

THE ATROCITIES ON WOMEN AND THE LEGISLATIONS IN INDIA

***Dr. A.R. Jagatap**

**** Prof. I.R. Kajagar**

Male violence against women is a worldwide phenomenon. Although not every woman has experienced it, and many expect not to, fear of violence is an important factor in the lives of most women. It determines what they do, when they do it, where they do it, and with whom. Fear of violence is a cause of women's lack of participation in activities beyond the home, as well as inside it. Within the home, women and girls may be subjected to physical and sexual abuse as punishment or as culturally justified assaults. These acts shape their attitude to life, and their expectations of themselves.¹

There are various forms of crime against women. Sometimes, it begins even before their birth, sometimes in the adulthood and other phases of life. In the Indian society, the position of women is always perceived in relation to the man, from birth onwards and at every stage of life, she is dependent on him. This perception has given birth to various social customs and practices. One important manifestation of these customs and practices has been that of Sati. It is seen as a pinnacle of achievement for a woman. This custom of self-immolation of the widow on her husband's pyre was an age-old practice in some parts of the counter, which received deification. The popular belief ran that the goddess enters into the body of the woman who resolves to become a sati. The practice of sati has been abolished by law with the initiative of Raja Ram Mohan Roy in the early decades of nineteenth century. However, there has been a significant revival of the practice of sati in the last few decades. Indeed, Rajasthan has been the focal point for this practice in recent years.²

Violence against women both inside and outside of their home has been a crucial issue in the contemporary Indian society. Women in India constitute near about half of its population and most of them are grinding under the socio-cultural and religious structures.

***Associate Professor, Dept. of Political Science, Govt. First Grade College, Dharwad. 580008**

Mobile No: 9481209624

**** Asst. Professor, Dept. of Pol- Science, Mahasatee Arts, Com & Science College, Ulga-Karwar-581328. Mob: 9480474454.**

One gender has been controlling the space of the India's social economic, political and religious fabric since time immemorial. Historically speaking, patriarchy was not only fundamental for spatial and gendered organization within the private family sphere but also for demarcating movement and participation in the public domain. The term 'feminine space' describes a space that interacts positively with the female sex. When they get more space in all fields usually they draw more power to lead their life comfortably.

Another danger in India is that, Indian law does not differentiate between major and minor rape. In every ten-rape case, six are of minor girls. In every seven minutes a crime is committed against women in India. Every 26 minutes a woman is molested. Every 34 minutes a rape takes place. Every 42 minutes a sexual harassment incident occurs. Every 43 minutes a woman is kidnapped. And every 93 minutes a woman is burnt to death over dowry. One-quarter of the reported rapes involve girls under the age of 16 but the vast majority are never reported. Although the penalty is severe, convictions are rare.³

This research paper is aimed to review and study the position of women in which she has been facing insults and mistreatment, now it has been very challenging task to the women and disables. How masculine and feminine struggle is getting their space in public and private life is the big question to the present world. And on what way the present laws provide safety and security to the Indian women against atrocities on them. Wide cultural, political and religious gender inequalities caused for women rights violation and backwardness.

The world government UNO defines the term "Violation against Women" is "*Any act of gender-based violence that results in or is likely to result in physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life*". Situation of violence against women in India are, Gender discrimination, including physical, sexual, emotional and economic violence, unequal resource distribution and unequal decision-making power (in both private and public spaces)

Even after 68 years of independence majority of Indian women are not comfort with their rights and liberties, such as security of life, social respect and safety in working places. The condition of rural women is still very worst and critical, majority of families are depending on agriculture related activities. India is the country where 73 per cent of total population lives in villages. Here we can raise some questions with regard to women atrocities. In what way girl children are nurturing by village family at

present social system? Can they expect social security, equality, justice and more public space from administration? Why more atrocities against women are taking place in recent days? These questions are based mainly on practical implication of socio-cultural life. Hence, it is desirable to study the situation they face now and then met with atrocities.

OBJECTIVES:

Here some objectives have been framed to study this research paper.

1. To study the level of awareness among women about constitutional laws.
2. To assess and examine the impact of socio economic impact on community.
3. To study the capacity of women in public space and decision taking.
4. To study the attitudes of the rural communities towards gender laws.
5. To study the living style of women in traditional and modern standard.

HYPOTHESES:

Some hypotheses have been employed to conduct research analysis over the women atrocities and legal organization.

1. The women's awareness is closely linked with social security.
2. The degeneration of human values leads to atrocity and death.
3. More space in all field change the life style of women.
4. No participation of the women in governance leads to bad governance.
5. More participation in public life brings high life standard to the women.

