

VIOLENCE AGAINST WOMEN'S IN INDIA

Dr. T. BALASUBRAMANIAN, M.A.,(His).,M.A.,(His & Tour Mgt).,
M.A., (Pol.Sci)., B.L.I.SC M.Phil., Ph.D.,

Teaching Assistant, Department of History,
Alagappa University, Karaikudi-630002,
Sivagangai DT, Tamil Nadu, India.
Mobile: 9600248107
Email: balasubramanian834@gmail.com

Abstract

Violence against women in India refers to physical or sexual violence committed against Indian women, typically by a man. Common forms of violence against women in India include acts such as domestic abuse, sexual assault, and murder. Crime against women such as rape, acid throwing, dowry killings, honour killings, and the forced prostitution of young girls has been reported in India. Police records in India show a high incidence of crimes against women. The survey itself has been criticized for bias. Women belonging to any class, caste, creed or religion can be victims of this cruel form of violence and disfigurement. In India, domestic violence toward women is considered as any type of abuse that can be considered a threat; it can also be physical, psychological, or sexual abuse to any current or former partner. In 1961, the Government of India passed the Dowry Prohibition Act making dowry demands in wedding arrangements illegal. However, many cases of dowry-related domestic violence, suicides and murders have been reported. In the 1980s, numerous such cases were reported.

Key words: Violence against women in India, sexual assault, dowry deaths, Acid is cheap, child marriage, Domestic violence in India.

INTRODUCTION

Women's rights are human rights. Millions of women around the world face discrimination and abuse just because they are women. Every woman deserves the rights to realize and enjoy her freedom and potential, and is equally entitled to personal freedoms, from the right of personal security to the right to determine freely the number and spacing of the children they bear. However, due to gender-based discrimination and inequities that remains so common around the world, many women are not given the proper education or care they need, their experiences go

unnoticed and unheard, they are being forced into prostitution, and their lives are threatened by violence, including violence in their own homes. Cyber-crime and victimization of women are on the high and it poses a major threat to the security of women. However, women constitute 50 % of the world population and the development of every country is impossible if women and their rights are ignored.

Women Rights are Human Rights

The United Nations adopted and proclaimed the Universal Declaration of Human Rights in 1948. In 1970s the global feminist movement started changing the world. The engagement of women with transnational processes resulted in transforming conventional human rights theory and practice (as violations were perpetuated mainly by state actors in the public sphere), as well as in changing State doctrine to include positive responsibility. Important steps towards the realisation of women's and girls' rights were made at the International Conference on Population and Development (ICPD) held in Cairo in 1994, the Fourth World Conference on Women held in Beijing in 1995, and the so-called Beijing +5 conference (a five-year review of the Beijing conference) in New York in 2000. The United Nations recognised that women and girls also have human rights in early 1990s. The United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1980 ensures that all women have the right to equal opportunities in political and public life, including the right to vote, education, health care and employment. The United Nations Declaration on the Elimination of Violence Against Women (DEVAW), 1993 recognizes violence against women as an obstacle to equality, development, and peace.

Violence against Women in India

Three pieces of legislation that address women's rights violations throughout India are: 1) Protection of Women from Domestic Violence Act, 2005; 2) Prohibition of Child Marriage Act; and 3) Pre conception and Pre Natal Diagnostic Techniques (Prohibition of Sex Selection) Act. However, there is alarming rise in violence against women in India.

The human rights of Indian women are violated every day. The recent past have seen Indians protesting throughout the country on a series of highly-publicized rape and murder cases involving young female victims. The shameful Delhi rape incident in December 2012 provided testimony to the state of affairs. Mumbai is also the city where a 20-year-old Nepali woman was gang-raped by three men on 22 December, and a 15-year-old physically challenged girl was raped by her father in the supposed safety of her own home. Assaults on women's dignities in India take place daily. According to the Indian National Crime Bureau, 24,206 cases of rape were

