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# LAWS FOR PROTECTION OF RIGHTS OF WOMEN IN INDIA

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Syed Naiyla Hamdani<sup>1</sup>

## I. ABSTRACT

*“A woman with a voice is, by definition, a strong woman.” by Melinda Gates. The empowerment of women has become the magic of social justice and sustainable development. The Constitution and statutory law in India together provide women protection against discrimination, exploitation and violence as well as assure them equality of opportunity. This paper will study the importance of the empowerment of women and how the legal systems have enhanced the growth of gender equality. It emphasizes the important constitutional provisions and critically examines three major legislations the Protection of Women against Domestic Violence, the Protection of women against Domestic Violence Act, 2005; the Maternity Benefit Act, 1961 (as amended in 2017); and Sexual Harassment of women at workplace (prevention, prohibition and redressal) Act 2013. The interpretation of the courts in landmark decisions such as Vishaka v. State of Rajasthan, AIR 1997 SC 3011, which laid down guidelines against workplace sexual harassment, and Municipal Corporation of Delhi v. Female Workers (Muster Roll), (2000) 3 SCC 224, which extended maternity benefits to daily wage workers, along with Hiral P. Harsora v. Kusum Narottamdas Harsora, (2016) 10 SCC 165, reflects the evolving jurisprudence concerning women’s rights in India. The paper further places India initiatives on the international obligation platform, which consists of CEDAW, Beijing Declaration, and UN Sustainable Development Goals. Despite so much progress being achieved, implementation and awareness issues still remain the barrier to the full execution of gender justice. The paper sums up by affirming that there is a need to build legal consciousness, enforcement and social transformation to make women become dynamic tools of liberation and nation building.*

## II. KEYWORDS

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<sup>1</sup> B.A. LLB., Vitasta school of law and humanities (India),

Email: [nailahamdani7@gmail.com](mailto:nailahamdani7@gmail.com)

Women's rights, empowerment, domestic violence, maternity benefits, sexual harassment, gender equality, Indian Constitution, CEDAW.

### III. INTRODUCTION

Women in any society can be termed as an index of its development. Granting women a decent life and equality guarantee not only a social justice but also an economic prosperity. In India women have long been discriminated against, marginalized, and also violated and this limited their freedom and their potential. In spite of the developments made by the help of reformist movements and legislation, challenges remain. Thus, legislations safeguarding the rights of the women constitute the foundation of the empowerment and gender justice fulfilment.

This realization of women is not restricted to the notion of formal equality. It means the empowerment of women (education, politics, employment, social life, culture) to ensure that they survive not only as the beneficiaries of rights but also as active members of the decision-making system. Awareness of legal rights is the first part of the process leading to its accomplishment. With the information about constitutional and statutory rights, a woman will be able to avoid being exploited and assert her independence, impress others. I found out that I measure the growth of any group by the extent to which women have grown as Dr. Br. Ambedkar pointed out.

Gender equality is getting a good framework in the Indian Constitution. Article 14 guarantees equality before law whereas Article 15(3) provides affirmative action to women and child. Article 16 promises a fair chance in the State service, and article 21 guarantees an individual his/her right to live and dignity. Article 39(d) addresses equal work, equal pay principle and article 42 instructs the State to provide humane working conditions and maternity relief. Such provisions go beyond the concept of formal equality and express the thought of the framers of substantive justice of women.

In India, the judiciary has been transformative as far as advancing the rights of women are concerned. In *Vishaka v Workplace sexual harassment* was also identified in the State of Rajasthan (1997) by the Supreme Court where it violated Articles 14, 15, and 21 consequently, resulting in the POSH Act of 2013. In *Laxmi*, Section 28, this is

applicable. In *Union of India (2014)*, the Court capped the sale of acid and provided compensations to survivors in the affirmation of the right to dignity under Article 21. *Delhi Vs. Municipal Corporation of Delhi*. In the case of *Maternity Benefits to Female Workers (Muster Roll) (2000)*, the Court applied maternity benefits even to the daily wage worker. In *Hiral P. Harsora and Ors. v. Kusum Narottamdas Harsora and Ors.*, (2016) 10 SCC 800; Civil Appeal No. 10084 of 2016 (decided on 6 October 2016), the Supreme Court struck down the words “adult male” from Section 2(q) of the Protection of Women from Domestic Violence Act, 2005, holding the restriction unconstitutional as violative of Article 14 of the Constitution. By removing this limitation, the Court expanded the scope of the term “respondent” to include female relatives and other persons who may commit acts of domestic violence, thereby strengthening the remedial framework under the Act. These rulings show how active the judiciary has been in furthering protections to the women.

