woman who has met with such incident and faced such bad experience, she has a right that her privacy be protected . The sexually assaulted women while recording her statement before District Magistrate has a right to do so in the presence of a female officer.

5. Women have the right to get free legal aid

The Legal Services Authorities Act provides for the arrangement of free legal aid to the rape victim. They are provided with the lawyer by the Authority if needed.

6. Women have right not to be arrested at night

Section 46(4) of Cr.P.C. provides that a woman is not to be arrested after sunset and before sunrise . If such thing happens it should take place if some exceptional case is there. The Law also provides that a woman can only be interrogated in the presence of a woman constable and family or friends.

7. Women have the right to register virtual complaints

If due to any of the reason a woman is not able to be physically present at the police station to file the complaint, they have the right to file a virtual complaint . it may be in the form of e-mail , or they can also put in the form of some letter which can be sent to the police station by post.¹⁷

8. Women have the right against being stalked

If a woman is being stalked or is being followed or if someone follows her for some kind of interaction and that woman is not interested, then Section 354D of the Indian Penal Code provides for the legal action to be taken against that stalker.

9. Women have a right to Zero FIR

Section 154 Cr.P.C provides that the First Information Report (FIR) that can be filed at any police station irrespective of the location where the crime has taken place occurred or a Zero FIR can be instituted to the Police Station in whose jurisdiction the case falls under.¹⁸

4.4 Laws for women in India

Following are the list of certain laws pertaining to the protection of women in India

¹⁶ S.N. Mishra, India Penal Code, 742(central Law Publications, Allahabad, 2008)

¹⁷ ibid

¹⁸ibid

4.5.1 Marriage and Family Matters

- **The Prohibition of Child Marriage Act, 2006:** This Act prescribes a specific age for boy and a girl for getting married. It therefore provides for a fact that if a boy marries under the age of 21 and a girl marries under the age of 18, then it will be considered as the a Child Marriage. This Act aims at uplifting a standard of a woman and not letting her get stuck in the marital obligations at a very young age, and rather encouraging the girls to study and make career bright.
- The Medical Termination of Pregnancy Act, 1971: This Act provides for the laws regarding abortion in India. It prohibits aborting a child, and there are various set of conditions on the fulfillment of which such an act can be done, otherwise abortion has been made illegal in our country. Though it requires certain amendments, which would help in easing the problems which a woman faces during such a set of circumstances.
- **S. 498-A of the Indian Penal Code.** Prohibits the domestic violence and considers it to be a criminal offence.
- Certain provisions in the **Indian Evidence Act** and the **Criminal Procedure Code** also deal with this issue. Finally, a legislation devoted to this issue was enacted in 2005 – **The Protection of Women from Domestic Violence Act.**
- Harassment that a woman faces at her in-laws is a cause of concern. The reason for such harassment are numerous, dowry is one of them. Women are tortured and harassed for dowry, they are maltreated, therefore, to overcome this social evil, the **Dowry Prohibition Act, 1961** was enacted for this purpose which makes it an offence.¹⁹ Though this practice still continues to exist.

4.5.2 Sexual Abuse and Exploitation

- Various forms of sexual harassment such as singing lewd songs, eve-teasing, making sexual advances in spite of refusal, watching, capturing or sharing images and other media of a woman engaging in a private act without prior consent have all been criminalised by the **Indian Penal Code**. There is an entire legislation dedicated to sexual harassment in the workplace – **Sexual Harassment of Women at Workplace Act, 2013.**
- As parents, it is important that you are aware of your daughters’ activities on the Internet. Today, many crimes against women are committed by sexual predators through online portals. Online harassment of women is prohibited under **S. 67 of the Information Technology Act.**
- Any indecent representation of women is banned by the **Indecent Representation of Women (Prohibition) Act, 1986.** This law, as it is considered to be too narrow for this day and age, has undergone certain changes and an Amendment Bill was drafted in 2012 which broadened its scope.
- **Ss. 375 and 376(2) of The Indian Penal Code** criminalise rape. These sections spell out 7 years’ and 10 years’ imprisonment, respectively, as the punishment for rape. The key feature of these sections is the requirement for consent by the woman in question for the act not to be considered as rape. Thus, as a parent it is important that you explain the concept of consent to your daughters at an early age. Intercourse with a woman of unsound mind or a

¹⁹Majlis Legal Centre for Indian Institute of Technology, Kanpur, “A Comprehensive Guide to Women’s Legal Rights” available at https://www.iitk.ac.in/wc/data/Majlis_Legal-rights-of-women.pdf (last visited on June 26, 2021)

girl below 16 years of age is considered to be rape irrespective of consent being given. Unfortunately, marital rape has not yet been criminalised.