reported in 2011 or one every 21 minutes, and 26 percent of these cases resulted in conviction. . According to government estimates, almost every 20 minutes, a woman is raped in India. In New Delhi, dubbed the “rape capital of India,” the incidence of rape rose from 572 in 2011 to 661 so far in 2012. We need to remember that rape is just one of so many crimes/violence against women. Of the 256,329 incidents of violent crime reported for 2011, a total of 228,650, or close to 90 percent, were committed against women. According to National Crime Report Bureau, 1.5 lakh crimes against women are registered annually out of which nearly 50,000 are related to domestic violence in their homes. According to a 6 year long analysis conducted by Empower People, 23% of girls from West Bengal are trafficked. Bihar is next at 17% followed by Assam (13%), Andhra Pradesh (11%), Orissa (8%) and Kerala (6%). Majority of trafficked brides belong to scheduled castes, scheduled tribes or lower economic classes. Sex- selective abortions have occurred at staggering rates in India despite a 1996 ban on gender screening for such purposes Researchers say up to 600,000 female fetuses are aborted in India every year, or 2.2 percent of the annual birthrate. This has tipped the gender ratio so dramatically that in 2011, there were 914 girls for every 1,000 boys among children up to six years old - the most imbalanced gender ratio since India’ s 1947 independence. Statistics from National Crime Records Bureau’ s Crime in India 2012 report Vijayawada as the most unsafe city with 256.34 incidents for every lakh women.

Possible Solutions from Every Perspective

Ending violence against women is th single most important issue identified by women,e organisations across the world. Genderbase violence is a complex phenomenon, with multil causes and social manifestations, legal measu against rape in India ‘have been ineffective m ti face of a patriarchal and misogynistic cultnev A strategic way to prevent violence is to introd laws that protect women from violence, and enfor those laws - there must be no impunity for acts C) violence against women. Special courts need to i enabled to take the women’ s right issues inne: and provide judgment earliest. Final judgme5 should be based on two factors, the judicial judgement and the public voting. Severe punishments for the offending the practices, on the spot or the same day to prevent impunity for human rights violation and there should be easy access to women harassment cell.

However, most of the best practices are assistance of women victims after survival of violence and only very few issues have the preventive practices. Thus rise in crimes against women need to be addressed by solving the root causes of the problem, deceit and crime as a whole. Below are some of the possible preventive measures to be considered.

Women helpline number 181 need to be reachable by any telecommunication provider any time 24 x 7; Women only buses maybe made available only in the daytime. Availability of frequent public! private transport needs to be ensured in main routes. Access to public transport need to be encouraged with sophistication of transport or specific laws or through public awareness. It is also important to avoid any isolated travel routes or ways of long distance by encouraging shops or festivals or parks in such routes making it always busy. Complaint box in every Collectorate building with regular monitoring and immediate action can be maintained. Bring the information on implementation to the notice board of public access like education institutes, traffic junctions, media advertisements etc. for public awareness. All women activists should unite under one national organization for protection as well as empowerment of women.

Violence against women in India refers to physical or sexual violence committed against Indian women, typically by a man. Common forms of violence against women in India include acts such as domestic abuse, sexual assault, and murder. In order to be considered violence against women, the act must be committed solely because the victim is female. Most typically, these acts are committed by men as a result of the long-standing gender inequalities present in the country.

Violence against women in India is actually more present than it may appear at first glance, as many expressions of violence are not considered crimes, or may otherwise go unreported or undocumented due to certain Indian cultural values and beliefs. These reasons all contribute to India's Gender Inequality Index rating of 0.524 in 2017, putting it in the bottom 20% of ranked countries for that year.

Table I: Violence case reports from 2008-2012

Year	Reported Violence
2008	195,856
2009	203,804
2010	213,585
2011	213,585
2012	244,270

According to the National Crime Records Bureau of India, reported incidents of crime against women increased 6.4% during 2012, and a crime against a woman is committed every three minutes. According to the National Crime Records Bureau, in 2011, there were greater than 228,650 reported incidents of crime against women, while in 2015, there were over 300,000 reported incidents, a 44% increase. Of the women living in India, 7.5% live in West Bengal where 12.7% of the total reported crime against women occurs.²¹ Andhra Pradesh

home to 7.3% of India's female population and accounts for 11.5% of the total reported crimes against women. About 65% of Indian men believe women should tolerate violence in order to keep the family together, and women sometimes deserve to be beaten. In January 2011, the International Men and Gender Equality Survey (IMAGES) Questionnaire reported that 24% of Indian men had committed sexual violence at some point during their lives. Exact statistics on the extent case occurrences are very difficult to obtain, as a large number of cases go unreported. This is due in large part to the threat of ridicule or shame on the part of the potential reporter, as well as an immense pressure not to damage the family's honor. For similar reasons, law enforcement officers are more motivated to accept offers of bribery from the family of the accused, or perhaps in fear of more grave consequences, such as Honor Killings. To combat violence and other abuses against women, Telangana Police have established SHE Teams to focus on the safety of women.