The international obligations of India also affect the legal framework of the country. India has signed the convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979, to ensure that the country eliminates the impact of gender-based discrimination in law and practice. The Beijing Declaration and Platform for Action, 1995 paid stress to the equal input of women at the decision-making. More recently, the world aggressively pursues the achievement of the best gender quality and the empowerment of all women and girls by 2030 through the United Nations Sustainable Development Goals (SDG 5). These declarations strengthen the role that India has to play to promote the rights of women not only as a domestic agenda but also as an international imperative.

However, all these constitutional, legislative and judicial protection could not achieve absolute results because many women in India still face the same situation. According to the National Crime Records Bureau (2022) more than 1.4 lakh women are subjected to being treated cruelly by husbands/relatives, and yet, workplace harassment remains largely underreported, as it is still stigmatized with the fear of reprisal. Most women, especially in the rural locations, are not aware of their rights according to the Domestic Violence Act or the Maternity Benefit Act or POSH Act. The ability of

women to access justice is further constrained because of structural problems of economic dependency, cultural stereotypes and poor enforcement.

Women empowerment thus cannot be looked only as a constitutional or legal challenge but rather as more of a socio legal intervention that the women, society and even State and the judiciary must play a role in. The vision of equality should become reality with proper enforcement and culture change in order to become a reality because a law on paper does not have as much power as a culturally changing one.

This paper explores the legal system on securing the women rights in India in a critical manner. It examines some major legislations like the Protection of Women against domestic violence Act, 2005, the Maternity Benefit Act, 1961 (Amended in 2017) and Sexual harassment of women at workplace (Prevention, prohibition and redressal) Act, 2013 (POSH Act). It also points out judicial interpretations and locates the efforts made in India in its international commitments. Lastly, it touches upon the issues of implementation and states the legal awareness and the societal reform as being essential in the prevention of authentic empowerment.

### **A. Research Objectives**

1. To examine the constitutional framework safeguarding women's rights in India, particularly under Articles 14, 15, 16, 21, 39(d), and 42 of the Constitution.
2. To critically analyse key statutory enactments protecting women, including the Protection of Women from Domestic Violence Act, 2005; the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013; the Maternity Benefit Act, 1961 (as amended in 2017); and relevant provisions under the Bharatiya Nyaya Sanhita, 2023 and Bharatiya Nagarik Suraksha Sanhita, 2023.
3. To evaluate the role of judicial interpretation in expanding and strengthening women's rights through landmark decisions such as *Vishaka v. State of Rajasthan*, *Hiral P. Harsora v. Kusum Narottamdas Harsora*, and *Independent Thought v. Union of India*.

4. To assess India's compliance with international commitments, particularly CEDAW, the Beijing Declaration, and Sustainable Development Goal 5.
5. To identify gaps in implementation, enforcement challenges, and socio-legal barriers that impede the realization of substantive gender justice.

### **B. Research Questions**

1. How effectively does the Indian Constitution guarantee substantive equality and protection of women's rights?
2. To what extent do contemporary statutory frameworks, including the BNS and BNSS, address emerging forms of gender-based violence and discrimination?
3. How has judicial activism contributed to the development of gender jurisprudence in India?
4. What is the impact of international conventions such as CEDAW on domestic legal reforms concerning women's rights?
5. Why does a gap persist between legislative intent and ground-level implementation in ensuring women's empowerment?

### **C. Research Methodology**

This study adopts a doctrinal and analytical research methodology.

1. It is primarily based on secondary sources, including constitutional provisions, statutory enactments, judicial precedents, law commission reports, academic commentaries, journal articles, and international instruments.
2. The research employs a case-law analysis approach to examine the judicial interpretation of women-centric legislation.
3. A comparative and interpretative method is used to evaluate the alignment between domestic laws and international obligations.
4. Government reports, NCRB statistics, and policy documents are referenced to contextualize the practical implementation of legal protections.

The study is qualitative in nature and focuses on normative legal analysis rather than empirical fieldwork.

