

A Study of Social Position of Women Human Rights in Indian Perspective

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ABSTRACT

This research is primarily intended to gain an understanding of women's human rights. The main reason for the erosion of women's rights is that patriarchal culture has been created. Male children were favoured in the patriarchal dominant society, and women's foeticides and infanticide were practiced. Women were viewed as liabilities, resulting in spending, while men were seen as assets that generate wealth for their families. The decision-making mechanism and other rights and forces were delegated to people. The women's duties were limited to the work of the home, development of children and care of the relatives. In the 19th century women became a separate group of interests largely because they were removed from their definition of equality by the democratic bourgeois revolutions of the 17th and 18th centuries. The gender was the basis of this distinction. Since that point on, women have struggled as a community to accept their human rights. Women play a multilateral role in society, e.g. as a family breadwinner and as a carer for a family as a mother, wife, daughter and social service provider. Although the contribution of women to the development of the country is the same as the contribution of their males, they still have some shortcomings that prevent them from grasping their capacity for expansion. It was in this sense that, in all stages of the development process, the government throughout the world had the need to prioritize women's interests and involvement. The Millennium Development Target established women as a core group of concern. As one of the Millennium Development Goals that should be accomplished by 2015, India has reported that 'Gender Equity and women empowerment.' The phrase women's empowerment means women's ability to make all important independent decisions that ensure their success in all facets of lives throughout their lives.

KEYWORDS: Social Position, Women, Human Rights, Indian Perspective, social service, women empowerment

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I. INTRODUCTION

Social distinction between sexes, men and women occurred in the majority of human societies and women were given a lower role. Women have recently been given equal status in capitalist economies, but still legal rather than moral. Therefore, women, who account for nearly one half of the human population, are continually subordinated to the other half. Women are mainly regarded as breeders, while farmers have developed and produced about 50% of world food. It seems that the indispensability of women in reproducing human cultures has been an tool for their enslavement"1 Pregnancy is seen as an age of physical weakness. This is the role that women perform as workers, but it is considered a transferable position. "A human baby has one of the longest dependency cycles, with women bearing the brunt. The argument that human biogramming is oriented to the sexual division of labor in society originated from these biologically but culturally reinforced feminine roles. "Hunting was an essential economic activity in early stages of human civilization and the defense of the group against external aggression, was the most significant politic activity, was the privilege of men, a consequence of human aggression. Since genetic change is slower than cultural change, even in modern cultures, the male and female biogrammer has continued.

Women's position declined even more in modern industrial societies. The difference in terms of values can be clarified according to Marx. Two types of values are used, and the exchange values are used. Men and women performed specific activities in pre-modern societies to provide for food, which is why they both developed consumption values. Since work specialization and production became market-oriented, men began producing more for sale, and they became exchange producers, while women continued to be consumption producers. There was a strong difference between work and job. Women worked but were not paid, but were thus known as unemployed. The phrases "work woman" and "pure housewife" demonstrate the significance attached

to jobs outside of the home. So men were labeled 'bread-wins' as the key producer of trade values, and women were considered 'weak' given the great deal of work that was done at home. The overtime status of men came in conjunction with prosperity and the reproductive status of women. Women suffered regression as the former acquired influence and privilege. In this context it is important for women's liberation movements to consider the importance of equal opportunities for women in the cycle of economic participation and decision taking.