Crimes against Women in India

Crime rate data per 100,000 women in this map is the broadest definition of crime against women under Indian law. It includes rape, sexual assault, insult to modesty, kidnapping, and abduction, cruelty by intimate partner or relatives, trafficking, persecution for dowry, dowry deaths, indecency, and all other crimes listed in Indian Penal Code.

Crime against women such as rape, acid throwing, dowry killings, honour killings, and the forced prostitution of young girls has been reported in India. Police records in India show a high incidence of crimes against women. The National Crime Records Bureau reported in 1998 that by 2010 growth in the rate of crimes against women would exceed the population growth rate. Earlier, many crimes against women were not reported to police due to the social stigma attached to rape and molestation. Official statistics show a dramatic increase in the number of reported crimes against women.

Acid throwing

A Thomas Reuters Foundation survey says that India is the fourth most dangerous place in the world for women to live in. The survey itself has been criticized for bias. Women belonging to any class, caste, creed or religion can be victims of this cruel form of violence and disfigurement, a premeditated crime intended to kill or maim permanently and act as a lesson to put a woman in her place. In India, acid attacks on women who dared to refuse a man's proposal of marriage or asked for a divorce are a form of revenge. Acid is cheap, easily available, and the quickest way to destroy a woman's life. The number of acid attacks has been rising.

Child marriage

Child marriage has been traditionally prevalent in India but is not so continued in Modern India to this day. Historically, child brides would live with their parents until they reached puberty. In the past, child widows were condemned to a life of great agony, shaved heads, living in isolation, and being shunned by society. Although child marriage was outlawed in 1860, it is still a common practice. The Child Marriage Restraint Act, 1929 is the relevant legislation in the country.

According to UNICEF's "State of the World's Children-2009" report, 47% of India's women aged 20—24 were married before the legal age of 18, rising to 56% in rural areas. The report also showed that 40% of the world's child marriages occur in India.

Domestic violence

Domestic violence in India is endemic. Around 70% of women in India are victims of domestic violence, according to Renuka Chowdhury, former Union minister for Women and Child Development. Domestic violence was legally

addressed in the 1980s when the 1983 Criminal Law Act introduced section 498A “Husband or relative of husband of a woman subjecting her to cruelty”. The National Crime Records Bureau reveal that a crime against a woman is committed every three minutes, a woman is raped every 29 minutes, a dowry death occurs every 77 minutes, and one case of cruelty committed by either the husband or relative of the husband occurs every nine minutes. This occurs despite the fact that women in India are legally protected from domestic abuse under the Protection of Women from Domestic Violence Act. In India, domestic violence toward women is considered as any type of abuse that can be considered a threat; it can also be physical, psychological, or sexual abuse to any current or former partner. Domestic violence is not handled as a crime or complaint, it is seen more as a private or family matter. In determining the category of a complaint, it is based on caste, class, religious bias and race which also determines whether action is to be taken or not. Many studies have reported about the prevalence of the violence and have taken a criminal-justice approach, but most women refuse to report it. These women are guaranteed constitutional justice, dignity and equality but continue to refuse based on their socio-cultural contexts. As the women refuse to speak of the violence and find help, they are also not receiving the proper treatment.

Dowry

In 1961, the Government of India passed the Dowry Prohibition Act making dowry demands in wedding arrangements illegal. However, many cases of dowry-related domestic violence, suicides and murders have been reported. In the 1980s, numerous such cases were reported.

In 1985, the Dowry Prohibition (maintenance of lists of presents to the bride and bridegroom) Rules were framed. According to these rules, a signed list should be maintained of presents given at the time of the marriage to the bride and the bridegroom. The list should contain a brief description of each present, its approximate value, the name of who has given the present, and relationship to the recipient. However, such rules are rarely enforced.

