



## Violation of Human Rights of Women in India

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**ABSTRACT**

Human Rights are basic right to which every individual is entitled as a human being. They are the minimum rights, which are compulsorily obtainable by every individual. The constitution of India also guarantees the equality of rights of men and women. However, in the sphere of women’s human rights in India, there exists a wide gulf between theory and practice. Indian society is a male dominated society where men are always considered to be superior. The women in India very often have to face discrimination, injustice and dishonor. Though women in India have been given more rights as compared to men, even then the condition of women in India is miserable. This paper will throw light on the human rights of women in India and also on how all the fundamental rights given to the women are being violated in India, by focusing on the various crimes done against them.

**KEYWORDS**

women, rights, Violation, Human, protection

**Introduction**

In the contemporary world voice of women is increasingly being heard in the streets, in the courts and in Parliament. Yet issues concerning women are not given priority in society. While women in the West fought for a century to get back basic rights as that of right to vote, women in India were at an advantage where the constitution of India has granted equal rights to the men and women. The State shall not deny to any person equality before law or the equal protection of laws within the territory of India; and State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, and place of birth or any of them. But today, it seems that there is a wide gulf between theory and practice. The women in India have always been considered subordinate to men. Though the provisions contained in the Indian constitution mandates equality and non – discrimination on the grounds of sex, women is always discriminated and dishonored. Although various efforts have been taken to improve the status of women in India, the notion of gender equality as under the constitution is miles away from becoming a reality.

Though Human Rights are the minimum rights, which are compulsorily obtainable by every individual but, it has been found that each and every right of the women is being violated in one or another way. The crimes against women in India are increasing at a very fast pace. The National Crime Records Bureau (NCRB) had predicted that growth rate of crime against women would be higher than the population growth by 2012, and this has become true.

The survey of 2012 done by NCRB in five major cities depicts the growth of crimes rate against women.

Name of the City	Percentage of Crimes Against Women
Delhi	14.2
Bangalore	6.2
Kolkata	5.7
Hyderabad	5.2
Vijayawada	5.2

In the above table it is clear that Delhi stands first in the percentage of crimes done against women followed by Bangalore in second place while Kolkata, Hyderabad and Vijayawada with slight differences in the crime rate. A total of 2,44,270 incidents of crime against women were reported in the country during the year 2012 than compared to 2,28, 650 in the year 2011 recording an increase of 6.4% during the year 2012.

Recently, NCRB has reported that the number of rapes in the country rose by 35.2 percent to 33,707 in 2013 - with Delhi reporting 1,441 rapes in 2013 – making it the city with the highest number of rapes and confirming its reputation as India’s “rape capital” .5

India’s biggest city and business capital Mumbai, known for being more women-friendly, recorded 391 rapes last year, while IT hub Bangalore registered 80 rapes. This shows that crime rate has been increasing yearly.

Though government is taking a number of steps to improve the condition of women in India, but there is a long way to go. Although special rights are being given to woman as compared to men, yet they are least beneficial to them. Thus this paper will study the various human rights of women in India and how they are being violated.

**Violation of Human Rights of Women**

Very often it is said that women in India are enjoying the rights equal to that of men. But in reality, the women in India have been the sufferers from past. Not only in earlier times but even today women have to face discrimination, injustice and dishonor. The violations of women human rights are evident in the past customary practices, which often proved to be against the notion of gender equality.

**Violation of Human Rights of Women in Past**

The following crimes were done against the women in the past times.

**Devadasis-** Devadasis was a religious practice in some parts of southern India, in which women were married to a deity or temple. In the later period, the illegitimate sexual exploitation of the devadasis became a norm in some part of the country.

**Jauhar-** Jauhar refers to practice of the voluntary immolation of all wives and daughters of defeated warriors in order to avoid capture and consequent molestation by the enemy. The wives of Rajput rulers, who were known to place a high premium on honour, followed this practice.

**Purdah-** Purdah is a practice requiring women to cover their bodies so as to cover their skin and conceal their form. It curtails their right to interact freely and it is a symbol of the subordination of women.

**Sati-** Sati is an old custom in Indian society, in which widows were immolated alive on her husband's funeral pyre. Although the act was supposed to be voluntary on the widow's part, it is believed to have been sometimes forced on the widow.

### **Violation of Human Rights of Women in general**

The Indian Constitution guarantees certain basic rights to women, which are often being violated by the traditional practices or by the system prevailing in the present society. These rights include Right to equality, Right to education, Right to live with dignity, Right to liberty, Right to politics, Right to property, Right to equal opportunity for employment, Right to free choice of profession, Right to livelihood, Right to work in equitable condition, Right to get equal wages for equal work, Right to protection from gender discrimination, Right to social protection in the eventuality of retirement, old age and sickness, Right to protection from inhuman treatment, Right to protection of health, Right to privacy in terms of personal life, family, residence, correspondence etc. and Right to protection from society, state and family system.

