

CHAPTER V:

CONSTITUTIONAL AND LEGISLATIVE SUPPORT FOR WOMEN IN INDIA & RELATED DEVELOPMENT PROGRAMMES

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5.1 INTRODUCTION: The Preamble to the Constitution of India promises “to secure all its citizens: justice, social, economic and political; liberty of thought, expression, belief, faith and worship; equality of status and opportunity; and to promote among them all fraternity assuring the dignity of the individual and the unity of the nation”. To attain these national objectives, the Constitution guarantees certain Fundamental Rights and freedoms such as freedom of speech, protection of life, personal liberty and prohibition of discrimination or denial of equal protection to all. Thus, Indian women theoretically are the beneficiaries of these rights and freedoms in the same manner as that of the men.

According to the Indian Census of 2011, out of the total population of 1210,193,422 persons, 623,724,248 were male while 586,469,174 were females (the males representing 51.54% and the females 48.46%). Statistics clearly indicates a deficit of 37,255,074 women in India. Moreover, a simple comparison regarding literacy (above 7 years of age) between male and female i.e. 82.14% and 65.46% respectively in the same Census year show that both the sexes does not possess equal standing. It was at the dawn of our independence the policy makers realized the unequal social position of women and hence made provisions in favour of them.

5.2 CONSTITUTION’S PROVISIONS FOR WOMEN IN INDIA: The Constitution of India thus promises to all Indian women the following:

5.2.1 PART III: FUNDAMENTAL RIGHTS

5.2.1.a ARTICLE 14: The State shall not deny to any person equality before law or the equal protection of the laws within the territory of India. In other words, equality before law and equal protection of the laws has been emphasized.

5.2.1.b ARTICLE 15 : Envisages prohibition of discrimination on the grounds of religion, race, caste, sex or place of birth –

15(1): The state shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

15(2): No citizen shall on above mentioned grounds be subject to any disability, liability, restriction or condition with regard to –

a) Access to shops, public restaurants and places of public entertainment, or

b) The use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of state funds or dedicated to the use of general public.

15(3): The provision of this article shall not prevent the State to make special provision for women and children.

Bakshi (2002: 26-28) explains that reservation of certain posts exclusively for women is valid under Article 15(3). Clause 3 of Art.15 permits special provision for women and children has been widely resorted to and the courts have upheld the validity of special measures in legislation or executive orders favouring women. Particularly, provisions in the criminal law or in the procedural law discriminating in favour of women have been upheld. Similarly, provisions providing for reservation of seats for women in local bodies or in an educational institution is valid.

5.2.1.c ARTICLE 16: Advocates Equality of opportunity in matters of public employment –

16(1): There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

16(2): No citizens shall, on the grounds only of religion, race, caste, sex, decent, place of birth, residence or any of them be ineligible for or discriminated against in respect of any employment/ office under the state.

5.2.1.d ARTICLE 21: Envisages about protection of life and personal liberty. It says that no person shall be deprived of his life or personal liberty except according to procedure established by law.

Bakshi (2002: 48-49) explains Art.21 citing two important cases which have bearing to the womenfolk with special reference to the Beauty Contests and sexual harassment. With regard to beauty contests, it may be said that, in their true form, are not objectionable, but if there is

indecent representation of the figure of a woman or if there is any matter derogatory of women, then it would offend the Indecent Representation of Women Act (1986) and also Art. 21 [Chandra Rajkumar Vs. Police Commissioner, Hyderabad, AIR 1998 AP302].

While explaining sexual harassment, Bakshi (2002:49) opines that sexual harassment in work place is a violation of Art. 15 and Art. 21 of the Constitution, citing the instance of Vishakha Vs. State of Rajasthan, AIR 1997, SC 3011.

Denial of Right of Succession to women (ibid, 58) of Scheduled Tribes amounts to deprivation of their right to livelihood under Art. 21 [Madhu Kishwar Vs. State of Bihar (1996)5SCC125].

The Supreme Court laid emphasis (while dealing with a case related to the prostitutes) on the need to provide to prostitutes opportunities for education and training so as to facilitate their rehabilitation may also be related to Art.21[Gaurav Jain Vs. Union of India, AIR 1997 SC 3021-(3035, 3036)].

5.2.1.e ARTICLE 23: Deals about Prohibition of Trafficking in human beings and Forced Labour (Right against Exploitation) –

23(1): Traffic in human beings and beggars and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

23(2): Nothing in this Article shall prevent the state from imposing compulsory service for public purposes, and in imposing such service the state shall not make any discrimination on grounds only of religion, race, caste or class or any of them.

Clause 1 of Art. 23 envisages legislation for the enforcement of the Constitutional prohibition. Section 374 of the Indian Penal Code (IPC) is one such enactment, though a pre-constitution one, specific legislation also exists regarding immoral traffic in women, girls and bonded labours. Directions were issued by the Supreme Court in public interest litigation as to the children of prostitutes (www.jstor.org/stable/4408327 accessed on 31.10.15 at 11: 37 am).

5.2.2 PART IV: DIRECTIVE PRINCIPLES OF STATE POLICY

The Constitution of India aims to establish not only political democracy but also socio-economic justice to the people to establish a welfare state. With this purpose in mind, our constitution lays down desirable principles and guidelines in Part – IV. These provisions are known as Directive

Principle of State Policy (p.69, www.download.ad.nos.org accessed on 31.10.15 at 7:58p.m). These are essentially the guidelines or instructions to the governments at the centre as well as at the states which help in the decision and policy-making processes. Article 36 to 51 comes under the Directive Principles.

5.2.2.a Article 39: States that certain principles of policy to be followed by the state –

The state shall in particular, direct its policy towards securing –

Art.39 (a): That the citizens, men and women equally have the right to an adequate means of livelihood;

Art.39 (b): That the ownership and control of the material resources of the community are so distributed as best to sub serve the common good;

Art.39 (c): That the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment.

Art.39 (d): That there is equal pay for equal work for both men and women;

Art.39 (e): That the health and strength of workers, men and women and the tender aged children are not abused and the citizens are not forced by economic necessity to enter avocations unsuited to their age or strength.

Thus the different clauses to Art.39 addresses to equal means of livelihood, equal pay for equal work for women. It also supports the health and strength of workers (men and women) for suitable jobs and safeguards abuse of women and children from becoming labour out of economic.

5.2.2.b Article 42: Provides for just and humane conditions of work and maternity relief – the state shall make provisions for securing just and humane conditions of work and for maternity leave (for women).

5.2.3 PART IVA: FUNDAMENTAL DUTIES

The Fundamental Duties are moral obligations of all citizens to help promote a spirit of patriotism and to uphold the unity of India. These duties set out in Part IV-A of the Constitution, concern individuals and the nation. Like Directive Principles, they are not legally enforceable.

Fundamental Duties are envisaged in Art. 51A, in which clause (e) is important to the concerns of the womenfolk in India.

Art. 51 A(e) says that it shall be the duty of every citizen of India – to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religions, linguistics and regional or sectional diversities; to renounce practices derogatory to the dignity of women.

5.2.4 PART IX: THE PANCHAYATS

With regard to the reservation of seats in Panchayats in Art. 243D, it states that –

Seats shall be reserved for –

- i. the Scheduled Castes and
- ii. the Scheduled Tribes

in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in the Panchayat as the population of Scheduled Castes in the Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.

Art. 243 D (2): Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the SCs, or as the case may be the STs.

Art. 243 D (3): Not less than one-third (including the number of seats reserved for women belonging to the SCs and the STs) of the total number of seats to be filled in by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.

Art. 243 D (4): the offices of the chairpersons in the Panchayats at the village or any other level shall be reserved for the SCs, the STs and the women in such a manner as the legislature of a state may, by law provide.

In other words, the number of offices of the chairpersons reserved for the SCs and the STs in the Panchayats at each level in any state shall bear, as nearly may be, the same proportion to the total number of such offices in the Panchayats at each level as the population of the SCs in the state or of the STs in the state bears to the total population of the state.

Provided further that, not less than one-third of the total number of offices of chairpersons in the Panchayats at each level shall be reserved for women; allotted by rotation to different Panchayat at each level (Bakshi, 2002:109-110).

5.2.5 PART IX A: THE MUNICIPALITIES

Clause (3) of Art. 243 T regarding reservation of seats in the Municipalities follow the same provisions as that of Art. 243 D.

5.2.6 PART XV: ELECTIONS

According to Art. 325, no person to be ineligible for inclusion in, or to claim to be included in a special, electoral roll on grounds of religion, race, caste or sex. In other words, there shall be one general electoral roll for every territorial constituency for election to either House of Parliament or to the House of Legislature of a state and no person shall be ineligible for inclusion in any such roll or claim to be included in any special electoral roll for any such constituency on grounds of religion, race, caste, sex or any of them.

