



A study of violation of Human Rights of women in prospect of privacy rights-challenges and way forward.

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Abstract- Women are equal with men in all respects. **Article 14 of Indian Constitution** embodies the general principle of equality before law and prohibits unreasonable discrimination between persons. **Hon'ble C.J. Patanjali Shastri** has observed that equal protection of law is corollary of expression equality before law. Across all the judicial system, it is imperative to grant right to each and every person and implement them. Every human being has certain rights relating to life, liberty, equality and dignity by virtue of their existence as rational being. Human Rights are those fundamental and inalienable rights which are essential for life as human being and which are possessed by every individual, irrespective of his or her nationality, religion, race, caste, sex, language etc. Protection and promotion of Human rights ensures prevalence of freedom of justice, peace and order in the society as well as it ensures recognition of worth of individual on equal bases. It ensures that every human being fulfills a quality life based on equality, dignity, respect and concern, but these human rights have not been properly implemented by certain states. Now a situation has arisen in which we are bound to think whether human rights are indeed practiced.

Gender bias is widely prevalent in women's life span. There are instances of violation of human rights of women throughout the world. Indian women have become an easy prey of discrimination and aggression. Violence against women means any act of gender based psychological harm affecting women's right. Gender equality means equal rights, responsibilities and opportunities to men and women. Women are entitled to same human rights and fundamental freedoms as men have. In India there exists a wide gulf between theory and practice. Our society is male dominated society in which male is always presumed to be superior as compared to women. Generally, women often face discrimination, injustice and dishonor in every sphere of life. Usually, a female child does not receive same attention and affection that is bestowed upon a male child. A woman is still considered to be a burdensome appendage. Girls are treated as economic drain. Birth of girl child is greeted with

silence even in sorrow. Thus gender based discrimination is started from home itself i.e. by family members which began from the time of birth and continued till her death.

1. **Introduction:** - Though, Women in India have given more rights as compared to men specifically in Law but still, the condition of Indian women is miserable. In India women are deprived of their rights to dignity and autonomy. Women are subjected to violence in our society irrespective whether she is within four walls of the house or at her workplace. This article attempts to throw light on the rights of women and challenges faced by them by focusing on various crimes committed against women. This paper also closely examines the loopholes in the existing legal system and suggests some changes to it. As we know denying and limiting rights to women will certainly hinder the progress of the Nation.

All human being are born free and equal in dignity and rights. But discriminating human Rights violations and stigma among women is prevalent all over the world. **Mr. Nelson Mandela** said “To deny their human rights is to challenge their very humanity.” We expect a Nation would almost be free of child labour, women discrimination and police atrocities but in reality it is far away from all this.

According to writer Virginia Wolf “The history of men’s opposition to women’s emancipation is more interesting perhaps than the story of that emancipation itself”.

On 8th March, the entire world celebrates an International Women Day. Even though, in our society, since birth of the female child get inferior treatment throughout her lifetime in respect of security, food, nutrition, medication and education etc. Women all over the world have been disgraced in one way or the other since from the ancient time. Even today, the issues concerning women are not given priority. Violence against women in every field of life restricts the range of choices open to them and limits their choices. Thus, it erodes their self confidence and self esteem and creates imbalance between men and women.

We have seen young and old women working in all types of professions and businesses such as Pilots, Doctors, Engineers, Lawyers, Scientists, and Industrialists etc. In India, we had/have woman as Finance Minister, Governor, Prime Minister, President, IAS and IPS officers. Yet, news in printed as well as in electronic media have maximum stories of violence incidents against women such as rape, gang-rape, sexual harassment, murder, dowry death, domestic violence etc. Thus, women’s legitimate claim entitled as human rights have been denied. Crimes against women are rapidly increasing at an alarming rate. It is great challenge to deal with it. Therefore, an urgent need is required to recognize the existence of women as human being with their human rights. It is essential to provide justice and dignity due to them as a matter of natural human rights.

Swami Vivekananda has quoted that “Just as a bird cannot fly with one wing only, a Nation cannot march forward if the women are left behind. Men and women are the two holes of perfect whole. Each completes the other. Phrase woman means half of man. Man and Woman are closely related to each other as the soul and body. “Thus women ought to be restricted.