4.5.3. Property laws

- While traditionally, the rights of women with regard to succession and inheritance of property in India were next to non-existent, as of now, according to the amendments to the **Hindu Succession Act in 2005**, daughters have been given **the same** rights as sons with regard to inheritance and succession.
- The **Indian Succession Act** does not differentiate between the heirs of the deceased.
- Muslim women enjoy rights of inheritance though limited to some extent by custom and practice.

4.5.4 Women in the workplace

Women in India have the right to earn as much as men and gender discrimination is also prohibited at the time of recruitment. Ss. 4 and 5 of the **Equal Remunerations Act, 1976** lay down the law regarding this.

- The **Maternity Benefit (Amendment) Act, 2017** has brought about certain groundbreaking laws which concern working women including the increase of paid maternity leave from 12 weeks to 26 weeks (**S.5(3)**) and ‘work from home’ options for new mothers (**S.5(5)**).

In 2013 after the Nirbhaya incident and the widespread protests that followed, the criminal law dealing with sexual offences was amended and the definition of rape was widened to include non peno-vaginal penetration. Also many new offences were included such as stalking, Voyeurism, etc. there are different **Definitions of ‘sexual offence’ under the Indian Penal Code (IPC)** , they are as follows:

- **Outraging modesty S. 354** states that if a man assaults or uses criminal force on any woman with the intention of outraging her modesty or knowing that it is likely to outrage her modesty, then he shall be punished under this section.
- **Sexual Harassment S. 354A** states that if a man makes physical contact and advances, demands or requests for sexual favours, shows pornography against the will of a woman or makes sexually coloured remarks, then he shall be punished under this section.
- **Disrobing S. 354B** states that if a man assaults or uses criminal force against a woman with the intention of disrobing her or compels her to be naked, he shall be punished under this section.
- **Voyeurism S. 354C** states that if a man watches or captures the image of a woman in a private act or disseminates such an image, he shall be punished under this section. A private act includes an act where the victim does not expect to be observed by the man or any other person at his behest. If the victim consents to the capture of the image but not to dissemination, then such dissemination shall be punishable.
- **Stalking S. 354D** states that if a man follows or contacts (or attempts) a woman despite a clear indication of disinterest by her, or monitors the use of internet, email or other electronic communication by her, then he shall be punished under this section.

- **Rape S. 375** includes Penetration of the penis, to any extent, into the vagina, mouth, urethra or anus of a woman or if he makes her to do so with him or any other person; or Insertion to any extent, any object or a part of the body other than the penis, into the vagina, the urethra or anus of a woman or if he makes her to do so with him or any other person; or Manipulation of any part of the body of a woman so as to cause penetration ²⁰ into the vagina, urethra, anus or any body part or if he makes her do so with him or any other person; or If he applies his mouth to her vagina, anus, urethra or makes her to do so with him or any other person.

The above acts amount to rape if they are committed without the consent and against the will of the woman. Even if the consent of the woman is given to the above acts, it will amount to rape under the following circumstances: When consent has been obtained by putting her or any person in whom she is

- interested, in fear of death or hurt. When the man knows that he is not her husband and she gives consent
- because she believes him to be her husband. When she is unable to understand the nature and consequence of the act to
- which consent is given due to intoxication, administration of any stupefying or wholesome substance or due to certain unsoundness wherein she is unable to understand the act to which she gives her consent.
- **S. 376 (2)** states that under the following circumstances the offence of rape shall also be committed and the punishment prescribed for the same is more stringent. By Police Officers By Public Servants By Armed Forces By Management or staff of a jail, remand home, women or children’s institute By Management or staff of hospitals By a relative, guardian or teacher or a person in a position of trust and authority During communal or sectarian violence Rapes a woman, knowing her to be pregnant Rapes a woman below 16 years Rapes a woman who is incapable of giving consent Rapes a woman over whom he is in a position of control or dominance Causes grievous bodily harm, maims, disfigures, endangers the life of the woman Rapes her repeatedly Injury which causes the death of the woman or causes the woman to be in a persistent vegetative state
- **S.376A** states that during the commission of the offence of rape, if a man inflicts an injury which causes the death of the woman or causes the woman to be in a persistent vegetative state, then such an act shall be punishable with a stringent punishment. Sexual Intercourse by husband upon his wife during separation
- **S. 376B** states that if a husband, living separately (with or without a decree of separation) from his wife has sexual intercourse with his wife, without her consent shall be punished with a stringent punishment. Sexual Intercourse by a person in authority
- **S. 376C** states that if a man who is in a position of authority or fiduciary relationship with a woman or public servant or superintendent /manager of a jail, remand home or other place of custody or management / staff of a hospital, abuses his position or seduces a

²⁰ibid

woman under his charge or in his premises to have sexual intercourse with him, then he shall be punished for the offence of rape, with a stringent punishment.