Gender is socio-cultural in the behaviour, behavior and function of a particular group according to the World Health Organization. This contributes to the attitude, interest and confidence in the position and status of a certain sex. Often the socio-cultural scenario reveals pictures of women's dominance and the fact that equality in society has been insignificant and popular. In any culture advancement or growth is directly related to the status of women. Women have dominated the social scene for a long time in the history of Indian society and were practically the head of the families while men were busy hunting. According to the conventional biosocial theory of the wok, the female is entrusted with the care of the caretaker, the family manger, the infant and the male are developed and the economic controller. It differentiates social respect and values and encourages the man. Women's social community in India was viewed as devalued. This devaluation has its own political, socio-cultural causes and a patriarchal family structure that it has inherited. During Rig Vedic, women had full religious rights and also had full educational opportunities to establish their autonomy. They were free to choose their own life partners in family affairs, to make important decisions about life. This is evidenced by the ancient 'Swayamvara' scheme listed in sacred scripts and many epics. The Vedic period did not expose children's marriage as a socio-cultural problem in the modern era. A woman in ancient India was decent and provided adequate social value. In short, not only did they have the same rank as the men at the time, they often often enjoyed a better role than men. Nevertheless, women have begun to lose their importance in the later Vedic period, as well as their position and rank. While some women had educational rights and a reputation for learning, the social status of Rig Vedic women in general was not the same. Society has steadily curtailed women's independence and prohibited them from expressing their views on family issues, as well as on social, economic and political matters. Polygamy started to develop and marriage between children became common (Mahajan, V.D., 2018). The daughter has been identified in the Aitareyabrahmana as a source of misery for parents, and in the Atharvaveda, for example, the widow must lie symbolically in the later stage alongside her husband's corpse, which became a tradition of Satidah in society. Women who have the sudras during the Smritis era have been seen to have the same status and have not been granted the right to study the Vedas, to speak Vedic mantras and to ritualize Vedic rites as people. A woman's primary and compulsory obligation is to marry and immerse her in household life and they have been restricted to working as a computer in the four walls of husband's home.

Evidence contained in the oldest texts of Jain suggests that women were allowed to conduct monastic life among the Svetambara Jains. But women cannot attain emancipation without being reborn as a man first, according to Digambaras. This is because women cannot lead a completely austere life (they have to have clothing because they cannot lead naked). It's not realistic. Spiritual disparity is created by Digambara's very femininity (Collins, Nancy Quinn, 2018). The admission of women to the Order under Buddhism and Jainism was, however, a step too far advanced and fleeting for the time. The people were largely unable to adapt to the new circumstances and preferred to cling to the environment they used to live in. A factor that triggered the Order's downfall was also the antagonistic propaganda by the Brahms, who saw their caste system destabilized and their privileges lost. Brahmanic literature was mainly barbaric in the treatment of women during the Mauryan period (fourth century BC), giving them a very low status. Due to the repressed status of women in his period society, the need for a special group of mahamattas, which would concentrate mainly on the welfare of women, could be felt by emperor Ashok (304-232 BC), the great devotee of the Buddha. Women engaged in religious preaching throughout his period. Sanghamitra, King Ashoka's daughter, and her brother Mahendra went to preach Buddhism in Sri Lanka. Women are equated as property in smirti and Purans, which could be given or taken as a loan. The socio-cultural mindset of women being equated as property contributes to a traditional patriarchal structure. This is why socio-religious customary law did not give any proprietary rights to women during the post vedic or Brahman era. The women only have their rights to jewels, decorations or presents that they receive as stridhana, and they have no rights in the property or inheritance of their children. During Gupta (fourth century AD) and Post-Gupta, this kind of social attitude became more prevalent. While Hiuen Tsang said that Rajyashri (King Harshavardhana's sister was a distinguished scholar from its time, the large scenario was never like that. The Chinese pilgrim was not the first to come to the Chinese language. The practice of using women's veils was fashionable, especially in high caste families. Currently, young girls and women were literally plundered, plundered and killed by the earlier invaders, who came to India.

WOMEN'S RIGHTS AS HUMAN RIGHTS

The basic, integral, indivisible aspect of universal human rights is human rights for women and the girl child. International community objectives are the complete and equal involvement of women in national, regional and international political, legal, economic, social and cultural life and the eradication of all types of discrimination on grounds of sex. The UN has declared equality as their goal on the basis of sex. The third main goal of the UN, the latter including and defining the rights and freedoms of each person, regardless of gender, race, language or religion, is set out in Article 1 of this Charter. The 1948 UDHR contained the provision that all human rights and freedoms would be fairly enjoyed by women and men without distinction of any kind. Article 2 of the United States of the Human Rights Treaty guarantees that everyone has the right, without distinction of every sort, to any right and liberty laid down in a declaration, such as colour, sex, language and faith, political or any other belief, national or social origin, birth of the property or other status.⁸ It is also correctly noted that in most countries of the world women are being oppressed at the cultural, political and social levels. The Human Rights Committee of Women has been set up and this committee has faced a number of female cases involving an alleged infringement of Article 26 in the enforcement of the Human Rights Committee of Women. Article 26- 'All people are equal before the law and entitled without prejudice to equal protection of the law. In that regard, the law shall prohibit any discrimination against all individuals, guaranteeing equal and effective protection against discrimination against all people on any grounds, such as race, colour, sex, language and religion, political or other opinion, properties of national or social origin.