2. Definitions of the term violence against women: - The phrase “Violence against women comprises of two words, violence and against women. Terms ‘Violence’ generally means conduct involving physical force intended to hurt or damage or kill. It also includes psychological harm, emotional harm and material deprivation. Such violence arises from political, economic and social system as they block the means of survival for the women. Thus, Phrase ‘violence against women’ includes material deprivation of women of their human rights. It includes physical, mental or sexual harm or suffering threat and deprivation of liberty, whether occurring in private or public life.

3. Human Rights Vis a Vis Privacy rights of Women: - It has been proclaimed that inherent dignity and equal and inalienable rights to all members of human family is the foundation of freedom, justice and peace for a Nation. We have several municipal and international laws to protect and promote Human Rights of women, yet problem of violence of Human rights of women continue to exist. There are several covenants and conventions which have universally accepted women’s rights as human rights, such as **UDHR (Universal Declaration of Human Rights, 1948); the United Nation Charter, 1945; ICESCR (International Covenant on Economic, Social and Cultural Rights, 1966); CEDAW (Convention on the Elimination of all forms of Discrimination Against Women, 1979)** etc. all recognizes this principle. **CEDAW and its protocol, 1999** provides that women must be given rights equal to that of men on equal terms. **Its Preamble** also states that “The full and complete development of a Nation, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields. Denying and limiting access to rights to women will hinder the progress of the Nation. Thus all Human Rights including Privacy Rights are essential for all round growth of human personality against unjust and degrading treatment. As **Microsoft Smith in Web conference in London** has stated that “Privacy protection is essential to shield Human Rights.”

4. Status of Women in India: - We can examine the status of a Nation by looking at the status of Women of that Nation as status of women depicts the social and economic development of a Nation. Women have been regarded as a symbol of spirituality, but still they have been treated badly. Many social evils were prevalent in the early ages, such as- Sati-pratha, dowry-death, child marriage etc. Today, the spread of literacy among women and self consciousness has led to the progress of the society and now, women are empowered and gaining success in each and every field of their life.

An International day is celebrated on 25th day of November of every year for the elimination of violence against women, marks the beginning of 16 days of action to end gender based violence and the said campaign is running from year 1981 which ends on 10th day of December is known as ‘Human Rights day’. With the progress of society we are far from ending violence against women. Status of Indian woman during different phases of history is discussed as under: -

(4.1) Vedic Period**(4.2) Post Vedic Period****(4.3) Medieval period****(4.4) Modern period**

4.1 Vedic Period: -In Vedic period, women were well educated and enjoyed considerable rights of equality and freedom, even then, they suffered from the evils of the society, such as- Sati Pratha, Child Marriage, dowry-death etc. Due to struggle of Social reformers such as- Swami Vivekananda, M.K. Gandhi, Raja Ram Mohan Roy, Ishwar Chand Vidhya Sagar and many others, these social evils were abolished. Also many Social reform legislations such as- Child Marriage Restraint Act, Dowry Prohibition Act etc. were framed. Even, the ancient women acquired a significant position in politics.

To the women of India (Young India, a journal published by M.K. Gandhi, 4th October, 1930) Mahatma Gandhi's view- "To call woman the weaker Sex is a libel. It is man's injustice to woman without her, man could not be. If non violence is the law of our being, the future is with woman who can make a more effective appeal to the heart than man."

4.2 Post Vedic Period: - Manu's view on women and women's status:- "Women must always be honored and respected by the father, brother, husband and brother-in-law who desire their own welfare, and where women are honored, there the very God are pleased but where they are not honored no sacred rite even could yield rewards."

Thus, according to Manu, a family in which women are not welcomed, is bound to be ruined. Post Vedic period was influenced by Manu's ideologies and there was a downfall in the status of women and their freedom was restricted and education was denied to girls. Child marriage was also prevalent in this period and women were deprived of their economic rights as well.