5.3 THE LAWS FAVOURING WOMEN AND WORKING WOMEN IN INDIA: Male-female disparities in Indian society are endemic and they become more complicated as the hierarchy of gender intersects with the hierarchies of class, caste, economy and ethnicity along with regional variations. The traditional Indian social order is rarely put to question and thereby women's voice becomes inaudible. Her role becomes least significant in the formulation, implementation and interpretation of laws. The Fundamental Rights as guaranteed by the Constitution and the Directive Principles of the State Policy have become mere pious words. The Personal Laws have full command on women's lives controlling the issues of marriage, divorce, guardianship, adoption, maintenance and property. Desai and Thakkar (2005: 122) have rightly said: " It seems rather paradoxical in this context to state that inspite of the shortcomings of the legal system in India, it is the Law which has been and is still expected to be effective as an instrument of social change, a strategy to free women from the shackles of inequality and subjugation." The problem arises from the patriarchal framework of the society and since the law makers themselves belong to that very social framework, the problem persists.

Nevertheless, legislations were passed through years vouchsafe the interests of women both in the pre-independent and post independent periods.

5.3.1 LEGISLATIVE MEASURES IN FAVOUR OF WOMEN IN PRE-INDEPENDENT INDIA:

Since the Post-Vedic Period, Women's status had deteriorated and the diminution continued throughout the later periods. So, women's question was high on the agenda of the social reformers in the 19th Century. The Britishers were keen to establish a modern legal system as well as a positive image so, they supported the then emerging Indian intelligentsia to bring about social reforms with particular emphasis on women's status. The colonial rulers were unfamiliar with the social practices, cultural traditions, local customs and usages. They fixed their attention to civil and criminal liabilities and property contract. They sought the help of the *Pundits* and the *Maulvis* and relied upon the written religious texts rather than the practical usages. Thus "the Hindu Law became Brahminized and the Muslim Law similarly became Islamized. Slowly but firmly, the belief that women have very limited rights took roots in the system" (Desai and Thakkar, 2005: 123).

In this backdrop, the Britishers modified certain practices on the grounds of public demands and the humanitarian consideration to alleviate the social ills bestowed upon women. For instance, **Regulation no. XXI of 1795 and Regulation no. III of 1804**, declaring the practice of infanticide as illegal. **The Bengal Sati Regulation Act of 1829** annulled the practice of *Sati* or self immolation of widows as illegal and punishable offence. Other noteworthy enactments were- the **Caste Disabilities Removal Act of 1850 and the Hindu Widows Remarriage Act of 1856**. The formulation of **Indian Penal Code (1860)** and the **Indian Contract Act** might be cited as manifestation of the objective to codify the law in the matters of civil and criminal procedures and property issues. The IPC (1860) provides for punishment for various offences against women like abduction, rape, adultery, bigamy, remarriage during the lifetime of a wife, cruelty and cheating against women etc.

The Converts Marriage Dissolution Act (1866) provides for dismissal of a marriage where one of the parties has deserted or been disowned by other on the ground of the former's conversion to the religion of Christianity.

The India Divorce Act (1869) empowers a wife to give petition for dissolution on the grounds of:

- a. remarriage of the husband

b. change in husband's religion

c. where the husband is guilty of adultery, bigamy, rape, bestiality etc.

The Special Marriage Act of 1872 provided an opportunity for the Indians to contract a civil marriage. But the parties marrying under this Act had to declare that they had ceased to practice their religion. An amendment later on in 1923, however, removed this clause.

The Married Women's Property Act (1874) declares that the wages, earnings of any married woman; any property acquired by her own self through her skills and employment; all her savings and investments shall be of her separate property. The Act further guarantees that a married woman may maintain a suit in her own name in respect of her own property.

The Power of Attorney Act (1882) empowers a woman to appoint an attorney on her behalf.

The Age of Consent Act passed in 1891 deserves special mention as an important piece of legislation in the Pre-independent India. Sexual intercourse with a girl below 10 years according to the IPC was considered as rape. Later on, the case of *Phulmani Dasi* (a child bride of 11 years who did not attain puberty and bled to death as her much older husband forced upon her) raised a storm in the various sections of the society and ultimately the age of consent was fixed at 12 years in 1891.

The Civil Procedure Code of 1908 prohibits arrest or detention of women in civil prison in execution of a decree for the payment of money.

The Legal Practitioner (Women) Amendment Act of 1923 says that no women can be disqualified from being admitted as a legal practitioner by reason of her sex.

The Indian Succession Act of 1925 grants woman to have same right to the property as the husband has on the death of his wife.

The Child Marriage Restraint Act of 1929 fixed the minimum age at marriage for the boys at 18 years and for the girls at 15 years respectively.

Though **The Right to Property Act of 1937, Muslim Personal Law (Shariat) Application Act of 1937, and the Dissolution of Muslim Marriages Act of 1939** granted limited rights to women but they did not question the fundamental gender inequality experienced by women of both the religions.

The Bombay Prevention of Hindu Bigamous Marriage Act of 1946 imposes penalty for the offence of bigamy up to 7 years of imprisonment.

5.3.2 POST-INDEPENDENT LEGISLATIONS FAVOURING WOMEN:

By the late 1940s, the necessity for a comprehensive code regulating marriage, divorce and inheritance was felt by the then women leaders of our country. But the political atmosphere was changing rapidly owing to the momentum of the freedom struggle. The struggle for women's liberation merged with the nation's liberation movement. Women seemed to get the avenue of relief from the prevalent confinement and actively participated in the nationalist movement. Post-independent period saw a series of enactments favouring women, governing issues like marriage, divorce, inheritance, succession, adoption (came to be known as Personal Laws) etc.

The Employees' State Insurance Act, 1948 provided benefits like sickness, maternity, disabled, dependent medical and funeral benefits.

The Factories Act of 1948, Mines Act of 1952 and Plantation Labour Act of 1951 are self explanatory and deserves special mention.

The Special Marriage act of 1954 permits marriage of people from different religious faith without changing their religion and stipulated the minimum age of marriage at 18 years for girls and 21 years for boys.

The Hindu Marriage Act of 1955 advocated universalization of monogamy and also fixed the minimum age of marriage at 18 and 21 years for girls and boys respectively. Both the Special Marriage Act and the Hindu Marriage Act were amended in 1976 and it made provisions for a girl to disown the marriage if she has not attained puberty or whether the marriage has been consummated. Cruelty and desertion was also added as the grounds of divorce and mutual consent were given importance.

The Hindu Succession Act of 1956 confers women to have absolute ownership of property. By virtue of this Act, a woman can make 'Will' leaving her share of property to the heirs. It also envisages that intestate widow(s) if there is more than one shall take one share. The surviving son, daughter and mother of the intestate shall take one share each.

The Hindu Adoption and Maintenance Act of 1956 confers that any Hindu man of sound mind to adopt a child provided he has a living wife and he gets consent of his wife to do so,

unless the wife has completely renounced the world, is of unsound mind and has ceased to be a Hindu.

A Hindu woman can adopt a child if she is unmarried or is a widow, divorced, her husband has renounced the world, has changed his religion and is declared to be having unsound mind.

The consent of father or mother is necessary for giving the child in adoption unless otherwise.

The Hindu Minority and Guardianship Act of 1956 states that the consent of wife is required for adopting a child.

The Suppression of Immoral Traffic in Women and Girls Act of 1956 prohibits trafficking in women and girls for the purpose of prostitution as an organized means of living. This Act was amended in 1978 and 1986 in order to make it more stringent and effective. In 1986, this Act was renamed as the “Immoral Traffic (Prevention) Act, 1986”, wherein it has some salient features: all persons whether male or female who are sexually exploited for commercial purposes would come under its purview; period of imprisonment would be enhanced where offences against children and minors are committed. The appointment of Trafficking Police Officers, who will have the powers to investigate inter-state offences; prescribe punishment as laid down for rape under IPC or the seduction of victims of trafficking while in custody; interrogations of women and girls removed from the brothels to be held by women Police Officers or in their absence, in the presence of women social workers and setting up of special courts.

The Dowry Prohibition Act was first legislated in 1961. This was amended in 1984 to make the offence cognizable (perceivable) to enhance the penalty of both fine and imprisonment and to widen the scope of the Act to make it more effective. The Act was further amended in 1986 to make the penal provisions stricter. The minimum punishment for taking or abetting of dowry has been raised to 5 years and a fine of Rs.15, 000/-. The advertisement in newspapers, periodicals etc offering a share of property as consideration for marriage is punishable. The amendment proposes appointment of Dowry Prohibition Officers by the State Governments. Offences under the Act have been made non-bailable. A new offence of ‘Dowry Death’ has been included in the IPC consequential to the amendment in the Act.

The Maternity Benefit Act of 1961 is applicable to every establishment, plantation, mine or factory and provides for payment of maternity benefits at the rate of average daily wage for the

period of women's actual absence. The Act was amended in April, 1976 to cover women, who do not fall within the purview of the Employees State Insurance Act, 1948. A proposal to further amend the Act is under consideration of the Labour Ministry.