### **Violation of Right to Equality-**

Discrimination against the girl child starts from the mother's womb. The child is exposed to gender differences since birth and in recent times even before birth, in the form of sex – determination tests leading to foetic ide and female infanticide. The home, which is supposed to be the most secured place, is where a woman is often exposed to violence. In India, men are always assumed to be superior to women and are given more preference. The World Human Rights Conference in Vienna first recognized gender – based violence as a human rights violation in 1993. United Nations Declaration declared the same in 1993. The recognition of women's rights as human rights became international law when UN General Assembly adopted the Convention on the Elimination of All forms of Discrimination Against Women.

### **Violation of Right to Education-**

Education is considered as a means of development of personality and awareness. Basic education is crucial to alleviating poverty, reducing inequality and driving economic growth. Education is one of the most important human rights but the position of women's education in India is not at all satisfactory. Young girls are denied even to have basic education. Despite the improvement in the literacy rate after independence, there continues to be large gap between the literacy levels of men and women. Almost half the women population is even unable to recognize language characters. At least 60 million girls lack access to primary education in India and the gender gap in literacy persists. More than two thirds of the world's 960 million illiterates are women. The exclusivist state policy of control over curriculum choices, misappropriation of funds, non - implementation of education incentives and ideologically driven reforms and pedagogy are significant contributive factors.

### **Violation of Political Right-**

The political status of women in India is very unsatisfactory, particularly their representation in higher political institutions, Parliament and provincial Legislation. India ranks 109 in the world classification of Women in National Parliaments, with 11 per cent in the Lower House and 10.6 in the Upper House. Thus it is clear that there is male domination in Indian politics and almost all the parties give very little support to women in election despite their vocal support for 33% reservation of seats for women in Parliament and Provincial Legislation. The Women's reservation Bill that was drafted in 1996 and introduced in Parliament in 2010 is forgotten text.

### **Violation of Right to Property**

The general law relating to the inheritance and succession can easily be referred to The Indian Succession Act, 1925. Under this Act every Indian is entitled to equal shares on inheriting the property on the death of a person. The exceptions are Hindus, Sikhs, Jains, Buddhists and Muslims as they are governed under separate laws of succession. In most of the Indian

families, women do not own property in their own names and do not get share of parental property. The personal laws govern them. Due to weak enforcement of laws protecting them, women continue to have little access to land and property. In fact, some of the laws discriminate against women, when it comes to land and property rights. Though, women have been given rights to inheritance, but the sons had an independent share in the ancestral property, while the daughter's shares were based on the share received by the father.

### **Violation of Right to Health**

Malnutrition is the major cause of female infertility. The World Bank estimates that India is ranked second in the world of the number of children suffering from malnutrition. The UN estimates that 2.1 million Indian children die before reaching the age of 5 every year, mostly from preventable illnesses such as diarrhea, typhoid, malaria, measles and pneumonia. The presence of excessive malnutrition among female children as compared to male children is basically due to differences in the intra – family allocation of food between the male and female children. Normally, the male members are fed before the female members of the family. The prevalence of malnutrition varies across states, with Madhya Pradesh recording the highest rate of 55 %. Sometimes due to economic distress and natural calamities like floods, droughts or earthquakes, the discrimination against the female child increases. Moreover it has been confirmed by various studies that the girls' diet is inferior to the boys' diet both in quality and quantity Boys are given more nutritive foods like milk, eggs, butter, ghee, fruits, and vegetables as compared to girls. Due to this inferior quality diet, girls are more vulnerable to infections and diseases. The reason again is that families spend less on medication for girls than for boys.

### **Conclusion:**

exploitation of women for demanding more dowry, discrimination of women, alienation of women's self acquired property fraudulently, torture by husband and in-laws of the husband, arguing with the partner, refusing to have sex with the partner, neglecting children, going out of home without telling the partner, not cooking properly or on time, indulging in extra marital affairs, not looking after in-laws, cruelty by husband or in-laws mentally or physically, abusing & insulting by using vulgar language, sexual harassment, molestation, immoral traffic, rape, sodomy and all other inhuman acts. In all above stated causes women are subjected to torture and will be considered as the aggrieved person. Usually violence takes place due to lack of understandings between the couple as well as in the family.

### **References**

1. Crimes in India – 2012, NCRB, Ministry of Home Affairs.
2. Jalbert. E. Susanne, 'Women Entrepreneurs in the Global Economy', March 17, 2000
3. Shashi, Krishan., Indian Democracy and Women's Human Rights. (Madhya Pradesh Journal of Social Sciences, July 1, 2008).
4. Poonam Dhanda. 'Status of Women in India' (RBSA publications), 2012, Pg 1-14
5. 6)Madhurima,'Readings in sociology' (New Academic publishing co.2010) Pg – 216-233
6. Ms. Meredith McBride, 'Violence against women in India' available at [www.humanrightsasiasia.in](http://www.humanrightsasiasia.in)
7. Available at [www.ncrb.org](http://www.ncrb.org)
8. Available at [www.bprd.nic.in](http://www.bprd.nic.in), April- June report.
9. Nagadvara, Vishnuprasad., Journal of International business and economics, Jan 2009 Edtn