A 1997 report claimed that each year at least 5,000 women in India die dowry-related deaths, and at least a dozen die each day in ‘kitchen fires’ thought to be intentional. The term for this is “bride burning” and is criticised within India itself. In

2011, the National Crime Records Bureau reported 8,618 dowry deaths. Unofficial estimates claim the figures are at least three times as high.

Female infanticide and sex-selective abortion

In India, the male-female sex ratio is skewed dramatically in favour of men, the chief reason being the high number of women who die before reaching adulthood. Tribal societies in India have a less skewed sex ratio than other caste groups. This is in spite of the fact that tribal communities have far lower income levels, lower literacy rates, and less adequate health facilities. Many experts suggest the higher number of men in India can be attributed to female infanticides and sex-selective abortions. The sex ratio is particularly bad in the north-western area of the country, particularly in Haryana and Jammu and Kashmir.

Ultrasound scanning constitutes a major leap forward in providing for the care of mother and baby, and with scanners becoming portable, these advantages have spread to rural populations. However, ultrasound scans often reveal the sex of the baby, allowing pregnant women to decide to abort female foetuses and try again later for a male child. This practice is usually considered the main reason for the change in the ratio of male to female children being born.

In 1994 the Indian government passed a law forbidding women or their families from asking about the sex of the baby after an ultrasound scan (or any other test which would yield that information) and also expressly forbade doctors or any other persons from providing that information. In practice this law (like the law forbidding dowries) is widely ignored, and levels of abortion on female foetuses remain high and the sex ratio at birth keeps getting more skewed.

Female infanticide (killing of infant girls) is still prevalent in some rural areas. Sometimes this is infanticide by neglect, for example families may not spend money on critical medicines or withhold care from a sick girl.

Continuing abuse of the dowry tradition has been one of the main reasons for sex-selective abortions and female infanticides in India.

Rape

Rape in India has been described by Radha Kumar as one of India's most common crimes against women and by the UN's human-rights chief as a "national

problem". Since the 1980s, women's rights groups lobbied for marital rape to be declared unlawful, but the Criminal Law (Amendment) Act, 2013 still maintains the marital exemption by stating in its exception clause under Section 375, that: "Sexual intercourse or sexual acts by a man with his own wife, the wife not being under fifteen years of age, is not rape". While per-capita reported incidents are quite low compared to other countries, even developed countries a new case is reported every 20 minutes.

New Delhi has one of the highest rate of rape-reports among Indian cities. Sources show that rape cases in India have doubled between 1990 and 2008.

Sexual harassment

Eve teasing

Eve teasing is a euphemism used for sexual harassment or molestation of women by men. Many activists blame the rising incidents of sexual harassment against women on the influence of "Western culture". In 1987, The Indecent Representation of Women (Prohibition) Act was passed to prohibit indecent representation of women through advertisements or in publications, writings, paintings or in any other manner.

Of the total number of crimes against women reported in 1990, half related to molestation and harassment in the workplace. In 1997, in a landmark Judgment Supreme Court of India took a strong stand against sexual harassment of women in the workplace. The Court also laid down detailed guidelines for prevention and redressal of grievances. The National Commission for Women subsequently elaborated these guidelines into a Code of Conduct for employers. In 2013 India's top court investigated on a law graduate's allegation that she was sexually harassed by a recently retired Supreme Court judge. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act came into force in December 2013, to prevent Harassment of women at workplace.

Violence against women is gross violation of human rights of women which is a major issue of debate. The violation of women's fundamental rights through physical, mental, emotional, and sexual violence against women has become almost commonplace in the Indian context. In India the common violence against women are domestic violence, slavery in the form of domestic workers, exploitation, forced

prostitution, sexual harassment including rape and sexual assault, female foeticide and infanticide. Late Smt. Indira Gandhi, former Prime Minister of India, once told, 'Our women have more rights than women of other countries, but there are large areas wherein women are suffering, why may be, they are not conscious of their right.