The Medical Termination of Pregnancy Act, 1971 makes it possible to have legal induced abortion by qualified doctor on humanitarian and medical grounds. This is primarily a welfare measure to protect the health of women, though it has a family planning aspect also.

The Factories act of 1976 (Amended) provides establishment of crèches where 30 women are employed (including casual labourers or contract labourers) as against one of every 50 hitherto.

The Equal Remuneration Act of 1976 provides for:

- a) Equal remuneration to men and women workers and
- b) Prevention of discrimination on the grounds of sex against women in the matter of employment and for the matter connected there with or identical hitherto. The Act is under further review for the benefit of women.

The Child Marriage Restraint (Amendment) Act of 1976 provides minimum age of marriage for girls to 18 years and for boys to 21 years. The offences under this Act have been made cognizable.

The Contract Labour (Regulation) Act of 1978 regulates the working conditions of contract labour (including women), payment of wages and provides welfare facilities and crèches for the children of working women engaged in construction work.

The Criminal Law (Amendment) Act of 1983: The Indian Evidence Act, The Indian Penal Code and the Criminal Procedure Code were amended in 1983 to make the offence of rape and such crimes against women much more stringent and effective and also to make a new provision to the IPC to make cruelty against women by the husband and other relations punishable. The onus of proof of innocence would rest on the accused of such offences.

The Family Courts Act was passed in **1984** with a view of setting up of Family Courts in the country with an objective to promote reconciliation in and securing speedy settlement of disputes relating to marriages and family affairs and for matters connected therewith.

Indecent Representation of Women (Prohibition) Act of 1986: prohibits representation of women in an indecent or derogatory manner in all ads and publications. Offences under this Act is punishable with imprisonment of either description for a term extending to 2 years and fine extending to Rs. 2,000/- on first conviction.

The Commission of Sati (Prevention) Act of 1987 punishes all the matters attached with the glorification of Sati and is punishable by the maximum penalty i.e. death or imprisonment of life. This Act provides more effective prevention for a woman (widow) being sacrificed as a *Sati*.

5.4 DEVELOPMENT PROGRAMMES FOR INDIAN WOMEN THROUGH FIVE YEARS PLANS:

Mahatma Gandhi and Pt. Nehru had dreamt of a society in which women would participate equally as men in every aspect to usher in the national progress. Therefore, the main task was to inculcate the spirit of confidence among the womenfolk of our country so that they can identify their innate potentialities and endowments which would not only illuminate themselves in particular but also would lead to the social progress at large. Thus, once the Constitution was adopted, the next step was to initiate the policies and programmes for realization of the ideology of welfare state.

“Having regard to the Fundamental Rights and in furtherance of the Directive Principles as well as of the declared objective of the Government to promote a rapid rise in the standard of living of the people by efficient exploitation of the resources of the country, increasing production, and offering opportunities to all for employment in the service of the community.

The Planning Commission will—

1. make an assessment of the material, capital and human resources of the country, including technical personnel, and investigate the possibilities of augmenting such of these resources as are found to be deficient in relation to the nation's requirements;
2. formulate a Plan for the most effective and balanced utilisation of the country's resources;
3. on a determination of priorities, define the stages in which the Plan should be carried out and propose the allocation of resources for the due completion of each stage;

4. indicate the factors which are tending to retard economic development, and determine the conditions which, in view of the current social and political situation, should be established for the successful execution of the Plan;
5. determine the nature of the machinery which will be necessary for securing the successful implementation of each stage of the Plan in all its aspects;
6. appraise from time to time the progress achieved in the execution of each stage of the Plan and recommend the adjustments of policy and measures that such appraisal may show to be necessary; and
7. make such interim or ancillary recommendations as appear to it to be appropriate either for facilitating the discharge of the duties assigned to it; or, on a consideration of the prevailing economic conditions, current policies, measures and development programmes; or on an examination of such specific problems as may be referred to it for advice by Central or State Governments.”

(<http://planningcommission.nic.in/plans/planrel/fiveyr/1st/1pintro.htm> accessed on 21.04.16 at 1p.m)

5.4.1 FIRST PLAN (1951-56): During the initiation of the First Plan, India was facing some problems related to acute food shortage, partition of the country, influx of refugees and high inflation. Thus, the thrust areas were laid upon rehabilitation of refugees; rapid agricultural improvement to attain food security and sufficiency; control of inflation and initiation of a process of all round balanced development which would ensure a rising national income and a steady improvement in the living standards over a period of time (cited in Ray Chaudhuri, 2001: 272-273).

Development of Women has been treated as a subject of ‘welfare’ and clubbed together with the welfare of the disadvantaged groups like destitute, disabled, aged etc. In 1953, the Government of India set up Central Social Welfare Board (CSWB) outside the framework of the Government with a view of combining governmental and non-governmental resources and creating a network of services catering to maternity, child care, health, education and training to women. In 1954, the CSWB introduced the formation of ‘*Mahila Mandals*’ for execution of welfare projects

extended to rural areas by promoting local women's organizations through project implementation committees (Narasaiah, 2007:24).

5.4.2 SECOND PLAN (1956-61): The welfare approach continued in the Second Five Year Plan and it showed concern for employed women and sought improvement in employment opportunities for them. Priority to women's education and improvement of maternal and child health services, supplementary feeding for children and expectant mothers were given.

This Plan recognized the need for organization of women as workers, for protecting them against injurious work and paying them maternity benefits. It also talked of crèches for children in work places. It also recommended speedy implementation of the principle of equal pay for equal work and provisions of training to enable women compete for higher jobs (Mishra, 1994: 87).

In 1958, the CSWB introduced a socio-economic programme to promote women's economic activities. The programme was extended to the *Mahila Mandals* which acted as production units of handicrafts, dairy, poultry, piggery, sheep breeding and allied activities to expand women's employment. The *Mahila Mandals* also acted as the platform for promoting community participation and for providing social education to women (Narasaiah, 2007:25).

This should have augmented women's work participation rate but by 1961, it was seen that in the organized sector female work participation rate declined that of the males (27.96% for the females against 57.19% for the males). This was chiefly of two reasons: Firstly, employees were reluctant to provide welfare measures to the female employees; and Secondly, as women were not encouraged to take technical training, modernization of some industries such as textiles led to the displacement of women.

5.4.3 THIRD PLAN (1961-68): The emphasis was again shifted to agriculture to meet the food shortages and achieve self sufficiency in food grains. The focal point of women's development mainly revolved round education nevertheless, improvement of maternal and child health services, supplementary feeding for children and expectant mothers continued to get special attention. According to Mishra (1994), about 625 condensed courses in education and 75 production units were installed in urban areas for the benefit of women. The CSWB also set up 66 urban extension projects. The Applied Nutrition Programme (ANP) was introduced in this Plan with the objectives of imparting nutrition education to mothers through demonstration feeding, production programme and training of women functionaries. The Programme was

implemented through the *Mahila Mandals* and covered 34% of all community development blocks.

5.4.4 FOURTH PLAN (1969-74): The Fourth Plan laid stress on women's education. A special central sector scheme for rural women called 'Composite Programme for Women and Pre-school Children' was introduced with the components of nutrition, economic activity and training of associated women workers. The basic objective was to promote welfare within the family as a unit.

The *Mahila Mandals* showing good performance during a year were given cash awards for undertaking certain economic projects. About 450 *Mahila Mandals* were given financial assistance and 653 condensed courses were organized during this period. Another scheme was designed in this period which involved training of associate women workers having leadership qualities for providing assistance to implement various welfare programmes. Thus, the approach of the Fourth Plan was ameliorative in nature with regard to women.

5.4.5 FIFTH PLAN (1974-79): The Fifth Plan prioritized the training of women particularly who belonged to low income family with dependent children. Special steps were taken for the placement of the successful candidates under the existing scheme of condensed courses of education and socio-economic programmes. Besides this, managerial and sales training was also provided to market goods produced by them.

To promote local leadership among rural women a new scheme for promotion and strengthening of *Mahila Mandals* was introduced. Another scheme named Promotion of Voluntary Action was started with the view to utilize the potential of the organizations for development of women and children. The concept of 'Minimum Needs' was introduced to cater to the various needs like elementary education, primary healthcare, nutrition, drinking water, house sites and other basic amenities of the rural poor. Eight Home Science Colleges were established within Agricultural Universities to provide education, research facilities and extension services to the rural farm families. In addition to this, the CSWB introduced the Dairy Scheme to assist rural women to get benefit from the Dairy Development Programme. Vocational training of women in 1975 was also initiated by the CSWB in order to increase their employability. The ICAR in 1975-76 started a scheme to train women in simple technology.