4.3 Medieval Period: - It was the period of "Dark ages" for Indian Women as pardah system was revived and child Marriages was widely practiced during this period. Many other social evils such as- Sati Pratha, Female infanticide, Polygamy etc. were also at peak during this period.

4.4 Modern Period: - A women is still considered as a burdensome appendage. Girls are treated as economic drain. The status of Indian Women has changed, during this period, due to certain social movements, namely.

4.4.1 The Social reform movements and

4.4.2 Nationalist Movement.

4.4.1 The Social Reform Movements: - To achieve better economic condition and to achieve objectives of Fundamental Rights not only some Welfare Schemes were initiated but also certain special Legislations were enacted by our Parliament to protect Women's interest such as- To increase their earning capacity; To extend the medical facilities and To help them to improve their knowledge etc. In 19th century many social reforms movements were initiated such as:-

- **Prohibition of Sati pratha;**
- Prohibition of child Marriage;
- Prohibition of pardah System;
- Promote widow remarriage;
- Secure property rights of women;

Due to these movements, women acquired a better social status and they were given access to education also.

4.4.2 Nationalist Movement: - Indian women participated actively in Independence movement of India. In 1927, All India Women's Conference proved a crucial movement in securing rights of equality to women. Also various Legislations such as- Widow Remarriage Act, Child Marriage Prohibition Act, Hindu Women's Right to property Act were passed. Interests of working women were protected by making certain amendments in Industrial Laws.

5. Role of Women in Our Society: - Our Human life starts with a woman. A woman plays a multiple role of mother, sister, daughter and wife in our life and is a part of our Nation. She can bring love, affection and peace among individuals. Thus, women play an important role in the progress of the society as well as Nation. A woman nurtures her family. Women's contribution in the progress of the society is equal to that of men even then they experience a number of restrictions.

6. Women empowerment: - Women empowerment means "the capacity of woman in taking all important decisions related to her life independently". In India despite of many positive developments, in securing rights of women, the real situation for women continues to be extremely harsh. Women's access to basic needs of life, such as- food, shelter and clothing; access to education and skill information were also curtailed. Today, women are not socially secure as all forms of family benefits and universal health care services are not generally available to them. Thus, there is an urgent requirement for to prioritize the needs and interests of women so that they can be empowered.

7. Mapping of Violations of Women's Human Rights in India: - Terms 'Violation against women refers to physical or sexual violence committed against women typically by men. Indian society does not provide favourable conditions to women so that they can live their dignified life. Various social practices which are prevalent in our society make it difficult to change the attitude of the masses of the Nation towards women. Generally, a woman faces violence at every stage of her life since birth till her death. Some examples of gender based violence are: -

(i) Physical Violence: Unlawful use of physical force may cause physical violence. It can be in the form of assault, manslaughter, deprivation of liberty etc.

(ii) Sexual Violence: Sexual violence includes any sexual act committed without her consent forcefully. It can be in the form of rape or sexual assault. In India cases of sexual violence against women and girls are increasing at an alarming rate. Mostly women from backward- class, and marginalized communities are affected by sexual violence. Even they don't have access to justice.

(iii) **Psychological Violence:** It may cause psychological harm to a women and it can be in the form of coercion, defamation, harassment etc.

(iv) **Economic Violence:-** Act causing economic harm may be in the form of property damage, preventing access to financial resources, restricting access to education and complying with economic responsibilities such as maintenance, alimony etc.

8. Gender based violence at different stages- from birth to death stage. Some instances are: -

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| (1) Prenatal | (i) Pre birth elimination of Female child;
(ii) Physical battery during pregnancy. |
| (2) Infancy | (i) Female infanticide;
(ii) Lack of access to education and Care and nutrition. |
| (3) Childhood | (i) Child marriage, prostitution;
(ii) Sexual abuse and Female genital mutilation. |
| (4) Adolescence | (i) Kidnapping, abduction and abortion
(ii) Forced prostitution & Sexual Harassment at workplace |
| (5) Youth and Adulthood | (i) Domestic violence and marital rape
(ii) Murder and Homicide
(iii) Coerced pregnancy and Molestation, rape and desertion. |
| (6) Old age | (i) Abuse of elders and widows.
(ii) Lack of access to care, Nutrition and medical facilities. |

