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She Has Rights Too: Understanding Women’s Protection Laws in India

By Anushka Arya

ABSTRACT

Women’s rights in India have moved through many transformations, progressing through various pieces of legislation that have ensured not only safety, dignity, equality, and empowerment, but also brought about many laws protecting them at various levels. The PWDVA, Dowry Prohibition Act, POSH Act, POCSO, Hindu Succession Act, etc., are some of the various protective laws for women. The biggest problem, however, remains the lack of awareness about the proper implementation of the rights. Empowerment, therefore, is not only about framing laws, enforcing them, and having them in place, but also about awareness, changing society, etc., so that equality leads to equality.

Are women in India truly aware of the legal protections they have?

Women rights in India have changed drastically over the centuries. In ancient times women were suppressed by society. Women in India were stuck behind layers of stereotypes and discrimination. Society frequently labelled them as weak, fragile, and dependent, which influenced everything from their everyday lives to their futures. Harsh rituals, unfair rules, and inflexible traditions gradually destroyed the liberties that women had in past. Education became a privilege held mostly for males, while women were supposed to remain at home, silently accepting regulations imposed without their consent. These preconceptions not only limited their options, but also dictated how society viewed them. However, over time, awareness, reform movements, and legislative reforms began to address this long-standing disparity.

Women’s safety, dignity, parity, and empowerment is also complimented with strong legislative protection. One such notable piece of legislation is the Protection of Women from Domestic Violence Act, 2005 (PWDVA) which recognizes other forms of violence apart from physical such as emotional, verbal, sexual and economic abuse. Women can obtain protection orders, residence orders, and requests for support orders which allows women escape from abuse and also protect themselves from homelessness and economic helplessness.

Another legislation is the Dowry Prohibition Act, 1961, which outlaws both the giving and receiving of dowry. Although socially, the dowry is accepted in many societies, the Act

empowers women and allows them to legally charge for harassment, cruelty, and violence. This enables women to have complaints of dowry demands and violence. This, also goes hand in hand with section 498A of the Indian Penal Code (IPC) which states that cruelty to a woman by her husband or the relatives of her husband is a punishable offence. Such laws are aimed at assisting women to address the emotional and physical abuse brought about by dowry and marital violence.

During your employment, the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, or POSH Act, outlines how to report harassment. It states that all organizations must establish Internal Complaints Committees and ensure that a workplace that is safe and respectful is available to all women. Such legislation only gives women the ability to claim their power in the workplace and their right to work. Relatively young girls are also protected by the 2012 Protection of Children from Sexual Offences Act (POCSO) which provides for a range of severe penalties for acts of Sexual Offences against Children. It also provides for child appropriate methods of reporting, investigation, and prosecution of cases. The 2006 Prohibition of Child Marriage Act ended child marriage and provides for support and assistance for married children, especially girls. Women's empowerment, particularly in developing countries, is primarily hinged on financial autonomy and the control of property. The 1956 Hindu Succession Act, which was amended in 2005, gives women the same rights as men to inherit and own property, especially ancestral property. Such a development also removes the perception of women being financial burdens on others.

These rules guarantee women safety all across the board – at home, at work, at public places, and in the society at large. There has been widespread advocacy for such rules for a long time to put an end to male-biased and unjust customary practices and ensure women get fairness, dignity, and equality. Explaining these rights and putting them to work is the first step to making sure every woman is entitled to safety, dignity, and empowerment in her daily routine.

Women's rights in India have come a long way, primarily through the development of the legislation that was built on the foundation of the patriarchy, tradition, and culture that historically held women back and prohibited them from participating fully in society; however, those restrictions were overturned when strong laws were enacted that reinforced women's human dignity, their safety, and their equal treatment as human beings. Those strong laws are not merely polite or charitable; they also strengthen domestic equality by dismantling an ancient system of oppression against women and replacing harmful stereotypes with positive ones about women's strength, capabilities, and worthiness of respect. These strong laws give women the tools they need to advocate for themselves, stand up against discrimination, and reclaim their lost dignity in regions of the world where until recently, women have been silenced. Having strong laws alone is not sufficient; their true potential lies within society's understanding and support of these strong laws; therefore, women must have access to information regarding their rights and be courageous, united, and responsible in their application of them. When women have been informed of their rights and the community acknowledges and respects women's rights, we go from discussing equality to living it; she has rights and should have them protected and be given the opportunity to enjoy them.

These laws are more than simply regulations on paper; they are instruments for empowerment that enable women to stand up to assault, discrimination, and injustice. However, for these safeguards to be effective, knowledge is required. A woman who understands her rights is much

difficult to quiet, manipulate, or abuse. As society evolves, legislative improvements must be matched by social change respect, equality, and sensitivity to women in everyday situations. She has rights too, and those rights carry the power to break old patterns and build a safer, more equal India for every woman. Empowerment begins with understanding, and understanding begins with knowing the laws that stand firmly behind her.