Meanwhile, the UN General Assembly during 1975-76 declared the adoption of world plan of action for the International Women's Decade to acknowledge equality, development and peace in favour of the womenfolk. This resulted in a number of developments. A new department named Bureau for Women's Welfare and Development was established within the Ministry for Social Welfare which was entrusted with the task of coordinating, receiving and initiating policies for women's development and service. A special cell was established within the Ministry of Labour and Employment to give due attention to the women's employment needs and problems. Equal Remuneration Act (1976) was passed with a view to remove disparities in wage between men and women in organized sector. A similar unit was also founded within the Ministry of Rural Reconstruction to review and supervise development programmes for rural women. In 1977, the Planning Commission appointed a working group on Employment of Women. The Ministry of Agriculture and Rural Development also appointed a working group on the development of village level organization of rural women to review the existing programmes.

5.4.6 SIXTH PLAN (1980-85): The development Programmes under the Sixth Plan for the first time included a chapter on Women Development. The documented chapter highlighted 4 strategies:

- i. Economic independence
- ii. Educational advance
- iii. Access to healthcare and family planning and
- iv. Income supplementing of tribal women

Several steps were taken up to boost women's development in the country accordingly. The Integrated Rural Development Programme (IRDP) prioritized women. It was decided that, one-third of the beneficiaries under TRYSEM (Training for Rural Youth for Self Employment) would be represented by the womenfolk. A new scheme named Development of Women and Children in Rural Areas (DWCRA) was started in 1982-83 to increase rural women's access to employment, skill, training, credit and other support services. Along with this, 144 Industrial Training Institutes (ITIs) of seat capacity of 11,200 exclusively for women became functional by the termination of the 6th Plan. Encouragement for education among women at the primary and the higher levels were given wherein a centrally sponsored scheme was taken up for providing

financial assistance to educationally backward states for establishing non-formal education centres exclusively for girls. SC and ST girls continued to receive higher rates of post-matric scholarships; other incentives included free clothing and free tuition. Separate Universities were established in the states of Tamil Nadu and Andhra Pradesh for girls.

Special programmes related to adult education, awareness regarding health, nutrition, childcare and family planning also involved women. Priority was given to pregnant women and lactating mothers of weaker sections. Special nutrition was also provided to the pregnant women and lactating mothers under Integrated Child Development Services (ICDS). To arrest anemia among these women, preventive and protective programmes were being taken up which involved distribution of Iron and Folic Acid tablets for free.

As far as science and technology is concerned, the scheme was widened to include wide range of activities. Earlier, during the 2nd Plan, it was seen that women got displaced from organized sector when technique and skill became the chief criterion as a consequence of modernization in industrial scenario; now impetus was laid on the training of women in the instrumentation technology. The National Research Development Corporation set up training cum demonstration centres spread all over the country to provide knowledge and resources to the women entrepreneurs. Nearly 3000 women were trained in skills to get absorbed in modern industries under 'Employment and Income Generating Training' scheme.

For creating increasing awareness about the role of women in development and the need for improvement of their status, various units of mass media were used under Ministry of Information and Broadcasting which presented appealing programmes addressing social problems and issues related to them so that these could motivate people to fight against dowry, child marriage, alcohol addiction etc (Narasaiah, 2007:31).

5.4.7 SEVENTH PLAN (1985-1990) AND THE ANNUAL PLANS (1990-92): The 7th Plan was sought to generate confidence among women and to make themselves aware of their potentialities, their rights and privileges. The long term objectives of the Plan was to raise women's economic and social status with an integrated multidisciplinary approach to bring them into the mainstream of national development; addressing to issues like employment (income generation), education, health, nutrition, application of science and technology in various activities and so on. The Beneficiary Oriented Schemes (BOS) in various developmental sectors

were identified and promoted with extended direct benefits to women. Thrust was given on generation of both skilled and unskilled employment through proper education and vocational training continued. A National Commission on Self Employed Women and Women in Informal Sector submitted a report titled “*Shramshakti*” which discussed different problems, living conditions of the poor women in the unorganized sector. Their recommendations were also paid attention.

Employment and income generation: The number of women beneficiaries under IRDP was 34.83 lakhs during this Plan and special emphasis was laid upon women headed beneficiaries. 4.5 lakhs of women beneficiaries were trained under TRYSEM. DWCRA, which was launched during the 6th Plan covered 187 districts by 1990-91. Women’s share in the Dairy Cooperative Societies increased to 14 % out of 68.85 lakh members in 1989. Gujarat and Andhra Pradesh formed the Milk dairy Cooperatives for women. Women also got involved in the fisheries sector. They were trained in fish processing and preservation. They were even encouraged for Livestock Breeding Programmes. A National Training Institute for women was established at Noida. The Ministry of Labour took interest in opening women branches ITTs.

Education: Education was made free for the girls in all the states and union territories. The Directorate of Adult Education and Resource Centres planned and administered women’s education programmes and encouraged participation of womenfolk. About 65,000 centres were set up covering 16 lakh girls’ special cells by 1989. Talented girls were encouraged to attain higher education. To continue with the encouragement of education among the SC and ST girls, provisions for additional facilities were made under the ‘Development of Backward Classes’. The Sports Authority of India conducted National Sports Festival for women. Scholarships to talented women were also being distributed. Women Development Centres (WDCs) were established in 22 Universities and Colleges to bring into light the issues entailing women in the social milieu.

Health: Since the Plan targeted to reduce the maternal and infant mortality rates, emphasis was given upon the expansion of Maternity and Child Health Centres (MCH). Universal Immunization Programme (UIP) aimed to cover universally the pregnant women and infants was extended to all states. The Multipurpose Workers imparted knowledge regarding nutrition to expectant and lactating mothers through regular home visits along with the distribution of Iron

and Folic Acid tablets to bridge the calorie-vitamin and mineral deficiency gap as well as to combat anemia.

Women issues: With regard to violence against women including domestic violence, amendments of the existing laws were carried out. Grants were given to voluntary organizations to support and promote Women's development. 597 working women's hostels were constructed to provide safe accommodation at reasonable rents.

Programmes under the 7th Plan: Included the continuation of some schemes like IRDP and DWCRA; under CSWB, Socio-economic Programmes for needy women and Women Development Corporations (WDCs) prioritizing employment generation was also viewed; increased employment opportunities under Entrepreneurial Development Programme (EDP) and Industrial Estates were targeted; more employment of women along with their increased share (46% to 48%) was expected under the coverage of *Khadi* and Village Industries; the Council for Advancement of Peoples Action and Rural Technology (CAPART) was initiated in 1986 which aimed to reduce drudgery of women in household economic activities. The Rural Sanitation Programme was launched in 1986 to ensure privacy for women through the construction of sanitary latrines for individual household. The merger of National Rural Employment Programme (NREP) and Rural Landless Employment Guarantee Programme (RLEGP) was recommended in this Plan under the single head of *Jawahar Rozgar Yojana* (JRY), wherein 30% of beneficiaries were envisaged to be women. The *Nehru Rozgar Yojana* (NRY) was launched in October 1989 which was targeted to the BPL families and also envisioned to cover 30% women beneficiaries. Other measures included strengthening of Equal Remuneration Act and implementation of Factories Act (1948), the Plantation Labour Act (1951) and Mines Act (1952). Studies would be conducted to find out the factors that hinders women's employment. Provisions to extend credit facilities to women to encourage self employment and home based works by some special agencies were also thought of. Existence of special cells for proper monitoring was also considered as an effective medium to look after the performance and co-ordination of different schemes.

Inspite of all these, the contribution of women to the economy continues to remain grossly under-reported due to some conceptual, methodological and perception problems, reflecting gender bias and also of the fact that economic value is not assigned to unpaid household work

and various kinds of subsistence activities performed by them. Home based production activities and unpaid family work also tend to be grossly under-reported. Women were even not recognized as producers in their own right. They do not get their stipulated wages and stipulated minimum hours of work adhered to. The traditional economic activities suffered competition with the advent of technology. Moreover, at the social arena, the menace of dowry, domestic violence against women, infanticide, killing of unborn female foetus etc. continued unabated.

5.4.8 EIGHTH PLAN (1992-97): The Eighth Plan showed a shift from the developmental aspect to empowerment of women. The strategy was to ensure that the benefits of development from different sectors did not bypass women and special programmes were implemented to complement the general programmes (https://16_chapter6.pdf.sodhganga.inflibnet accessed on 26.10.15 at 4p.m.:295). Since 'Women' were at the focal point of development, the main aim was to extend the services to women both in terms of quantity and quality. The three tier system of Panchayat was also made involved in the implementation of the developmental programmes. The three key areas of Education, Health and Employment were addressed carefully throughout the Plan.