9. Forms and manifestation regarding violence against women: -In India, Violence against Women are committed in various forms despite restrictions under the Law and some major forms and manifestations are as follows: -

(A) **Dowry Death:** - In India, tradition of giving dowry at time of marriage is peculiar feature of our society. Though, giving and taking dowry is an offence punishable under Dowry Prohibition Act, 1961. But, in our society dowry is considered as a symbol of social status due to which girl child is undesirable as girl is seen to be a financial burden. Generally poor and middle class families spent their whole life in saving money for dowry of their daughter's marriage. As a result cases of bride burnings, bride killing and suicide are increasing. Either women are burnt alive or forced to commit suicide over dowry demand. In 2012, NCB reported that about 8233 newly married women were killed for dowry. As per NCRB, in year 2017, the State of U.P. was recorded the highest numbers of dowry deaths and murders i.e. 2524 and 4324 respectively. Among all Indian states, U.P. was recorded highest number of cases of dowry deaths and murders.

(B) **Domestic Violence:** -Domestic violence includes any form of violence suffered by a woman either physically or mentally because of male members of her family or relatives and also includes sexual assault, murder, torture by husband and her in laws, cruelty by husband and or his relatives, insulting and abusing by using vulgar language against her, molestation, sodomy and other inhuman activities against her. In all these cases, women are

subjected to torture directly or indirectly. Generally domestic violence is abuse by one partner to another partner due to lack of understanding between the couple and his family.

In India, about 70percentage of women are victims of domestic violence especially in states of U.P., Bihar and Madhya Pradesh. Mostly cases of domestic violence causes due to interference of in laws and extra marital affairs of the husband. An Indian woman always tries to conceal such cases as they are ashamed of talking about it. Even they don't want to approach the court due to lack of moral support of her family and their relatives. In 2005, Protection of Domestic violence Act was enacted, but due to flexibility of its provisions, the same was misused by certain women. **J. Vaidyanadhan of Madras High Court** said that “a neutral and unprejudiced law is needed to protect the genuine victims of domestic violence. Provisions of **PWDC Act** are indeed prone to misuse and have become a nightmare for certain innocent and helpless members of a family”.

(C) Child Marriage: -According to **UNICEF**, “Child Marriage is a marriage before 18 years of age.” Child marriage brings about enormous physical, Psychological consequences and harms girl's right to education, good health, equality and a life free from exploitation and violence etc. It may result in marital rape, early motherhood, miscarriage, death during child birth etc. It limits their future prospect. Poverty, illiteracy and low level of education are the main causes of Child marriages as people are not aware of the effects of child-marriages. Child marriage cases in India are highest in states of U.P., Bihar, Rajasthan, Jharkhand, West Bengal and Andhra Pradesh.

The practice of child marriage may be prevented by empowering girls with information and skill by providing economic support and incentives to girls and their families and enhancing girls' access to high quality of education.

(D) Rape and sexual assault: - Rape is a heinous crime which unravels the horrible picture of gross violations of human rights of women. It is revealed that in India, rape is the most common crime against the women. According to report of NCRB, number of rape cases in India was raised in 2013 in comparison of 2012. Delhi recorded the highest number of rape cases and confirmed its reputation as India's rape capital. As per, 2018 annual report of NCRB, the total number of rape cases i.e. 33,356 was reported across India. It is very strange that out of said number of cases, 31,320 were committed by the person known to the victim.

The women are not safe in the society and even also in their own families. Mostly women and girls are victims of gang-rape, sexual assault and trafficking. As stated, most of the rape cases are not by strangers but by family members, friends and neighbors. Powerful politicians and police are also compromising with the security of women. Rape is also a crime against morality of women. It is committed by a man against the wishes of a woman which hampers the dignity of women in the society. An act of rape can cause harmful and dangerous consequences such as physical harm, mental distress, severe depression etc. Rape is an offence not only against women's body but also against her existence.

