

THE TREND OF VIOLENCE AGAINST WOMEN IN INDIA: AN OVERVIEW

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ABSTRACT

The Constitutional reality of gender equality though on paper is miles away from becoming a reality. According to Indian Constitution, Women are legal citizens having equal rights in the country but still the current scenario is such that they suffer immensely. Most of the Indian women are uneducated and education is not considered necessary for them, Whereas the Constitution guarantees free primary education to everyone up to an age. Status of women varied greatly and has varied greatly throughout history and in modern day societies, particularly in our country. It had been subjected to many changes. There are various facets of offences relating to women- matrimonial, dowry deaths, bride-killing, wife-killing, prostitution, rape etc. legislative efforts in this regard being laudable, their implementation is not upto the expectation of the masses. Given the number of crimes that are committed against women, it is pertinent that women are aware about the laws that are in place to protect them.

KEYWORDS: Violence against women, Indian Constitution, domestic violence.

INTRODUCTION

The offence against women are rampant increase in this country where women are worshipped as Goddess of Wealth (Laxmi), Saraswati, Durga, as mother, as creator, and so on. The best part of the creation belongs to woman, because the nature itself is female. A man is never complete without a woman. There are certain deep seeded traditional roots in our culture and in order to combat the problem we have to understand the causes. The traditional system of dominant tendency still reigns supreme. India is the country where so many laws and provisions of laws, relating to women, have been enacted, as found no where in the world, but still the things continue to be at the level of helplessness. The nature of torture or subjugation on women differs from society to society, status to status, among the people in rural and urban areas, those belonging to poorer class, those to middle class of society and those in lower upper class and those in high upper status. The reality of women's lives remains invisible to men and women alike and this invisibility persists at all levels beginning with the family to the nation. Women in India now participate fully in areas such as education, sports, politics, media, art and culture, service sectors etc. The subject itself is very wide and typical. There are certain laws which women should know.

Special Marriage Act, 1954

The objectives of this act is to provide – a special form of marriage in certain cases, provide for registration of certain marriages and, to provide for divorce. In a country like India and with the diverse religions and cast, when people from different faiths and caste chose to get married they do it under the Special Marriage Act.

The Prohibition of Child Marriage Act, 2006

According to the International Research Centre for Women, almost 47 percent of girls are married before the age of 18. Currently, India ranks 13 in the world when it comes to child marriages. Since child marriage has been steeped into the Indian culture and tradition since centuries, it has been tough eliminating it. The Prohibition of Child Marriage Act was made effective in 2007. This act defines child marriage as a marriage where the groom or the bride are underage, that is, the bride is under 18 years of age or the boy is younger than 21 years. Parents trying to marry underage girls are subject to action under this law. Since the law makes these marriages illegal, it acts as a major deterrent.

Dowry Prohibition Act, 1961

According to this act, taking or giving of dowry at the time of the marriage to the bride or the bridegroom and their family is to be penalised. Dowry system, giving and taking of dowry, is a norm in India. Dowry is often asked of the bride and her family by the groom and his family. The system has taken strong roots because women after marriage move in with their spouse and in-laws. Also, over the centuries, the lack for economic independence of women and the taboo towards divorce has resulted in bride burning. When demands for dowry even after marriage are not met by the girl's families, many women are tortured, beaten and even burnt. It is one of the major challenges that our society is grappling with. Women's openly complaining about it has helped to spread the word and encourage other women to take a stand.

Indian Divorce Act, 1969

The Indian Divorce Act allows the dissolution of marriage, mutual consent, nullity of marriage, judicial separation and restitution of conjugal rights. Family Courts are established to file, hear, and dispose of such cases. Maternity Benefit Act, 1961 This act regulates the employment of women and maternity benefits mandated by law. It states that a woman employee who has worked in an organisation for a period of at least 80 days during the 12 months preceding the date of her expected delivery is entitled to receive maternity benefits, which includes maternity leave, nursing breaks, medical allowance, etc.

Medical Termination of Pregnancy Act,1971

The Act came into effect into 1972, was amended in 1975 and 2002. The aim of the Act is to reduce the occurrence of illegal abortion and consequent maternal mortality and morbidity. It clearly states the conditions under which a pregnancy can be ended or aborted and specifies the persons qualified to conduct the same.

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

To ensure women's safety at workplace, this Act seeks to protect them from sexual harassment at their place of work. Thirty-six percent of Indian companies and 25 percent among MNC's are not complaint with the Sexual Harassment Act according to a FICCI-EY November 2015 report. Sexual harassment at workplace also includes – the use of language with sexual overtones, invasion of private space with a male colleague hovering too close for comfort, subtle touches and innuendoes.

Indecent Representation of Women(Prevention) Act,1986

This Act prohibits indecent representation of women through advertisement or in publications, writings, paintings, figures or in any other manner. National Commission for Women Act, 1990 The National Commission for Women (NCW) is a statutory body of the Government of India, established in January 1992. Lalitha Kumaramangalam was appointed its Chairperson in 2014. The NCW represents the rights of women in India and provides a voice for their issues and concerns. The National Commission for Women Act aims to improve the status of women and worked for their economic empowerment.

Equal Remuneration Act, 1976

This Act prevents discrimination in terms of remuneration. It provides for payment of equal recompense to men and women workers. It is necessary to know these and other laws in place to protect the interests of women. Only if you are aware of your rights can you fight against any injustice meted out to you at home, at the workplace, or in the society.

CONCLUSION

It is a serious obstacle to equality between women and men. Violence against women remains hidden in the culture of silence. In India, where the culprits are largely known to the victim, the social and economic "costs" of reporting such crimes are high. General economic dependence on their families and fear of such act as significant disincentives for a woman to report any kind of sexual violence or abuse. There is need to break the silence and ensure that violence against women is not just a woman's issue but primarily a social, political, economic and cultural issue that concerns men as well. There is a basic need to improve human conduct and behavior so as to make the female-folks refuse to feel anymore insecure and inferior.

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