Programmes related to Health: The improvement in the health status of women was given high priority. The previous programme of maternal and child health services were re-casted as the Child Survival and Safe Motherhood (CSSM) Programme and were launched in 72 districts in 1992-93. This was further extended to 466 districts towards the end of the Plan. Under UIP, TT Vaccination among the pregnant women reached the coverage of 76.4% in 1996-97 (from 40% in 1985-86). About 1022 First Referral Units (RFUs) for emergency obstetric care were identified in 5 states (Assam, Bihar, Madhya Pradesh, Uttar Pradesh and Rajasthan). The National Nutrition Policy (NNP) adopted in 1993 aimed at reducing anemia amongst pregnant women. Through the ongoing ICDS programme, special knowledge regarding nutrition was disseminated among mothers/ women.

The National Social Assistance Programme gave thrust to woman specific needs. The National Maternity Benefit Scheme (NMBS) was launched in August 1995 whereby pregnant women were extended help of Rs. 300/- each for giving first two consecutive live births.

Programmes related to Education: 422 districts were covered under Total Literacy Campaign (TLC) by the end of March 1998, benefiting 68.57 lakh people of whom 41.4 lakh were women.

The Non Formal Education (NFE) Programme provided education to those who remained outside the formal schooling. This has benefitted 24.81 lakh girls by the end of 1995-96 and 29.80 lakh girls by March 1998. The Programme of Nutritional Support to Primary Education was launched in 1995 in 40 low female literacy blocks. It provided a special boost to enrolment, retention and attendance of girls besides upgrading their nutritional status.

Programmes related to Employment: *Mahila Samakhya*, a programme for women's equality and employment addressed issues like drinking water, health services, managing non-formal education, provision for pre-school centres/ crèche facilities etc. This was made available to 35 districts pertaining to 7 states (UP, Karnataka, Gujarat, Andhra Pradesh, Bihar, Madhya Pradesh and Assam).

To extend the support for the SC and ST girls and to continue with their education beyond the middle school level, the number and the seat capacity was increased during 1997-98. The main objective of the Eighth Plan was to achieve near full employment, thus accordingly, efforts were made to augment gainful employment for women in various sectors, like, agriculture, dairying, animal husbandry, Khadi and Village Industries, small scale industries, handlooms, handicrafts etc. (<http://planningcommission.nic.in/plans/planrel/fiveyr/8th/1pintro.htm> accessed on 21.04.16 at 12: 47 p.m).

Agricultural sector received maximum attention since 89.5% of rural women were engaged in the agricultural sector. So, special programmes like "Women in Agriculture" was launched in 1993 to train the women agricultural practitioners and this programme was further linked to programmes associated with animal husbandry, dairying (Operation Flood), horticulture, fisheries, aperies (bee keeping) etc. Women milk cooperative became leading in the states like Haryana, Punjab, Rajasthan and Karnataka.

The *Khadi* and Village Industries Commission (KVIC) took several measures to generate more employment opportunities for the womenfolk. A National Level Training Institute was established in Pune during the 8th Plan. *Prime Minister's Rozgar Yojana* (PMRY) and Entrepreneurship Development Programme (EDP) in small scale industrial sector were started to augment entrepreneurial skills and self employment among women. With regard to training and upgradation of skills for women, an expansion of 66 Women's ITIs and 102 Women's wings in

General ITIs sprung up in addition to 223 Women's ITIs and 235 Women wings in General/private ITIs by February 1998.

Urban areas also implemented certain programmes to alleviate poverty and improve the socio-economic condition of the poor women living there. The Urban Basic Services for the Poor (UBSP) and Prime Minister's Integrated Urban Poverty Eradication Programme (PMIUPGP) are worthy to mention. Empowerment through skill upgradation, provisions for assistance for setting up of micro-enterprises, wage employment through construction of public assets and shelter upgradation were focused. The PMIUPGP was replaced by *Swarna Jayanti Shahari Rojgar Yojana* (SJSRY) in December 1997.

Other programmes included *Indira Mahila Yojana* (IMY) initiated in August 1995 [to enhance education, awareness, income generation capacities and employment]; DWCRA, STEP, Training cum Employment cum Production Centres (TEPC) popularly known as NORAD, IRDP, TRYSEM, JRY, NRY etc. Support systems for women like the provision of Working Women's Hostels and Creche/ Day care units were also encouraged.

"*Rashtiya Mahila Kosh* (RMK), an innovative venture to facilitate credit support / micro-financing to poor and asset less women struggling in the informal sector, works through the medium of NGOs as its channelizing agencies for identification of borrowers, delivery of credit support and also recovery. While the lending rate of RMK both for short and medium-term loans is 8% per annum to NGOs, the ultimate borrowers or their Self Help Groups pay 12% per annum. Till the end of Eighth Plan in 1997 RMK has extended credit worth Rs.35.14 crores through 170 NGOs benefiting about 1.91 lakh women all over the country. In addition to this, RMK also supports its NGO partners, to form Women's Thrift and Credit Societies, which are popularly known as Self Help Groups (SHGs)".

(<http://planningcommission.nic.in/plans/planrel/fiveyr/8th/1pintro.htm> accessed on 21.04.16 at 12: 47 p.m).

During this Plan 1.36 lakh Women's Self Help Groups were formed benefiting 21.82 lakh women. The National Old Age Pension Scheme (NOAPS) was designed to help elderly women of 65 years or more of age with no regular means of subsistence whereby they would get Rs.75/- per month as pension amount. The National Family Benefit Scheme would give a financial assistance of Rs. 5000/- to Rs. 10,000/- to the women on the death of the prime bread earner of

the family. The launching of the *Mahila Samridhhi Yojana* (MSY) in 1993 was envisioned to empower women by institutionalizing their savings so as to enable them to have better control of household resources.

One of the achievements during the 8th Plan was the setting up of a statutory body named as the National Commission for Women (NCW) in 1992, to safeguard the rights and interests of women which reviewed both women-specific and women-related legislations, investigated into thousands of individual complaints and atrocities and initiated remedial action wherever possible. It also set up *Parivarik Mahila Lok Adalats* and extended speedy justice to approximately 7000 women. The other issues taken up by the Commission during the Plan period included welfare of women prisoners and under-trials in correction homes; women and children involved in the sex trade and trafficking; reservation for women in Parliament and State Legislatures etc.

Last but not the least, efforts were also put to generate awareness among the mass through mass Medias. With the view of projecting positive image of both women and girl child through an integrated media campaign, electronic media was used extensively involving telecast of a large number of Television shows, quickies, documentary films etc. Radio programmes with positive messages were also broadcasted regularly.

“The CSWB organized more than 6000 Awareness Generation Camps during 1992-96 to make 2.10 lakh rural women conscious of their rights and privileges, besides imparting knowledge about community health and hygiene, technology application, environment, etc” (<http://planningcommission.nic.in/plans/planrel/fiveyr/8th/1pintro.htm>).

5.4.9 NINTH PLAN (1997-2002): The 9th Plan made two significant changes in the conceptual strategy of planning for women. On the first hand, ‘Empowerment of women’ was treated as one of the important objectives of the 9th Plan, so that an environment would be created wherein she would remain free to exercise her rights both inside and outside of the premises of her household as equal partners along with their counterparts. Secondly, the 9th Plan attempted to merge the existing services catering to women related and women specific sectors. For this, it directed both the centre and the state to adopt a special strategy of ‘Women Component Plan’ (WCP) so that $\geq 30\%$ of fund-benefits would flow towards women. A monitoring section will also be there for vigilance so that a holistic approach is brought in with regard to women empowerment.

Apart from these, the 9th Plan took initiatives for empowerment of women. These are –

- i. Launching of ‘*Swa-Shakti*’ (1998) to create an enabling environment for women’s empowerment through setting up of self reliant SHGs and developing linkages with lending institutions to ensure women’s access to credit facilities for income generation activities.
- ii. ‘*Stree Shakti Puraskaras*’ (1999) started honouring 5 distinguished women each year annually for their outstanding contribution to the upliftment and empowerment of women.
- iii. A task force was set up in 2000 to review the existing women specific and women related legislations and suggested enactment of new legislations or amendments wherever necessary.
- iv. Gender Budgeting was introduced (2000-2001) to attain more effective targeting of public expenditure and to counter balance undesirable gender specific consequences of previous budgetary measures.
- v. A National Policy for Employment of Women was adopted in 2001 to remove the discrimination against women and to ensure gender justice.
- vi. Recasting of IMY as ‘*Swayamsidha*’ in 2001 took place as an integrated programme for women’s empowerment organized with the help of SHGs for pursuance of various entrepreneurial ventures.
- vii. ‘*Swadhar*’ (2001) was launched as rehabilitation services for women in difficult circumstances.
- viii. A Bill on domestic violence against women (prevention) was introduced in 2002 to eliminate all forms of domestic violence against women and girl child.
- ix. The year 2001 was declared and celebrated as ‘Women’s Empowerment Year’ for awareness generation and sensitization among women through Integrated Media Campaign covering electronic, print and film Medias.