THE SOCIAL FRAMEWORK

We need to research the issue in a socio-cultural context in order to understand the role of women in India. Our ancient holy literature like Rigveda shows that, in terms of exposure to and the capacity to learn the highest degree of absolute Brahma, women are completely equal to men. The brahmavadini are products of brahmacharya schooling, for whom women are also eligible³ The Rigveda refers to young girls who complete their training as brahmacharinis and then acquire husbands who are merged like rivers along the ocean. In the Yajurveda, a daughter who finished her brahmacharya should also be married to a man who is equally educated. ⁴ The Atharvaveda also applies to the women who qualify for the second ashram by brahmacharya-the disciplined life of studenthood. The ashram of Grihastha. The Upanishad also stresses that men and women engaged equally in education. Society of rigor was monogamous and patriarchal. The monogamy organization acknowledges the high status of women in society. A ritual is described in the Upanishad Brihadaranyya where one prays to him who is a Pandita or learned lady for the birth of a daughter. ⁵ Jaimini's Purva – Mimamsa also applies to the equal rights of both women and men to conduct higher religious ceremonies. Jaimini's Vedic Mantras referred to her husband during the religious ceremonies. The status of women was subject to degradation as society settled more and was not exposed to the pressures of continuous invasion. Hinduism has given women a lower status as the dominant religion in India. Manus recommended, "A woman should never be self-employed." An ideal Hindu wife's life should be spent serving her husband and she should be a pativrata. One Hindu woman should be a daughter obedient, a faithful wife, and a devoted mother. Marriage was one of the main events and happened shortly after puberty in her career. Therefore, children marriage became a practice that meant that the decision-making process for their husbands was not carried out by young people. Sati's tradition, the forbidding of the marriage of the widow even when she was widowed as a child, the insistence on dowry, etc. In addition, inter-religious and inter-caste marriage restrictions have driven some women to engage in prostitution or commit suicide. Indian religions such as Jainism, Buddhism, Veershaivism and Sikhism took reform campaigns to strengthen women's conditions. The role of women in Hinduism, however, was also similar. Both ethnic communities are deemed to be Hindus by the Hindu Bill code and the constitution, and they follow the same civil code. In principle, Islamic philosophy recognizes social equality for men and women but does not require women to engage equally in religions. Islamic marriage is a contract, it also does not grant men and women equal rights, polygamy is allowed and husbands alone can easily be divorced. The Muslim middle class is not permitted to participate in social activities, particularly when moving on the streets. Excluding the Mopla Muslims in Kerala and Lakshadweep, the majority of Muslims in India are patrilineal.

PERSONAL LAWS AND HUMAN RIGHTS OF WOMEN

The term personal right refers to the different sets of legislation regulating different societies surrounding marriage, divorce, inheritance, adoption, maintenance, etc. The government of India has introduced a strategy that is not inclusive, unless the minority groups take the initiative to amend the personal laws themselves.

Private Hindu's laws were codified, though personal laws on minority groups including Muslims, Parsis and Christians, Sikhs remain largely uncodified. The security and regulation of human rights of women in India are a daunting challenge in Personal Laws for three reasons

1) Personal law is not considered to be a law within the scope of Art.13 of the Indian Constitution which effectively protects such laws against fundamental and human rights challenges.

There are some elements of these systems of law as traditional systems of law that are out of date and inconsistent with modern thought, like some civil rights / human rights.

2) Furthermore, with the exception of a few Supreme Court judges, the Court is reluctant to judge critical and nuanced issues on political grounds like the vast and wide spectrum of human rights in India violated by the personal laws of the individual communities. The courts have often pursued tactics to argue that the disputed features of personal legislation are not inconsistent with constitutional rights or that personal law does not come under Article 13.

