

## II - RIGHTS AND PRIVILEGES OF WOMEN IN INDIA

### 1. CONSTITUTIONAL PROVISIONS

The Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favour of women for neutralizing the cumulative socio-economic, education and political disadvantages faced by them. Fundamental Rights, among others, ensure equality before the law, equal protection of law, prohibits discrimination against any citizen on grounds of religion, race, caste, sex or place of birth, and guarantee equality of opportunity to all citizens in matters relating to employment. Articles 14, 15, 15(3), 16, 39(a), 39(b), 39(c) and 42 of the constitution are of specific importance in this regard.

#### **Constitutional Privileges.**

- (i) Equality before law for **women (Article 14)**
- (ii) The State not to discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them (**Article 15(i)**)
- (iii) The State to make any special provision in favour of **women** and children (**Article 15 (3)**)
- (iv) Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state (**Article 16**)
- (v) The state to direct its policy towards securing for men and women equally the right to an adequate means of livelihood ( Article 39 (a); and equal pay for equal work for both men and women (**Article 39 (d)**)
- (vi) To promote justice, on a basis of equal opportunity and to provide free legal aid by suitable legislation or scheme or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities (**Article 39 A**)
- (vii) The state to make provision for securing just and humane conditions of work and for maternity relief (**Article 42** )
- (viii) The state to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitations (**Article 46**)
- (ix) The state to raise the level of nutrition and the standard of living of its people and the improvement of public health (**Article 47**)

- (x) To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of **women (Article 51 (A) (e))**
- (xi) Not less than one-third (including the number of seats reserved for **women** belonging to the Scheduled Caste and the Scheduled Tribes ) of the total number of seats to be filled by direct election in every **Panchayat** to be reserved for **women** and such seats to be allotted by rotation to different constituencies in a Panchayat (Article 243 D (3))
- (xii) Not less than one-third of the total number of offices of Chairpersons in the **Panchayats** at each level to be reserved for **women (Article 243 D (4))**
- (xiii) Not less than one-third (including the number of seats reserved for **women** belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every **Municipality** to be reserved for **women** and such seats to be allotted by rotation to different constituencies in a **Municipality (Article 243 T(3) )**
- (xiv) Reservation offices of Chairpersons in **Municipalities** for the Scheduled Castes, the Scheduled Tribes and **women** in such manner as the legislature of a state may by law provide (**Article 243 T (4)**)