Although efforts were made to upgrade the condition of women but the general picture still show some critical areas of concern demanding attention. These areas are increasing burden of poverty; unequal access to primary healthcare; under/ malnutrition; high rates of illiteracy and lack of training; lack of access and control on assets and resources; inequalities in sharing of

power and decision making; lack of access to media and information; increasing violence against women, adolescent girls and girl child; discrimination against girl child etc. so the next Plan was suggested to strengthen the issues related to women.

5.4.10 TENTH PLAN (2002-2007): The approach to women development trickled down in the 10th Plan as it was a continuation of the preceding plan. So, the vision of ‘Women Empowerment’ continued as the major strategy. Three arenas were identified which stemmed out from the goals of the National Policy for Empowerment of Women (2001). These are – Social Empowerment, Economic Empowerment and Gender Justice.

5.4.10.1 Social Empowerment will be ensured by creating an environment through various affirmative development policies and programmes for development of women besides providing them easy and equal access to all the basic services, so that they can realize their full potentials. In order to ascertain social empowerment several steps were taken up:

To meet the health needs of the target group (i.e. women, mothers, adolescent girls, girl child) and to provide the under-privileged segment with minimum basic healthcare facilities, the universalization of the Reproductive and Child Health (RCH) services was thrust upon. The aim of reducing the Infant Mortality Rate to 30/1000 live births and Maternal Mortality Rate to 100/ 100,000 live births was set forth. Healthcare and nutrition services were supplemented through the Pradhan Mantri Gramodaya Yojana (PMGY) to fill the critical gaps in the existing healthcare infrastructure and nutrition services. In order to tackle the micro and macro nutrient deficiencies, several nutrition supplementary feeding programmes with necessary support services like health check-ups, immunization, health and nutrition education and nutrition awareness were being held. The 10th Plan also aimed at equal and easy access to free education for girls and women at all levels and in the field of technical and vocational education, training in job oriented trades. In order to arrest the drop-out rates and to increase the retention rates, the Plan had sought for support services like provision for Mid-day Meals, hostels and incentives like books, uniforms, transport charges, so on and so forth. A major step for social empowerment was taken up in the form of extension of Women ITIs and Women’s Branch in Regional Vocational Training Centres and General ITIs with residential facilities at all district and sub-district levels. Mass Medias were encouraged to promote the positive image of women and girl-child and thereby change the mind-set of the people at large. Gender sensitization in every sphere

would be encouraged so that the rights and interests of women are taken better care of besides getting involved in planning, implementation and monitoring processes.

5.4.10.2 Economic Empowerment will ensure the provisions of training, employment and generate income with the development of forward and backward linkages so that women could become economically independent and develop a self reliant entity. Several poverty alleviation programmes were taken up through some women SHGs like - *Swarnajayanti Gram Swarozgar Yojana* (SGSY), *Swarna Jayanti Shahari Rozgar Yojana* (SJSRY), *Rashtriya Mahila Kosh* (RMK), STEP, Training cum Production Centres for Women (NORAD) etc. These not only generated income amongst womenfolk, but also enhanced their economic capabilities and strengthen them economically.

Since women adhere in large number (89.5% of female work force) in agricultural sector, they are doubly marginalized, first being a woman and second as landless labourers with no inheritance (for land and productive assets). The 10th Plan will ensure better working conditions with regard to equal wages, training, technical knowledge etc supporting the phenomena of 'Feminization of Agriculture'.

Women who have been displaced from the traditional sectors owing to the advancement of technology can take up jobs and become relocated and re-trained. The expansion of Khadi and Village Industries, Handicrafts, Handlooms, Sericulture, Small Scale Cottage Industries in favour of women received priority attention. Micro-financing institutions were encouraged to provide micro-crediting facilities for women.

Reservation of 30% of seats for women in public sector was proposed for proper representation along with required provisions and upward mobility.

5.4.10.3 Gender Justice becomes inevitable to restore the balance in the declining sex ratio. Most stringent measures of punishment under IPC (1860) and the Pre-Natal Diagnostic Technique (Regulation and Prevention of Misuse) Act, 1994 have been set to arrest female foeticide and female infanticide (for the illegal practitioners). The existing legislations were amended to improve women's access to productive assets and resources. To ensure gender justice and eliminate all gender discriminatory references, legislation was effectively enforced by amendment and enactment of new laws favouring women. For justified representation, one-third

seats of the Parliament and that of the State Legislative Assembly would be reserved for women to enable them to reach the decision making body.

In close collaboration with the Ministry of Labour, strategies have been worked out to provide equal opportunity with regard to the women. Initiative was taken to make women visible in the context of their contribution in the National Economy i.e. recognition of the value addition by women in the informal sector.

The Women Component Plan (WCP) was defined clearly and schemes and programmes under each department/ ministry would ensure the adoption of women related mechanisms through which funds or benefits would reach the women.

With consultation of the enforcement authorities, well planned programme of action had been prepared to arrest the increasing violence against women, adolescent girls and girl children. This would get the legislative support from the judiciary at the central and the state levels.

Provision for gender awareness and sensitization was there and generation of gender related data (such as GDI) would take place which would be monitored effectively to assess the progress made in improving the status of women. Initiative was taken for a societal re-orientation towards a Gender Just Society.

5.4.11 ELEVENTH PLAN (2007-2012): On the onset of the 11th Plan, it has remained in the notice that women and children continued to be the victims of violence, neglect and injustice. The 11th Plan committed that it would address these issues at the same time it would recognize women's agency and need for women's empowerment. It also promised to end multifaceted exclusion of women and discrimination against them so that they can develop their full potential and share the benefits of economic growth and prosperity.

The 11th Plan recognizes heterogeneity among women and children of our country, i.e. they belong to different caste, class, community and above all different economic groups; located within a separate geographical setting and development zones. Therefore, besides the general programmes, the 11th Plan would cater to the needs of the diverse categories of women and children. For the first time, in the 11th Plan women are recognized as equal citizens and also as the agents of economic and social growth (www.planningcommission.gov.in, 11th Plan, vol.2, chapter 6: 1; accessed on 21.04.16 at 1:00 p.m.). The 11th Plan envisioned that Women would no

longer be seen as victims but as agents of socio-economic growth and development for the country.

5.4.11.1 The approach of the 11th Plan towards women includes:

- i. Provide women with basic entitlements
- ii. Address the reality of globalization and its impact on women prioritizing economic empowerment.
- iii. Ensure an environment free from all forms of Violence Against Women (VAW) – physical, economic, social, psychological etc.
- iv. Ensure participation and adequate representation of women at the highest policy levels, particularly in Parliament and State Assemblies.
- v. Strengthen existing institutional mechanisms and create new ones for gender mainstreaming and effective policy implementation.

5.4.11.2 The five-fold agenda of the 11th Plan for Gender Equity are:

- a. Ensuring economic empowerment.
- b. Engineering social empowerment.
- c. Enabling political empowerment.
- d. Effective implementation of women-related legislature
- e. Creating institutional mechanisms for gender main-streaming and strengthening delivery mechanisms.

5.4.11.3 The Women Related Schemes of 11th Plan:

Schemes related to Economic Empowerment: *Swayamsidha II* is an integrated scheme for women's empowerment through SHGs promoting thrift and credit activities and participatory approach towards alleviation of poverty. Support to Training and Employment Programme (STEP) is a scheme aimed for skilled training for women which will be revamped and will get merged with the *Rashtriya Mahila Kosh* and *Swayamsidha* for credit linkages. A separate Women Empowerment and Livelihood Project assisted by the United Nation's International

Fund for Agricultural Development will be implemented in 4 districts of Uttar Pradesh and 2 districts of Bihar.

Schemes related to Social Empowerment: Various schemes will be implemented which focuses on to the social empowerment of women. The CSWB continued financing the NGOs for implementation of various women and child related schemes. Condensed courses were arranged for those who could not join the mainstream education system or had been compelled to become drop outs. The usage of Mass Medias favouring women also received encouragement.

With regard to the support services extended towards women, the Ministry of Women and Child Development provided a revised Working Women's Hostel Scheme to provide safe and affordable accommodation to the working women. Along with this, the functionaries of homes designed for destitute women and women in difficult situation will continue with modification. The Short Stay Home (SSH) Scheme addressed to the basic necessities to women and girls in need (like victims of marital conflict, crime, homeless etc.) counseling, legal aid, medical facilities, vocational training and rehabilitation. The Supreme Court had directed the National Commission of Women (NCW) to ensure rehabilitation to rape victims. Accordingly, a scheme named 'Scheme for Relief and Rehabilitation of Victims of Sexual Assault' was formulated.

Schemes related to Health: The Ministry of Women and Child Development put forward a programme having the provision of maternity benefits known as Conditional Maternity benefit Scheme (CMBS) or Indira Gandhi Matritva Sahyog Yojana (IGMSY). The idea was to provide cash benefits to a pregnant woman before and after delivery to ensure avoidance from physically stressful activities, meet medical and nutrition supplementation expenses during the last trimester and spend time with the child after birth. The benefits under the scheme will be conditional to the mother being registered to the Anganwadi services (ICDS infrastructure was used to achieve success for this programme).