In case of State of Punjab vs. Gurmit Singh (1996)2 SCC 384: - the **Hon'ble Apex Court** held that “Rape is not merely a physical assault, it is often destructive of the whole personality of the victim. A murderer destroys the physical body of victim; a rapist degrades the very soul of the helpless female”.

In State of Maharashtra Vs Madhulkar Narain (1991) SCC 57: - The Hon'ble Apex Court held that “Even a prostitute has right to privacy. The unchastely of women do not make her open to any and every person to violate her person as and when he wishes”.

(E) Gang Rape: - Sec.376D of IPC defines gang rape as “when a woman is raped by one or more in a group of persons acting in furtherance of their common intention, each of those persons shall be deemed to have committed rape. It is a rape of single victim by two or more violators”.

Gang rape against women has been in the spot light since 16 December, 2012 which was brutal, barbaric, unnatural sex and assault leading to death of victim, who was 23 years of age. Then, Defence Minister Sh. Rajnath Singh has called it as heinous crime and said that, “this act has brought shame to the entire country, it has hurt everyone.” An immediate consequence of the Nirbhya case was the enacting of **Criminal Law (Amendment) Act, 2013**, it widened the definition of rape and made it a non-bailable offence and increased the terms of imprisonment mostly in sexually assault cases and provided death penalty in cases where rape caused death of the victim or left her in vegetative state. Further, said amendment also provided death penalty in rape cases where the girl is less than 12 years of age. After Nirbhya case, it was assumed that things will change. Despite all this, there has been no decline in rape cases in India. Hence, even such amendment does not put any impact as suggested from the NCRB report i.e. the number of rapes cases shot up from 24,923 in 2012 to 33,356 in 2018 approximately hike of 34 percentage of cases.

A latest incident of November,2019 of Hyderabad gang rape case and of 8 February, 2020, Kolkata gang rape case with 12 year old girl are the evidence of all this. We have stringent criminal law to tackle sexual crimes against women. The Poor implementation of these laws is a grave concern.

It is time to hit the road and seek faster punishment for offenders. The process of Law appears to be very slow and there is hardly and deterrent. It is very frustrating for a victim of gang rape to attend the court and even after evidence is over, the Court takes a long time to pass the judgment because of the workload on the Courts and also the lengthy procedure in the higher courts delayed the execution of the terms of the judgement, the Nirbhaya's case is one of the recent example of the delay and therefore, the victims of gang rape failed to get justice in short span of time as it is said that ‘Justice delayed is justice denied’.

In India sexual violence against women remains rife and it is the most dangerous place in the universe to be a women. Prof. of Law and Social Justice Ms. Prabha Kotiswaran said, “We don't need new laws. The existing laws can work perfectly, if the system allows them to. The Delhi gang rape case was tried under the older laws and convictions were secured”.

(F) Acid Attacks: - Women in India are at higher risk of being victims of acid attacks. Indian Legislature has regulated the sale of acid. Acid attacks may lead to permanent blindness, scarring as well as psychological economic difficulties. In India, over last decade, about 300 acid attack cases are reported each year. Main cause of acid attacks occur in India is revenge against woman who rejected the proposal of marriage or asked for divorce.

About 85percentage of Victims of acid attack are women. Acid found easily and cheaply across the country. Hence, use of acid as a weapon against women is increasing. It is a form of violent assault. Mostly, cases of acid attacks are not reported by women in India and such women victims of acid attacks who survived are forced to live as outcasts.

M.S. Qureshi, a victim of acid attack was only 17 years old when a group of men threw acid on her face. She said that many acid victims were attacked by their own husbands and needed to support their children. She appeals to companies to give them jobs and don't reject them because of their disfigured face.

Another acid victim namely Soni Devi told about the acid attack on her that, in 2008, her husband and his parents held her down and poured acid all over her face. She is fighting for justice since 2008. She is facing social exclusion, harassment and torture. Her Husband was found guilty and was given seven years of imprisonment. But he is on bail and roaming freely. She said, "if a man wants a woman and she does not fit his ideal desire or if she tries to leave him, then he attacks her with acid. Because he cannot have her, so he wants to make sure that no one else can have her".