#### **D. Literature Review**

The discourse on women's rights in India has evolved significantly through constitutional debates, feminist scholarship, and judicial activism.

Flavia Agnes in *Law and Gender Inequality* critically examines how personal laws and socio-legal structures reinforce gender hierarchies despite formal equality guarantees. She argues that legal reform must be accompanied by structural transformation.

Lotika Sarkar highlights systemic biases within criminal justice processes and emphasizes the need for gender-sensitive interpretation of penal laws.

Indira Jaising discusses the transformative potential of the Supreme Court in expanding women's rights through progressive constitutional interpretation.

Scholarly writings by Ratna Kapur question the limits of feminist engagement within traditional legal frameworks, arguing that formal equality may not always translate into substantive justice.

Research articles in journals such as the *Economic and Political Weekly* and the *Indian Journal of Gender Studies* have analysed the implementation challenges of the Domestic Violence Act and the POSH Act, particularly focusing on underreporting, institutional resistance, and lack of awareness.

Recent scholarship also evaluates the restructuring of criminal law under the Bharatiya Nyaya Sanhita, 2023, assessing whether the re-codification meaningfully strengthens protections for women or merely reorganizes existing provisions.

The existing literature thus reflects a broad consensus that while India possesses a robust normative framework for women's rights, enforcement deficits and socio-cultural barriers continue to hinder substantive empowerment. This study builds upon these scholarly contributions by integrating constitutional analysis, statutory review, and contemporary criminal law reforms within a unified gender-justice framework.

#### **IV. NEED FOR WOMEN'S EMPOWERMENT IN SOCIETY**

The need to empower women is not only a social and moral need but an essential need fulfilling the holistic growth to any nation. Despite women comprising almost 50 percent of the global population, their input has hardly been appreciated in society and as a result of underestimation by the systems, cultural attitudes, and patriarchal organization. The necessity in empowerment is grounded on the fact that given an equal opportunity, women can make major contributions both on the societal, political as well as economic development. Indeed, the research facilitated by the World Bank indicates that those countries that have higher gender equality rate observe an accelerated economic growth and enhanced standards of governance.

There is another aspect of need of the urgency of women empowerment due to the eradication of gender-based violence and discrimination. Women the world over are still being harassed, sexually exploited and limited in their access to education and employment. It is because, on the one hand, empowerment is critical to protect the rights of women but, on the other hand, it is required to guarantee women their dignity and personal safety. A vivid example is the Indian scenario wherein a case was declared by *Vishaka v. In the case of state of Rajasthan (1997)* the Supreme Court also held that women need to work in a secure environment and that guidelines were to be set with regard to detringing workplace harassment. This ruling was an indication of the use of the law as an empowerment vehicle when injustices are persistent in a society.

The empowerment of women is also needed in order to promote the political inclusiveness and democracy. Representation in decision making organ enables women to express matters that have greater implications to them, examples include maternal healthcare, childcare, workplace equality and access to sanitation. Empowerment also means that the women are not just objects of policy but agents in governance. The 73 rd and 74 th Constitutional Amendments of India that stipulate a one-third representation of women in local self-government portrays the empowerment effect that enhances grassroots democracy.

Moreover, education and economic independence are inherently associated with empowerment. A learned woman does not only enhance her life but also life of her family and community. With education empowerment, there are ripple effects achieved in eliminating poverty, reducing infant mortality, and enhancing the nutrition of children. This has been the case as illustrated by the high literacy level of women in Kerala which has directly resulted into its enhanced human development indicators in comparison to most of the other states in India. Financial independence in terms of even pay, facilities, and ability to do business is also crucial in breaking the cycle of neediness and disparity.

Lastly, women are needed to advance towards the commitments of the global organization, the United Nations, and sustainable development goals (SDGs) and specifically goal 5, to achieve gender purpose and empower all women and girls. Achievement of sustainable development, eradication of poverty and social justice cannot be fully achieved without meaningful empowerment. To this extent, empowerment is not a women related phenomenon but a social as well as economic imperative of the society on growth and sustainability.

## **V. CONSTITUTIONAL FRAMEWORK FOR WOMEN'S RIGHTS**

The Indian Constitution as the supreme law of the country lays down a comprehensive framework that ensures safety and nurturing of the rights of women. Not only does it ensure equality, but it also incites the state to employ special measures to address past disparities that women have experienced. This constitutional dream depicts the Indian quest of establishing an egalitarian, integrative and gender sensitized society in which women can live with equality and dignity.