(i) Domestic Violence: Domestic violence is any form of violence suffered by a person from a biological relative, but typically is the violence suffered by a woman by male members of her family or relatives, It includes all types of violence against women. It includes physical as well as emotional abuse. Physical violence is the most visible form of domestic violence. The scope of physical domestic intimate partner violence includes slapping, pushing, kicking, biting, hitting, throwing objects, strangling, beating, threatening with any form of weapon, or using a weapon :The emotional includes Psychological abuse can erode a woman's sense of self-worth and can be incredibly harmful to overall mental and physical wellbeing. Emotional/psychological abuse can include harassment; threats; verbal abuse such as name-calling, degradation and blaming; stalking; and isolation or threat of dispossession of child from mother.

Reproductive coercion which is also called coerced reproduction are threats or acts of violence against a partner's reproductive health or reproductive decisionmaking and is, a collection of behaviors intended to pressure or coerce a partner into becoming a parent or ending a pregnancy.³⁸ Reproductive coercion is a form of domestic violence, also known as intimate partner violence, where behavior concerning reproductive health is used to maintain power, control, and domination within a relationship and over a partner through an unwanted pregnancy.³⁹ The three forms of reproductive coercion are pregnancy pressure, pregnancy coercion, and birth control sabotage. These can exist independently or occur simultaneously.

Women's Safety Laws

1. Guardians & Wards Act, 1890
2. Indian Penal Code, 1860
3. Christian Marriage Act, 1872
4. Indian Evidence Act, 1872
5. Married Women's Property Act, 1874
6. Workmen's compensation Act, 1923

7. Indian Successions Act, 1925
8. Immoral Traffic (prevention) Act, 1956
9. Dowry Prohibition Act, 1961
10. Commission of Sati(Prevention) Act, 1987
11. Cinematograph Act, 1952
12. Births, Deaths & Marriages Registration Act, 1886
13. Minimum Wages Act, 1948
14. Prevention of Children from Sexual Offences Act, 2012
15. Child Marriage Restraint Act, 1929
16. Muslim Personal Law (Shariat) Application, 1937
17. Indecent Representation of Women(Prevention) Act, 1986
18. Special Marriage Act, 1954
19. Hindu Marriage Act, 1955
20. Hindu Successions Act, 1956
21. Foreign Marriage Act, 1969
22. Family Courts Act, 1984
23. Maternity Benefit Act, 1961
24. Hindu Adoption & Maintenance ACT, 1956
25. Code of Criminal Procedure, 1973
26. Medical Termination of Pregnancy Act, 1971
27. National Commission for Women Act, 1990
28. The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994
29. Protection of Women from Domestic Violence Act, 2005
30. Sexual Harassment of Women at Work Place (Prevention, Prohibition & Redressal) Act, 2013
31. Indian Divorce Act, 1969
32. Equal Remuneration Act, 1976
33. Hindu Widows Remarriage Act, 1856
34. Muslim women (protection of rights on divorce) Act, 1986

Social opinions

History of sex in India

In the wake of several brutal rape attacks in the capital city of Delhi, debates held in other cities revealed that some men believed women who dressed provocatively deserved to get raped; many of the correspondents stated women incited men to rape them.

Participation of women in social life

The degree to which women participate in public life, that is being outside the home, varies by region and background. For example, the Rajputs, a patrilineal clan inhabiting parts of India, especially the north-western area, have traditionally practiced ghunghat, and many still do to this day. In recent years however, more women have started to challenge such social norms: for instance women in rural Haryana are increasingly rejecting the ghunghat.

In India, most population (about two thirds) is rural, and, as such, lives in tight-knit communities where it is very easy for a woman to ruin her family's 'honor' through her behavior. The concept of family honor is especially prevalent in northern India. Izzat is a concept of honor prevalent in the culture of North India and Pakistan. Izzat applies to both sexes, but in different ways. Women must uphold the 'family honor' by being chaste, passive and submissive, while men must be strong, brave, and be willing and able to control the women of their families. The rural areas surrounding Delhi are among the most conservative in India: it has been estimated that 30% of all honor killings of India take place in Western Uttar Pradesh, while Haryana has been described as "one of India's most conservative when it comes to caste, marriage and the role of women. Deeply patriarchal, caste purity is paramount and marriages are arranged to sustain the status quo."

Conclusion

The society is under the impression of age-old dogma that woman is inferior to man. Religion is wrongly interpreted and women are at the receiving end not from today but from earlier ages. However, being human they have same rights at par with men. Some of the basic human rights such as 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.

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