The acid attack is a worldwide problem and most heinous form of gender based violence against women. In spite of several existing laws and banning over counter sale of acid this horrific crime is continuously increasing in India. As per the report of NCRB, 45 cases of acid attack in 2014 and 249 cases in 2015 were found from all over India. Out of which 61 cases were reported only from Uttar Pradesh and 72percentage acid attack victims were women.

In July 2013, **the Hon'ble Apex Court** directed States and Union Territories to regulate the sale of acid and other corrosive substances within 3 months and make acid attacks a non-bailable offence. National Commission for Women (Now) had come up with a draft of Prevention of offences (by Acids) Act (Bill), 2008. In this Bill there is a provision to set up National acid attack victim's Assistance Board for regulating and controlling the production, sale, hoarding, import and distribution of acid. But this Bill has lost. A Criminal Law (Amendment) 2013 has inserted Section 326(A) and 326(b) in IPC to deal with acid attacks.

(G) Sexual Harassment at Work Place: - Sexual harassment is a legal term which deals with the purpose of ending harassment and discrimination against women at workplace. It is a type of harassment technique that is of sexual nature. It is uninvited and unwelcome physical or verbal behavior of sexual nature. Sexual harassment at work place is a universal problem that affects rights of women to equality and right to life and personal liberty. It creates insecure and hostile environment at workplace and affects the idea of social and economic empowerment. It has spread like a virus in the society. As a result, human dignity, human rights and gender equality is adversely affected. As the role of women in commercial world is increasing vice versa, the crimes against women are also on rise. It is unwanted conduct of sexual nature and affects the dignity of women at workplace and a major source of worry for women.

On 15th June, 2000, the suicide of High Court advocate Sangeeta Sharma in Andhra Pradesh due to alleged sexual harassment by fellow lawyers is an illustration case.

The Hon'ble Apex Court has also held that "there is no gain- saying that each incident of sexual harassment at work place results in violation of fundamental rights to gender and the right to life and personal liberty".

In 1997, **Hon'ble Apex Court of India** has delivered a landmark Judgment in case titled '**Vishaka Vs State of Rajasthan**' on Sexual harassment at Work place. **Hon'ble Apex Court** realized that there were legislations to protect victims and thus issued certain guidelines to be followed by all institutions until a law is enacted such as all institutions should set up a complaint mechanism to deals with complaints of sexual harassment at workplace and complaint mechanism should provide for a complete solution to the problem.

(H) Female foeticide and female infanticide: - Term “Female foeticide refers to the killing of girl child before she is born and term female infanticide refers to the killing of girl child after her birth. It is threat to the survival of girl child and violates their right to life. With the progress of modern technology, medical technology has made it possible to determine the sex of unborn child. Its aim is to give the couple a choice of sex selection. Our families regards female as liability, which would not generate any wealth for their families.

To eliminate such thoughts, our Parliament has framed **Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994** to prevent people from indulging female foeticide. Even under **Indian Penal Code, 1860 Section-312 to Section-318** speaks about the illegal abortion. In the above said Act and code various punishments with imprisonment and fine for such selective sex determination and for illegal abortion have mentioned not only against the doctors who performed Pre-natal test and abortion but also the parents or in-laws.

10. Woman’s rights guaranteed by the constitution of Indian: - Indian constitution tries to uplift women in the society by providing certain basic rights to them which are often violated by the society. The principle of gender equality has been enshrined in our constitution in its preamble, fundamental rights and directive Principles of state policy.

- **Preamble of Indian Constitution and Women’s Right:** - Preamble which is soul of the constitution guarantees justice, liberty and equality to men and women alike. Preamble also respects and assures dignity of the individuals and assures equal status to men and women in the country.
- **Equality Provision in the constitution in Fundamental Rights:** - In India women are considered to be burdensome appendage. Discrimination against her starts from birth or even before it from the mother’s womb and continues till her death. Her birth is greeted with silence even in sorrow. In India, men are always considered to be superior to women. The framers of Indian Constitution were aware of the unequal treatment and discrimination meted out to women and thus included certain provisions to uplift the status of woman in form of **fundamental Rights contained in part-III of our constitution** .