Schemes Providing Legal Support: The 11th Plan also allocated funds to sensitize law enforcement agencies, medical establishments etc. It will ensure immediate online filing of FIR and recording of victim's statement by female police officers. The Plan supports setting up of more forensic laboratories and DNA testing centres, ensuring safety to rape victims to testify in courts and appoint a specially designated judge in the District Court to deal with rape cases.

5.4.12 TWELFTH PLAN (2012-2017): The 12th Plan recognizes the primacy of India's Women and Children since they represent about 70% of the country's population. The plan also commits that high priority would be given to them especially to those belonging to the weaker socio-economic strata and deprived socio-religious communities like SCs, STs, OBCs, religious minorities, migrants, vulnerable tribal communities, those living in inaccessible areas, insecure environments, those are single and the urban poor.

The 12th Plan also addresses to multifaceted deprivation related to women and children having their manifestation in the declining sex ratio among children below 6 years of age and gender based violence. So, the plan will endeavour to provide nurturing, protective and safe environment for women to facilitate their entry into public spaces.

5.4.12.1 The Strategies: Provisions for economic empowerment, social and physical infrastructure, enabling legislations, women's participation in governance, inclusiveness of all categories of vulnerable women and engendering national policies/ programmes.

5.4.12.1.a Economic Empowerment: Proper implementation of the Equal Remuneration Act and the Maternity Benefits Act would be taken care of. In order to have increased proportion of female employment, imperative that Protection of Women from Sexual Harassment at Work Place Bill into law.

This Plan also realizes that one of the lacuna regarding female work participation, particularly in secondary and tertiary sectors, lies in the lack of skill and usage of technology. Therefore, the promotion of skill development of women from the traditional to the emerging skills will break the ice of gender stereotypes and women would enter better employment and space in the market economy with jobs like BPO employees, electronic technicians, electricians, plumbers, sales persons, auto drivers, taxi drivers, masons and so on.

The 12th Plan also provides an essential component supporting women home-based workers, self employed workers and small producers so that they could get support for their enterprises covering technology and skill training, entrepreneurship training, market information, access to institutionalized credit, power and other infrastructure related facilities. This Plan also prioritizes the role of SHGs so that they can serve the poor women's interest in a proper manner. It also brings provision of reduced interest rate of 7% in case of repayment of loans for the beneficiaries under the National Rural Livelihood Mission (NRLM). Apart from this, the plan also favours

special dispensation for single women particularly related to the modification of the Medical Insurance Policies recognizing their needs. Issuance of *Kisan* Credit Cards to women farmers with joint *pattas* as collateral would be encouraged. This Plan has identified the necessity of awareness building regarding the emergence of the new trend of ‘Feminization of Agriculture’ (initiated during the 10th Plan). It has prescribed for sensitization of policy makers, so that gender stereotype of farming being a sole male activity is adequately challenged. Furthermore, it emphasizes that, women must be included in land and water management, *Pani Panchayats*, preservation of soil fertility and nutrition management, sustainable use of soil, water, livestock and fishery resources and creating village level community seed banks etc. In order to increase women’s access, a quota will be incorporated by modifying the guidelines of agriculture related schemes. Agricultural technology will also include women friendly methods to reduce the drudgery and lead to better health and productivity. Special Resource Centres would be provided to women for development of new skills, techniques, access to information related to schemes, subsidies, training in crop planning, use and repair of low cost irrigation methods and so on. The Plan will also cater to the women’s access to ‘land’ which is an essential component of empowerment. In this connection, mention may be made of the Hindu Succession Amendment Act (HSAA), 2005 that attempts to bring all agricultural land on par with other property. This makes Hindu women’s land inheritance rights legally equal to men’s across states, overriding any inconsistent State laws.

Other than agriculture, women involved in manufacturing sector also received promotion in this plan. Important traditional industries like leather, handlooms, handicrafts and sericulture would be activated to identify the market potential and existing skills. Technological support and analysis of industrial climate would be extended to them for the prosperity of the ventures.

Women in unorganized sector can get assistance in the form of labour protection so that issues of leave, wages, work conditions, pension, housing, child care, health benefits, maternity benefits, safety and occupational health, sexual harassment etc. could be addressed.

5.4.12.1.b Social and Physical Infrastructure: Four indicators like health, education, sanitation and transportation are earmarked for strengthening social and physical infrastructure of the country. The persistence of gender difference with these regards calls for the women’s need to be taken into account.

On the first hand, some serious problems that should be properly dealt with regarding Health, such as, the sex ratio and the decline in the child sex ratio; occurrence of anemia, morbidity, access to care and treatment etc. The Plan recognizes categorization of vulnerable women on socio-religious basis and seeks to address issues of women's survival and health through a life-cycle approach. The NRHM targets to lower down high female IMR and declining child sex ratio. NRHM would also go for an impact assessment of *Janani Suraksha Yojana, Jansankhya Sthirata Kosh etc.* The NRHM would also be integrated with IGMSY, National Food Security Bill (NFSB) and other programmes related to expectant and lactating mothers and those which are formulated to reduce MMR.

The Sarva Siksha Abhiyan (SSA) aims at increasing the number of women teachers especially in rural schools and inaccessible areas. Provisions for improved work conditions including transport facilities and housing would be there. Special system of child tracking would be adopted to reduce drop-outs at school. Provision of hostels and inclusion of vocational training within the curriculum would help to attain more coverage and success.

Lack of sanitation, toilets especially in the rural areas is a major weakness of our country and women are once again affected adversely. The 'Total Sanitation Campaign' has been designed to address issues like reduction in women's work load, security provisions, improvement of hygiene and reproductive health of women, decrease of school dropout rates among girls etc. The Plan will also ensure the provision of toilets in all schools and Anganwadi centres and will involve women's participation regarding the location of sanitation facilities.

Women specific transport needs like transportation of primary products, inter and intra village roads, non-motorized paths, bicycle lanes, pedestrian side walk, passenger safety etc. deserve special mention. While implementing new plans and programmes, women's needs should be taken care of properly. Improvisation of designs suitable for women's needs especially related to lowering of height of entry steps, length of steps in buses and trains, installation of hand railings and ramps, safety measures etc. wherever required should be done. Provision of night shelters and toilets for women at bus terminus would also be there.

Women are the primary stakeholders in energy and natural resource management, especially for domestic use. Women's groups would be encouraged to undertake the smaller power production units and energy-based enterprises. They would also be provided with trainings to develop their

expertise in renewable energy sector, repairing of solar lanterns, improved cooking stoves, pump sets etc. so as to develop a large pool of trained female technocrats/ energy entrepreneurs.

Urban planning and livelihood goes often unnoticed especially by the planners and get eroded by the urban renewal schemes. Urban women also face threats to their livelihood on a regular basis. So, allocation of urban land/ space and other resources will be made for livelihoods of the poor. Special mention in this regard involves- safe shelter homes, women friendly public toilets, public crèche facilities and so on.

Climate change has gender-wise differential repercussions as well. as it affects the energy, water, food security, agriculture and fisheries, biodiversity and ecosystem services, health, industry, human settlements, disaster management and security. The 12th Plan will ensure a gender assessment of the plans including gender specific objectives, indicators, monitoring and evaluating dimensions, capacity building etc. keeping pace with the changing and adapting strategies: eg. Disaster Risk Reduction (DRR) planning and implementation at local, regional, national level; Nation Adaptation Program of Actions (NAPAs).

The 12th Plan is committed for engendering the different channels of the media including local media like street plays, community radio etc. The Information and Broadcasting Ministry will encourage gender messaging which would cover substantial engagement to the programme executives, writers, editors with critical gender issues.

5.4.12.1.c Enabling Legislations: The Pre-Conception and Pre-Natal Diagnostic Technique Act (PC-PNDT) must be reviewed and make the sex selection practices punishable. State interventions are required for this. The Maternity Benefit Act (1961) would be reviewed to increase the length of leave period which women of varied occupations (even in factories, mines, shops etc.) can utilize with paid absence at their convenience.

The implementation and monitoring of Equal Remuneration Act (1976) will be strictly enforced. The 12th Plan also recommends the proper implementation of Protection of Women from Domestic Violence Act (PWDVA) and Dowry Prohibition Act (DPA) with State's involvement with the creation of posts like Protection Officers, Prohibition Officers, Family Counseling Centres etc. Besides these, new initiatives like 'One Stop Crisis Centres' for providing shelter, police desk, legal, medical and counseling services and Women's Helpline will be initiated.

The responsibility of the corporate sectors cannot be denied in this regard. They will be encouraged to take up projects providing assistance to women in situations like domestic violence and for rehabilitation of victims of trafficking.