- **Gang Rape S. 376D** states that whenever a woman is raped by two or more persons constituting a group or acting in furtherance of a common intention, then each person is said to have committed the offence of rape and shall be liable to be punished with a stringent punishment.
- **S. 376E** states that if a man has been previously convicted for an offence under Ss. 376, 376A or 376D then such person shall be punished with a stringent punishment. Word, gesture or act intended to insult the modesty of a woman ²¹
- **S. 509** states that if a man utters any word, sound, gesture, exhibits any object with the intention that it is heard or seen or intrudes the privacy of a woman, then he shall be punished under this section. *Abetment and Attempt to commit the above offences is also punishable and is covered above. Confidentiality to be maintained by Media It shall not be lawful for any person to print or publish any matter in relation to proceedings under Ss. 376, 376A, 376B, 376C, 376D, 376E except with the previous permission of the Court. S. 327 (3) Cr.PC

4.5.5. Protection under I.T. Act, 2000

Information Technology Act, 2000 provides for the protection of women from cyber crime, such as: section 66 punishes the offence of identity theft, punishable by the imprisonment upto 3years and fine extending upto rupees one lakh

Section 66E deals with the violation of the privacy of a person, taking photos or making videos of a private area of the person without the consent is punishable with imprisonment upto 3years and /or fine.

Section 67A makes the republishing or transferring of sexually obscene material punishable with imprisonment of 5years extending upto seven years and fine upon second conviction.

5.5.6 Organisations that help

There are a number of organisations that work for the upliftment and protection of women such as the National Commission for Women, One Stop Crisis Centres (or) Nirbhaya Centres, National Association of Rural Women India, etc. There are also a number of NGOs working for women's rights. Please keep your daughter informed of these organisations so that she knows who to approach in case of a crisis ²²

After the enactment of so many laws, the atrocities done to the women have not stopped, rather they are increasing at an alarming pace.²³ Strict actions need to be taken. Justice system needs to be improved. It should be geared up so that justice is not delayed to the people. Penal system needs to be worked upon. At least, the serial offenders and remorseless fellows must be severely punished, may be by awarding death sentence or by other means such as chemical castration. Recently, a Delhi district Court Judge appealed government to make such a law by means of

²¹S.N. Mishra, “Indian Penal Code” 478, Centra Law Agency, Allahabad, (2017)

²²ibid

²³S.C. Gupta, “151 Essays for UPSC” 111-113 (Arihant Publications, New Delhi, 2006)

which castration penalty could be awarded which could prove to be a strong deterrent and way transfer the social burden from victim to the culprit.²⁴

5 CONCLUSION

We Indians have been blessed with an enriched tradition of protecting our culture. That culture, which provides and emphasizes upon the patriarchal domination and sidelining the significance of women, and were left out from the power as well. Women are carrying the responsibility of protecting the honor and dignity of not only of herself, but of the entire family. She is held responsible for carrying the Honor of her family upon her own shoulders. So that is why she was suppose to be quiet and was expected not to complain about what so ever bad has happened with them . It was thought to be a shame or dishonor to the family if they speak out their pain in the society. But in some cases what was heard and seen was that the women complaining had to face attempts of assault, and intimidation by the accused. These women were not treated well at the workplace, and moreover they were denied jobs even. They were made subject to ill treatment and were boycotted by the society. Besides the enactment of various laws in India, women are still exploited, implying towards the failure of the current Justice System in India, because of the failure of the implementation of the Laws protecting the women’s rights.

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²⁴Heather Mac Donald, “The negative Impact of the# Me Too Movement” available at <https://www.manhattan-institute.org/html/negative-impact-metoo-movement-11234.html> (last visited on May 28,2021)

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- <https://feminisminindia.com/2019/05/03/its-complicated-reflections-on-the-changing-ideals-of-romance-post-metoo/>
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