3) Thirdly, the defense of women's rights as a member of a particular Group is very complex. The personal rights of women are considered integrally related to the religious code and are regarded as aspects of group identity, by religious code. The Sabareemala Temple in Kerala was restricted to women. This was true. The Court holds that women who are not permitted into a venerable place of worship through tradition or usage are only fairly limited 50 because it uses the characteristics of group identity to govern their conduct and status by religious code.

This sub-section discusses efforts to protect the rights of women by the Supreme Court of India and some of the high courts in the area of personal law.

This segment then discusses the difficulties in enforcing the Uniform Civil Code, as a result of cross-cutting between women as individuals or as persons and women as members of the specific group.

To facilitate clarity in understanding an analysis, the cases are divided into two groups

1. Where the court has held that, personal law is not a law within the meaning of Art.13.

2. Where the court has construed the unmodified personal Law and codified personal law, in a manner consistent With Fundamental Rights/Human Rights

GOVERNMENT INITIATIVES FOR WOMEN

Numerous legislative measures have been enacted by the Government to uplift the status of women in India. Some of which are as follows:-

- (i) The Employees State Insurance Act, 1948
- (ii) The Plantation Labour Act, 1951
- (iii) The Family Courts Act, 1954
- (iv) The Special Marriage Act, 1954
- (v) The Hindu Marriage Act, 1955
- (vi) The Hindu Succession Act, 1956 with amendment in 2005
- (vii) Immoral Traffic (Prevention) Act, 1956
- (viii) The Maternity Benefit Act, 1961 (Amended in 1995)
- (ix) Dowry Prohibition Act, 1961
- (x) The Medical Termination of Pregnancy Act, 1971
- (xi) The Contract Labour (Regulation and Abolition) Act, 1976
- (xii) The Equal Remuneration Act, 1976
- (xiii) The Prohibition of Child Marriage Act, 2006
- (xiv) The Criminal Law (Amendment) Act, 1983
- (xv) The Factories (Amendment) Act, 1986
- (xvi) Indecent Representation of Women (Prohibition), Act 1986
- (xvii) Commission of Sati (Prevention) Act, 1987
- (xviii) The protection of Women from Domestic Violence Act, 2005.

Besides legislative provisions, a number of welfare schemes and programmes, both at central and state levels have been operated by different department and ministries. Some are as follows:-

1. Mahila Samridhi Yojana (MSY), 1993
2. Indira Mahila Yojana, 1993
3. Swadhar, 1995
4. Support to Training and Employment programme for Women (STEP), 2003
5. Ujjawala, 2007
6. Dhanalakshmi, 2008
7. Sabla scheme, 2010
8. National Mission for Empowerment of Women (NMEW), 2010
9. Integrated Rural Development Programme (IRDP)
10. Women Development Corporation Schemes (WDCS)
11. Indira Priyadarshini Yojana
12. SBI's Stree Shakti schemes.

Thus, a number of efforts have been made for women's social, economic and political benefits, yet they were never been effective, to bring a remarkable change in the situation. Yet one can't deny that the situation has improved since the earlier times. As compared with past, women in modern times have become powerful in various fields and have achieved a lot but in reality they have to still travel a long way.

POSITION OF WOMEN IN INDIA

In India the status of women was tested, as many ups and downs have been observed. They were adored as goddesses during the Vedic period. Their status dropped sharply in the Muslim era, and they were treated as Slaves of Slaves in the British regime. The sea seems to have gone in favor of them after independence. It is clear that in India, women have made progress, whether because of the laws of the wife or the mother, the judges in the Supreme Court, state governments, ambassadors and parliams, or the strides they have made in education, in health and economic affairs or as a consequence of a few technological classes. We have a Prime Minister for women and a President of the United Nations. Senate. However, the condition of women is still a bleak fact. Despite these achievements. Economic freedom is of utmost importance, although its emancipation is reflected in each region. It's a matter of ensuring that she doesn't rely on someone economically. However, these actions were hardly helpful. The woman now has two types of jobs — his work inside and outside the home. She sees little room for her economic freedom to enjoy its fruits. Not only does she keep her earnings until she gets home in other situations. Her salary would then be a part of the woman's full growth, her knowledge of her rights and responsibilities, her enjoyment of her job and her work at home. The social system must adjust if possible to discourage the women from calling for concessions. In 1990 the year for the girl's child was observed. The key points of concern may be their well-being and role in the family, the community and the country.

