



# The Indian Journal for Research in Law and Management

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## WOMEN'S RIGHT UNDER INDIAN LAW

~*Shruti Tiwari*

In India, goddesses are worshiped as embodiments of women's dignity and rights, there's different goddess symbolizing with different fields like Saraswati with knowledge and arts, Durga with strength, Kali with liberation, and Parvati with motherhood. But in reality, where women should be treated with respect, are being abused, harassed, atrocities and crimes against them and are part of discrimination. No society can prosper with only men in it just like you can't clap with one hand. Swami Vivekanand has said, **“There is no chance for the welfare of the world unless the condition of women is improved, and it is not possible for a bird to fly on only one wing.”**

From a long time, the atrocities are faced by women under the so-called rituals and practices which led to the infanticides, child marriage, dowry and burning them alive with the pyre of their husband. The Constitution of India ensures all citizens will be treated equally before the law (art 14). As it not only grants equality to women but also empowers the state to adopt measures of positive discrimination in favour of women. To protect them there are women rights in India which are classified into Constitutional and Legal rights.

Constitutional rights are those which are protected within the constitutional provisions. Where according to the articles 15(3) state make any special provision in favour of women and children, article 39(d) state to secure equal pay for equal work for both Indian men and women, article 42 state shall make provision for securing just and humane conditions of work and maternity relief, and one third of seats reserved for the women in panchayat and municipalities, ensuring their equal participation in politics.

Legal rights are those which are enacted within the parliamentary legislations as well as the state legislations. Protection of Women from Domestic Violence Act (2005) is a comprehensive legislation to protect women in India from all forms of domestic violence, immoral traffic