5.4.12.1.d Women's Participation In Governance: Women's empowerment could be ensured in a most effective manner if they could be absorbed in governance. In the Panchayats, the Elected Women Representatives (EWRs) must be able enough to initiate better governance and social change. They should be able to deliver the programmes and schemes like ICDS, NRHM, SSA, MNREGS etc. and monitor the functioning of grass root workers like Anganwadi Workers (AWW), Accredited Social Health Activities (ASHA), Primary School Teachers and so on. Integration of their activities is essentially required so as to formulate plans, address issues, lead campaigns etc.

The Panchayats must keep an eye on death, birth, marriage registrations and migration so that trafficking and illegal child marriages are restricted and EWRs could guide the victim girls to lead violence free life and achieve universal education.

The Ministry of Women and Child Development (MoWCD) and the Ministry of Panchayati Raj in collaboration with other ministries must promote and groom women in pre-election trainings, building up of capacity and gender budgeting and gender audit in rural and urban local bodies.

The Gender Resource Centres (GRC) of MoWCD has been envisaged to bring social, economic and legal empowerment particularly to the under-privileged women by their courses of action.

Urban local bodies also need to give importance to a gender focal point in each body; citizen report cards focusing on the needs and necessities of urban women dwellers so that this helps in capacity building, planning, budgeting and mobilization of resources.

5.4.12.1.e Inclusiveness of All Categories of Vulnerable Women: The 12th Plan pays attention to the needs of vulnerable women including the SCs, STs, OBCs and minorities. The Plan seeks for better implementation of Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989 in the form of special programmes and interventions that should be drawn up for them particularly in the fields of education and health. The Plan also strives for the betterment of the STs by promotion of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006; so that they could go for adequate land development facilities and credit

facilities. A special category known as the PVTGs (Particular Vulnerable Tribal Groups) has been identified.

Muslim girls would be given additional support for education and transportation facilities which can improve their enrolment and attendance. This would complement the SSA. Along with the SCs and STs, the Muslim girls would also get included as vulnerable groups. NRHM should be improved so that health and sanitation facilities could be extended to them. Women artisans who desire occupational diversification would be provided alternative training.

Differently abled women must be taken care of in this Plan. Schools, especially girls' schools would be having infrastructure so that sensitization and training of school teachers and AWWs in vocational training and assured employment could be ensured.

Special attention is required for single women, particularly widows. Provisions for rehabilitation, compensation, legal aids, economic packages like pension schemes etc. would be there. Separate quota under Indira Awas Yojana and Rajiv Awas Yojana for single woman would be extended under MGREGA. Elderly women would be addressed with regard to issues of health, nutrition and pension concerns.

Women affected with HIV/ AIDS specially who have been deserted by husbands and families have no access to resources or economic support. Caregivers of People Living with HIV (PLHIV) and AIDS will be trained in all respects of the disease.

To protect women migrant workers (domestic) from exploitation by placement agencies, a system of registration, monitoring, placement accountability may be introduced. Migrant Resource Centres/ Assistance Centres will be set up in major destination areas to provide counseling and training to ensure better integration in urban labour markets.

Women have a different experience in the disturbed areas as they remain exposed to continuous army presence, suspended civil rights and lack of normal access to facilities/ services due to continuous violence. So this Plan prioritizes those women and girl child so that they can attend schools, have free legal aids, health care measures etc. by proper implementation of Armed Forces Special Power Act (AFSPA). Gender sensitization, counseling for women, access to justice etc. would be provided by Gender Resource Centres by the State venture (a greater coverage by NRLM & MGNREGA).

The 12th Plan also commits that efforts will be there to prevent trafficking of women and children for sexual exploitation and rehabilitation of the trafficked victims including the prostitutes (those wanting to leave the exploitative situation). Steps would be taken to break the second generation prostitution and brothel related livelihood so that they could be mainstreamed with proper education (through SSA) and proper living.

To reduce and eliminate the inside-prison problems bothering women and children (like overcrowding, prolonged detention of under-trial individuals, poor living conditions, physical, mental and sexual abuse etc.). the All India Committee on Jail Reforms (1980-83), the Supreme Court of India and the Committee of Empowerment of Women (2001-2002) have all highlighted the need for a comprehensive revision of prison law.

The Plan also proposes empowerment of transgender community by advocating for their education, housing, healthcare, skill development, employment opportunity and fiscal assistance. The ministry of Social Justice Empowerment with the Ministry of State and Programme Implementation will determine the number of transgender persons in India, their interests would be protected thereupon.

5.4.12.1.f Engendering National Policies/ Programmes: The Govt. of India is implementing a number of Programmes for improving access to employment, education, health, infrastructure development, urban development etc. These programmes often highlight women, often become gender neutral or often pose constraints to the livelihood of women. These constraints must be identified and addressed. Some programmes benefitting women and children under the Ministry of Women and Child Development and the Ministry of Statistics and Programme Implementation are:

Bharat Nirman Programme which aims at training of women and their participation. Pradhan Mantri Gram Sadak Yojana (PMGSY) and MGNREGA with NRLM aim at women empowerment. Mahatma Gandhi National Rural Employment Guarantee Scheme – will include PC-PNDT Act & PWDVA, promote women SHGs and will collaborate with ICDS. National Rural Health Mission looks into the interest of women belonging to vulnerable communities, affected by HIV/AIDS; this would integrate with IGMSY and NFSB. Integrated Childhood Development Scheme (ICDS) will collaborate with AWWs and ASHAs relating to nutrition, counseling, child rights, gender discrimination etc. *Sarva Siksha Abhiyan (SSA)*, *Kasturba*

Gandhi Balika Vidyalaya and the Right of Children to Free and Compulsory Education Act- are aimed to secondary level girls' school with proper infrastructure, teachers, standardization of learning levels, proper address of sexual stereotyping, changing attitudes and perceptions, providing secured environment for girls of minority communities etc. *Indira Awas Yojana / Rajiv Awas Yojana* aims to provide housing for vulnerable women, single women and female headed households. National Rural Drinking Water Programme and Total Sanitation Campaign relates to the women taking active participation in determining location and usage of sanitation facilities. *Rajiv Gandhi Grameen Vidyutikaran Yojana* (RGGVY) looks into women's access to drinking water, electrification of households facilitating studies of children. Jawaharlal Nehru National Urban Renewal Mission (JNNURM) is a component of city planning aiming at creation of infrastructure (like market places for women hawkers etc.) where women councilors are involved in decision making.

The process of Gender Budgeting will be strengthened further in this Plan and its reach would be extended to all Ministries, Departments and State Governments.

5.4.12.2 The Schemes of the 12th Plan: To promote socio-economic development, a continuation of the programmes like STEP, *Priyadarshini* (helping livelihood and working women hostels), *Ujjwala* (prevention of trafficking, rescue and rehabilitation of victims), *Swadhar* (short stay homes and stay homes for women) have been recommended.

Besides this, with the specific objective of ensuring convergence and better co-ordination among the schemes/programmes under different Ministries/Departments, the National Mission for Empowerment of Women (NMEW) has been initiated. The NMEW aims at generation of awareness building strategies to question the prevalent patriarchal beliefs; establishment of a convergence mechanism at multiple levels, creation of Gender Resource Centres; formation of women SHGs and improvement of their capacity to access the benefits of Government schemes, programmes, laws, policies developing empowerment indicators relating to the survival, visibility, freedom and equality of women. It would also make vulnerability mapping of women having difference in caste, age, abilities, ethnicity, marital status, education, income, minority status, religion, region etc.

Autonomous bodies like CSWB, RMK, NCW etc would function with their respective priorities.

5.5 CONCLUSION: An overview of the provisions favouring women in the Constitution, Legal frame work along with the Government initiatives taken up so far shows that indeed there remain discrepancies among men and women on various grounds especially having a patriarchal social set up. Realizing this, the policy makers from the very first occasion have tried to make special provision for women and children as well.

The first two plans had welfare approach towards women but had considered them as disadvantaged group and accordingly, developmental programmes were taken up. Third Plan onwards, this approach shifted to ‘development’ of women and children. The Sixth Plan may be earmarked for the fact that for the first time, it had included a chapter on ‘Women’s Development’. The Seventh Plan came up with a multidisciplinary approach revolving round enhancement of women’s status covering various aspects. From the Eighth Plan to Eleventh Plan, again a shift of approach have been noticed; from Development of Women to Empowerment of Women. The State was noticed to have accepted women as active agents, participating in and guiding their own development. But sometimes the efforts have remained piecemeal compartmentalizing and marginalizing the issues.

In order to have a more comprehensive approach, the 12th Plan aimed at the “fulfillment of Women’s Rights as inalienable condition to achieve a rapid, sustainable economic growth, reducing gender based inequities, discrimination and violence against them” (www.planningcommission.nic.in, 12th Plan, Vol.3, Chapter 23, p.214).

Thus, it goes without saying, that economic prosperity devoid of social development perspective is meaningless and unfeasible.

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