Maybe the girl's understanding of her own feelings, desires, expectations, will and independence can be steadfastly increased. The article, yes. Independence was a continuation of the social progress, economic growth and political recognition pre-independence period, especially in the case of women. The fight for equity, justice, fairness and identity between women and men continues. A series of legislative initiatives were introduced in order to improve the status of women through social reforms, which started in the 19th century. Among other items, the laws were thus enacted concerning child marriage, marriage with widowhoods, sati, etc. While it was an advance in women's advancement and a supporting factor, the law did not produce the desired results. For social law is also important to change the viewpoint, role and support services are the understanding of women. All of these were exceedingly slow to come; therefore, while it is evident, the shift is far from representative of equality between men and women even after more than a hundred social reforms. In general, the description of the situation is horrific. The horrible behaviour trends are shown in relation to incest, dowry deaths, manipulation of the tests for deciding child sex in the womb and the ending in the case of female fetuses. The government took a number of steps in recent years to rectify the error committed against a young girl. We have a report from the Committee on the Status of Women, the year gender is ten, gender are ministries, the national perspective for women is program, and the inclusion in the 7th program of the aspirated women is creation and is now the national commission. All these steps reflect women's concern.

WOMEN IN INDIAN SOCIETY

Sometimes complementary and often conflicting representations of Indian women are present. She has been respected as a deity; but she does not at the same time support her creation. She is regarded as an embodiment of Sakti, but is also viewed as one that is protected all over her life in her family, husband and son. It is adored as a goddess, but it is not unknown how she is handled as a slave. As a mother and as a child she is valued and cherished. Yet as one's wife and one's own age group, a relative or colleague for instance, the disposition is not always optimistic or welcoming. Even general findings on the entire female population are not uncommon, regardless of age and achievement. While reverence is politically present, the reverence is viewed socially as inferior and discriminatory. Women make up nearly half the country's population, but their condition is bleak. For centuries incentives for development in the name of faith and socio-cultural traditions have been intentionally denied. Until freedom, women were subjected to many abominable practices, social rigidities and vices that influenced the nadir in society and the entire situation. Women have been victims of broader illiteracy as regards personal social plans, segregation into dark rooms and dingy rooms in purda, forced marriage between girls, indeterminate widowhoods, the rigidity of fidelity, and opposition to the marriage of widows who turn many of these into prostitution, polygamy, child abuse, brutality and the utter denial of individuality. In addition, the pitiful state also accounts for economic dependence, early husband / in-law tutelage, unpaid and unrecognized burden of domestic labor, lack of career and mobility, lack of appreciation of their economic contribution, bad working and wage conditions and monotonous employment which humans

generally refused. Women suffered, even in their homes, from a denial of equality, persecution and forced indoctrination, inferior or lower status, rigid caste structure and intouchability in the social and political sphere. As a result, most people have been reduced to dumb animals, leading to inhuman beasts. Gandhi strived to achieve equality for women during the pre-independent India national movement led by Gandhi. Gandhi's last personsí, who had tears he wanted to wipe, felt that the freedom of that nation was hollow without their emancipation. The constitutional values of fundamental and directive are the instruments for the achievement of national equality, democracy and justice objectives. Therefore all discrimination arising from class, caste, belief, colour, place of birth was abrogated in the Constitution. In all ways, women were on par with men. The universal rights of gender equality have been awarded to women for being abused in the days of pre-independence. The Constitution of India has not only granted men and women equal rights and privileges, but also gone a step forward in laying down provisions to the government for concrete steps aimed at improving women's status by promulgating legislation and creating separate institutions. The Constitution therefore established women's role in society once and for all. The acceptance of women's political empowerment was a radical deviation from the country's socio-cultural norms.