SCOPE OF THE STUDY:

This research study is aimed at bridging the huge gap between the public administration human rights institutions and the officials especially related to executive body, it may give good scope to the subject to examine and study the impact of traditions, judicial judgements, culture, fundamental rights, freedoms and atrocities on women. The rules and regulations which are existing and directions of institutions are the main theme of this study. Modernization, cultural, lack of space in all fields for women has caused the severe impact on women rights violation. This research study is confined to the accessibility and accountability of government machinery towards women violations and suggestions to stop women rights violations.

The conditions of women in India have not been changed even after 68 years of independence. The disparities viz., caste discrimination, especially women from specific castes, communal violence against women and recently neo-economic policies impacting women's life in diverting ways (specific kinds of jobs for women, market impacting men leading to increasing violence against women). Many a time it is observed that for silly reasons women facing atrocities, need of money for husband, sadistic pleasure taking, weak mind, weak family condition, Dowry death and many time violence against widows are the day today sceneries in Indian society. Naturally violence against women is seen in three forms. They are 1) Criminal Violence 2) Domestic Violence and 3) Social Violence.

Causes for violation:

The special study identifies some reasons for violations, they are the variables on which these backward districts have been identified are: Rate of illiteracy, Percentage of SC/ST population, Rate of infant mortality, etc. India still not included 100% food security, right to education, right to health, conditions in places of custody, HIV AIDS and right to development.

Thematic areas specific to India include, UN Secretary General, Ban Ki-Moon expressed his views on, 8 March 2007, "*Violence against women and girls continues unabated in every continent, country and culture. It takes a devastating toll on women's lives, on their families, and on society as a whole. Most societies prohibit such violence — yet the reality is that too often, it is covered up or tacitly condoned*".

National Human Rights Commission of India:

The NHRC was set upon 12th October 1993. Its statute is contained in the Protection of Human Rights Act, 1993 as amended 2006. It is in conformity with the 'Paris Principles'. The NHRC is an embodiment of India's concern for the protection and promotion of human rights. The NHRC in India is mandated to "spread human rights literacy among various sections of society and promote awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means" [Section 12(h)]. Encourage the efforts of non-governmental organization and institutions working in the field of human rights [Section 12(i)]. Similar duty has been assigned to the State Human Rights Commissions in the respective States (Section 29).

With the inducement of the Human Rights Commissions, today more than 40 universities in the country have introduced certificate courses such as, Diploma, under-graduate and post-graduate courses in

'Human Rights'. During 2010-2011, it is observed that the universities in India have organized 65 training programmes in collaboration with 12 SHRCs, 27 Universities/Colleges, 3 ATIs, 3 PTIs, 18 NGOs/civil society organizations and 2 programmes at the national level. Unfortunately the whole system has been failed in controlling violence and atrocity on women.

Women Life Style:

Indian woman has to play multi role in the family; they are agricultural activities, domestic activities, and allied activities like cattle management, fodder collection, milking etc. But still she is not living under the protective umbrella. One way or another side she had leading struggle some life in the modern society. Some issues are main causes for her violation they are, illiteracy, less wages, not knowing the legal rights and absence from decision making etc. Impact of Globalization is also one of the reason for women violation, they are to be focused as increased gender discrimination, exploitation in employment, no proper securities in work place, bear double work load (Domestic and Office), facing problem to continue her family traditions and her life style naturally impact on her children.

Promotion of Human Rights Education for Police and Security Forces:

NHRC in India is giving top priority for training of police personnel and the respective security forces to safeguard the human rights. So that they will learn how to respect those rights and remain mindful of them in difficult and provocative situations. The Chairperson, members and senior officers of NHRC usually visit police training institutions by imparting training to security forces across the country. The NHRC in collaboration with DGPs has evolved a three-tier module for constables, sub-inspectors/inspectors, DSPs and other senior officers. The same has been circulated to all the states for implementation.

Linkage with the Media to Safeguard Human Rights

- Preparation of radio and TV spots on human rights concerns.
- Regular 'talks' on different human rights issues by the Chairperson, Members and senior officers of NHRC on television and radio.