Article 14 embodies the right to equality and declares that the state shall not deny to any persons equality before law or equal protection of the laws within the territory of India. Here the phrase equality before law and equal protection of the laws aims to establish equality to status and of opportunity of males and females.

Articles 15: - prohibits discrimination on grounds of religion, race, caste, sex, place of birth or any of them. Any law discriminating on any one or more of these grounds would be void.

Articles 16:- Provides equality of opportunity in matters of public employment of males and females.

Articles 21: - States that “No person shall be deprived of his life and personal liberty except according to procedure established by law. “**Article 21** is characterized as Magna Carta Protective of life and liberty. Right to life includes right to live with dignity, right to privacy etc. Domestic Violence against women is derogatory to **Article 21 of Indian Constitution** as it weakens the self respect and dignity of women, who are victims.

Article 20 provides facility to the women accused: - “No person including woman: -

- (i) Shall be convicted of any offence except for violation of law;
- (ii) Shall be prosecuted and punished for the same offence more than once and

(iii) Shall be compelled to be a witness against himself or herself.

- **Directive Principle of State Policy and women's rights:** - Indian Constitution not only grants equality to women but also empowers state to direct its policies in favour of women. Director principles reflected India as a welfare democratic State which provides for equal right to work, equal pay for equal work, and adequate means of decent and dignified livelihood to both men and women etc.

Article 39(a) provides that the state should direct its policy towards securing for men and women equally the right to an adequate means of livelihood and equal pay for equal work for both men and women.

Article 42 empowers state to make provisions for securing just and humane condition of work and for maternity relief.

- **Fundamental Duties under Articles 51-A (e):** - Provides that it shall be duty of every native of India to renounce practices derogatory to the dignity of women.

Also, **Article 243 –D (8), Article 243 (D) (4), Article 243-T (3) and Article 243-T (4)** provides for Reservation for women in Panchayats and Municipality elections.

11. Political Rights of Women in India and their participation- We all aware of the fact that women participated equally in freedom struggle as men. Women's participation in politics is not only related to right to vote, but also it includes right to participate in decision making process, political consciousness, political activism etc. Political participation means exercising right to vote, attending party meetings, membership of political parties, contesting elections etc. Women's participation in decision making process is essential to safeguard their interests, to secure women's right place in society or growth of sustainable democracy and to enable them to decide their own destiny. This will not only uplift the personality of women but also it will open way for their social and economic empowerment.

Lack of education, lack of political awareness, lack of easier access to economic resources are the main causes for their low participation in politics which restrain women from taking participation in politics of the country.

In 2008, Women's Reservation Bill and the Constitutional Amendment 104th provide that women will have 33percentage of reservation to participation in politics. In spite of various provisions, participation of women in politics has not been improved. It is also true that powerful women leaders in our politics have failed to do much to the women in India.

The government of India has initiated the National Mission for empowerment of women in India with the objective of gender empowerment and gender equality. The political participation of women will solve many problems in the society and will enable them to decide their own destiny and to secure women's right place in society. This will not only uplift the personality of women but also open way for their social and economic empowerment.

12. Special and Local Laws enacted for the protection of women:- To eliminate social evils, to protect women's rights against violence & discrimination, to fulfill objectives of fundamental Rights and to fulfill aim of Preamble of Indian Constitution, to increase earning capacity of women, to extend them medical facilities and to help them to improve their knowledge and personality, not only various legislations were enacted by the Government by India but also some welfare schemes were also initiated after independence. Some special statutes enacted by our Parliament to protect the interests of women in India are:-

- **The Immoral Traffic (Prevention) Act, 1956;**
- **The Maternity Benefit Act, 1961;**
- **The Dowry Prohibition Act, 1961;**
- **The Medical Termination of Pregnancy Act, 1971;**
- **The Equal Remuneration Act, 1976;**
- **The Indecent Representation of women (prohibition) Act, 1986;**
- **The Criminal Law (Amendment) Act, 1983;**
- **The Protection of Women against Domestic violence Act.**
- **Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994**

All these legislations are enacted to eradicate gender inequality and discrimination against women. Thus, Indian Legislature is fully conscious about the protection of women's interests and to give them equal status to that of men in the society. In spite of all these efforts, women's condition in our society is pathetic and discrimination is continued. Law is blatantly ignored. Present legislations in statute book are only ornamental and ineffective and these Laws are not properly enforced and remain neglected and needs improvement.