Women's status is closely linked with their economic status and depends on rights, responsibilities and opportunities to engage in economic activities. Women's economic status is now regarded as an measure of the growth of society. However, economic activities are not all inventions that benefit women. Women's habits involve practices that are influenced by prevailing social ideology and related to the economic development process. In the last forty years, without doubt, the reach of women's careers has expanded. Women across the country and particularly in Uttar Pradesh participate in the development process quite inappropriately. They receive a very small proportion of opportunities for growth. They have very limited access to schooling, housing, health care, training in skills, jobs and decision-making. They are abused by other customs. Wage and gender inequality are common and noticeable. They are commonly found in low-paid, low-producing sectors, following numerous initiatives to conceptualise women's equal status. Several steps were taken to increase the number of women after independence. There were other laws introduced, too. In 1992, a National Women's Commission was formed to serve as an observatory on women's issues. A variety of projects have been implemented in the fields of education, health and jobs for women's, rural and urban development.

EVOLUTION OF WOMEN'S RIGHTS AS HUMAN RIGHTS

Women were viewed as inferior by ideologies across the globe. The presumption that although men are complete human standards, women often represent a higher deviation, generally lower but often different, are probably the most persistent philosophical justification for the subordination of women to legal and social status in the world. The intrinsic distinctions of women are clarified by concentrating on biological factors. Male and female physiological differences contributed to a political, social, economic and perceptible distortion. A structural legal disadvantage of women in comparison to men was exacerbated by women's views as fundamentally unequal. Many women have also been harmed by another. Women who responded closely to the planned expectations, rather than revolting, have been rewarded. Nevertheless, these initiatives add to the status of subordinate women by raising their choices and increasing their use as scapegoat for social ills like violence, immorality and crime. The inferior status of women in society is also a result of the idea that women are regarded as property. Females were abused for economic gain under the legal structure of slavery and under the illusion that they were females as wives and family members. A cursory examination of history reveals that women serving as domestic workers for their slave owners are often abused sexually. The abuse was not economically driven as a slavish woman's child was also also a slave. After Slavery was formally abolished with the 13th Amendment, black women and other colored women paid for work for personal service, without any access to training or capital.³ A white woman who married dark did not face these deprivations in the 18th century, but found her legal and economic existence virtually suspended until the advent of her husband. The Doctrine on Marital Unity meant that a married white woman could not own land, maintain power over her separate properties, bear witness against her husband as a witness in the courts or maintain her own name, except in such cases where she was recognised by equity in contracts or wills. Even though feminist concepts have developed and legislation have been adopted in order to protect women's economic interests or the interests of individuals with whom they have transacted or their husbands are, these laws have been enforced in a manner that strengthens women's economic reliance on men.⁴ History shows that women too have been viewed in the Western countries as a liability and a dependent individual.

II. CONCLUSION

The study will shed light on India's human rights and the denial of all women's fundamental rights by focusing on the numerous crimes being committed against them. The achievement of fair justice between men and women and the abolition of all types of discrimination against women are basic human rights. The role of women in society is significant. They are considered to be key sources for raising and nurturing the children.

While the contribution of women to the country's development is equal to their male counterpart, they still experience a number of constraints which restrict their ability to grow. Against this context, governments across the world found it appropriate to prioritize women's needs and desires and to acknowledge and resolve the challenges they were facing in the process of emancipation. The word, women's empowerment implies women's ability to decide for themselves and throughout their lives and to excel in all phases of their lives on all important decisions. This research is mainly intended to gain an appreciation of women's human rights. The key explanation for the erosion of women's rights is that patriarchal culture has been created. Male children were favoured in the patriarchal dominated culture, and women's foeticides and infanticide were practiced. Women were viewed as liabilities, resulting in spending, while men were seen as assets that produce wealth for their families. The decision-making mechanism and other rights and forces were delegated to people. The women's duties were limited to the work of the home, production of children and care of the relatives. Women's rights have been acknowledged in the present situation with the effects of modernisation and the use of creative methods. Education institutions include girls and women of all genders and backgrounds. Women are new professionals, such as doctors, attorneys, teachers, educators, executives, executives, etc. The girls who belong to minority groups participate in schools to learn to exercise their rights to the well-being of their parents and of the society. Education makes it possible for a person to distinguish between adequate and insufficient, to learn how to make wise decisions, to work for the good of the society and to enforce rights effectively.

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