- Programmes on human rights education are telecast through the television and radio. Developed a guidebook for the media on sexual violence against children.
- State Duty: Are about the relationship between the state and individuals
- Provide a floor, not a ceiling, of basic standards, below which the state must not fall and which it must protect or fulfil

According to the Parliamentarian Group on MDGs (Millennium Development Goals) in India: The report says that,

- 1/3rd of total population lives below the poverty line; 1/4th of the world's poor
- 1 in every 10 children will not reach the age of 5
- Largest number of maternal deaths in the world
- Lowest public health budgets (by GDP percentage) in the world
- Sex ratio of 927 girls:1000 boys
- Bottom 10 on international list of women's economic participation and Lowest number of women parliamentarians

Protection of Women against Domestic Violence Act (PWDVA) 2005

It highlights Rights-based (civil) law, Advocates the right to live with dignity, First law in India to define DV in a comprehensive way, Legal right to live a life free of violence, Government accountable to stop DV, Emergency orders to stop DV (right to residence, protection orders). In the year 1983 Criminal Law Amendment Act Was passed And Dowry prohibition Act Was passed in the year 1961. Likewise many legislations have been passed in our Parliament but still they are not executed effectively. Some key principles are to be performed to protect women from violence mainly they are: Fairness, Respect, Equality, Dignity, in a democratic society. Human Rights charter has to protect the individuals who are natural persons, not corporations and it is primary duty of the three branches of government.

CONCLUSION:

Protecting women from atrocity is a challenging task for one agency or institution. The collective action only solves this problem gradually because of the cultural mindset of women, which changes easily. At present we see the condition that “Superiority” of men against “inferiority” of women (both within private spaces like the family, and public spaces like the workplace). Still we find “Public” domestic violence (honour-killings, community courts). Increase in women’s participation at all levels: social, economic and political. Giving awareness to the women about their rights by the state government, NGO’s, and the public at large can find a solution to this problem. Gender budgeting and gender mainstreaming within State agencies and civil society organizations may help in solving this issue.

NGO’s can also use the Human Charter in a systematic way for addressing human rights problems in India by the way of looking into the matters on discriminations. By promoting public participation and HR sensitive decision-making on challenging brutality matters, taking positive steps to protect human rights, using human rights principles where resources are an issue. Using human rights to challenge blanket policies, Use of human rights arguments while having a central voice in policy debates, Prioritising human rights in our work, raising awareness and capacity would help to solve human rights issues.

Role of Men in Stopping Discrimination Against Women:

At a personal level, increased involvement of men in parenting, Increasing number of organizations of men against violence, Community-level initiatives to prevent violence: the JAGORI example, Gender sensitization workshops with men and joint campaigns against violence against women, Police initiatives to introduce a more rights-based approach to women’s issues (gender training of their personnel and the “*Parivartan*” programme of the Delhi Police), More Government schemes for the girl child, Institutionalizing safety of women and girls, Changing policy into law – initial stages: sexual harassment at the workplace guidelines and child sexual abuse draft bill Creating safe environment facility can only enable the women to inhabit the public sphere and ensuring their right is need of the hour. The traditional gender norms should be tackled skillfully to protect women from violence. The women’s question today is no longer an issue confined to the position of women within the family, but also their right to equality with men in different aspects of social life. It is a broader question regarding sociopolitical and economic development. In spite of various protective measures provided by the

constitution, women in India have not been emancipated from the age old tradition and customs and therefore, still they are unable to play any significant role in overall development.

Suggestions:

1. State can introduce legislative measures with the help of the findings of the social researchers towards initiatives and protective measures for women in all fields.
2. NGO's which are working on human rights must actively involved in women organization and support to their fight against injustice. Inducement should be given for their empowerment. All socio-religious groups should be bridge together to generate collective strength, which will help to achieve social integration.
3. Discrimination shall be eliminated through providing equal opportunity in public space.
4. More occupational choices should be provided to empower the women
5. Women must be aware regarding their existing rights, access to judicial relief, and redress, removing discrimination through legal reforms and providing legal aid, assistance and counseling.
6. Introducing proper national policy and administrative measures.
7. Establishment of special courts for victims.
8. Providing employment opportunity and financial help for victims.
9. More funds for NGO's which are looking for the protection of rights of women's at rural level.
10. Changing mindset of parents, through moral and social support.

India's success in putting largest number of women in local self government is the highest record in the world, the progress in school enrolment and access to water, National Rural Employment Guarantee Act implementation to alleviate extreme poverty are the good policies towards women empowerment and steps forwarded to stop atrocities on women in India.

REFERENCES

1. Sociology Guide
2. Ibid.
3. Ibid.
4. The Indian Journal of Political Science, Vol.No.LXXV, No.2 April-June, 2014.
5. Antony, M.J., Women's Rights, Clorion Books, Robo Printers, Delhi-1989.
6. Gore, M.S., Education for women's equality, Centre of Women's Development Studies, New Delhi-1988.
7. Rameshwari Pandya, "Women and law" Madhav Books Gurgaon-2009.
8. Mittal, L.N. "Women's Studies in Curriculum Development" University News April 20, 1992.
9. www.Indianwomen.com