13. Police atrocities and women's rights in India: - Police is the official organization which is entrusted with the duty to protect life, liberty and security of the people concerned for survival of democracy and proper enjoyment of human rights. Police must discharge their duties honestly and properly. But, our police system is indisciplined towards their duties thereby functioning in an illegal manner as it is revealed in Mathura rape case at Police station and Maya Tyagi's case that was paraded naked on street and later raped are some instances of crimes committed by Indian police against women. Thus, custodian of law has become the law breakers. Women are the main victim of police atrocities due to their indifferent behavior towards women issues. They treat victims of rape as impure and used abusive language and even assault them. Mostly women are victims of misbehavior, illegal detention, custodial death, false implications and atrocities of police. A number of crimes have been committed against women and their women hood. Even Police who is the custodian of law started indulging in sexual offences with impunity.

Thus, our police system needs to be reformed. A good police force would definitely strengthen the democracy and our rights will be secured.

14. Suggestions and conclusion: -From the above discussion, I conclude that women whether educated or un-educated or rich or poor is not conscious of her own identity in India. She is unable to recognize her role in resolving her problems. Every society described different norms for women and men that determine almost every aspect of their lives and their futures.

Women enjoy lesser rights than men. Even women work for longer hours than men but their work is either undervalued or underpaid. They always suffer systematic violence in the society. Females are always treated inferior than males in India. Thus women are always deprived of their right to life and dignity.

We have several laws, recommendations and conventions to protect human rights of women besides all these, there are instances of violations of their rights at various levels. There is much gap between promise and performance in the absence of effective implementation machinery. It is recommended that, the effective campaign against women's discrimination need to include the complete agenda of our Indian Civic Society. Social campaign should also be organized to increase literacy among women and to create positive outlook where women can live with dignity and pride.

Since 1980, new mechanisms have been evolved out for the protection of rights of women. Creation of fast track court, special courts for speedy trials of cases and system of PIL (Public Interest Litigation) has been designed for the protection of women's rights. PIL provides opportunity to make basic human rights meaningful to the deprived and vulnerable section of the community.

The strong will and determination for the promotion and protection of human rights of women will certainly make their human rights movement successful. Women need to be united to defend themselves. A strong movement form part of women may try to solve their problems. Denying and limiting access to rights to women will certainly hinder the progress of a Nation. Thus, for all round development of human personality against unjust and degrading treatment, there is urgent need to protect all human rights of women including privacy rights as **Microsoft Smith** has quoted that, "Privacy protection is essential to shield human rights."

Nobody is entitled to disturb her privacy even her husband against her wish or permission. Privacy has been recognized as most pivoted human right under Municipal and International Laws of different Countries, as it is essential to human dignity and autonomy. Privacy constitutes the foundation of all human rights. Thus, human dignity and privacy are inextricably woven out of thread of diversity into fabric of the plural culture.

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KEY OF ABBREVIATIONS

1. **CEDAW- Convention on Elimination of All forms of Discrimination Against Women**
2. **etc- et cetera**
3. **Hon'ble- Honorable**
4. **IAS- Indian Administrative Service**
5. **ICESC- International Convention on Economic Social and Cultural Rights**
6. **IPC- Indian Penal Code**
7. **IPS- Indian Police Service**
8. **NCRB- The National Crime Records Bureau**
9. **Org- Organization**
10. **PIL- Public Interest Litigation**
11. **PWDC Act- The Protection of Women from Domestic Violence Act**
12. **SCC- Supreme Court Cases**
13. **UDHR- Universal Declaration of Human Rights**
14. **UNICEF-The United Nations International Children's Fund**
15. **U.P- Uttar Pradesh**
16. **Vs- Verses**
17. **www- World Wide Web**