Among the most important guarantees is Article 14 which guarantees equality before the law and equal protection of laws. This is so as the provision prevents women against discrimination in legal and administrative practices. Indian Courts have time and again construed Article 14 as a safeguard against unreasonable State action hence providing impetus to women furthering their right not to be treated unequally in all walks of life. In *Air India v.*, the Air India Company brought an action against Pearson, one of the defendants, whose son worked as a pilot in the Company. Pearson was

accused of encouraging his son to report cases of discrimination at the Company. In *Nargesh Meerza (1981)*, the Supreme Court held unconstitutional discriminating service rules against women employees, in defence of equality.

Along with Article 14, which lays out the overall prohibition of discrimination, there is also Article 15, which specifically outlines that against the grounds of sex, among others, there will be discrimination prohibition. Particularly interesting is the Article 15 (3) that permits the State to give special consideration to women and children. This has been used as the premise in the many welfare laws and affirmative actions that have been initiated to give women empowerment. The million-dollar case of *Anuj Garg v. According to the Hotel Association of India (2008)*, laws that prohibited women employment in the establishments that sell alcohol were being overturned by the Supreme Court as being against the law and some forms of archaic thinking.

Article 16 also guarantees equality regarding issues of employment in the state. This constitutional protection has assisted women to fight discrimination in the labor market and demand their right to offer their services in the state institutions. The principle of equality has been advanced that the reservations and special treatment of women as workforce are not against the concept of equality but, on the contrary, promote the substantive equality.

The constitutional vision does not narrow along with equality, but it goes to the protection shoulder. Article 19 provides women with protection of freedoms of speech, movement and association meaning that they can actively take part of public and political life. Article 21 Right to life and personal liberty have been widely construed by the courts to include dignity, privacy, reproductive rights and to cover harassment against women and sexual harassment. In *Vishaka vs. In State of Rajasthan (1997)*, the Supreme Court body also deduced guidelines of harassment at the workplace based directly on Articles 14, 15 and 21, a precedent on women security across workplaces.

Besides the fundamental rights, Directive Principles of State Policy (DPSPs) in Part IV of the Constitution provides the outline of female empowerment as well. Article 39 ensures that there are provisions of equal wages to equal employment, safeguarding

health and that article 42 guides the State to provision of just and humane working conditions and maternity relief. Although they cannot be legally employed in courts, they are the principles used by the State in supporting gender justice.

Moreover, Article 51A(e) in the Fundamental Duties imposes a duty on all the citizens to denounce any practice that is despicable to the dignity of women. This is because the provision is in response to the constitutional acknowledgment that the issue concerning the empowerment of women is not only about the State obligation but also a communal obligation.

Thus, the constitutional framework for women's rights in India is both protective and enabling. It aims not just to prevent discrimination but also to promote affirmative measures that uplift women from centuries of socio-economic disadvantage. Through judicial activism and progressive interpretation, the Constitution has become a living instrument of women's empowerment in Indian society.

## **VI. KEY LEGISLATIONS PROTECTING WOMEN'S RIGHTS**

India has developed a robust statutory framework to safeguard women from violence, discrimination, and exploitation. With the recent introduction of the Bharatiya Nyaya Sanhita, 2023 (BNS) and the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), women's rights have gained a renewed legal structure with specific provisions aimed at ensuring justice in a modernized manner. Along with special legislations, these codes form the backbone of India's women protection regime.

### **A. Bharatiya Nyaya Sanhita (BNS), 2023**

The Bharatiya Nyaya Sanhita, 2023 (BNS), which replaces the Indian Penal Code, 1860 and came into force on 1 July 2024, introduces a restructured framework for offences against women and children. Chapter V of the BNS systematically classifies such offences as follows: Sections 63–73 deal with sexual offences, including rape and allied aggravated forms; Sections 74–79 address assault and criminal force against women with intent to outrage modesty; Sections 80–87 concern offences relating to marriage; Sections 88–92 regulate offences relating to miscarriage; and Sections 93–99 pertain to offences against children.

Importantly, offences relating to acid attacks are specifically codified under Sections 124–125 of the BNS, corresponding to the earlier Sections 326A and 326B of the IPC, and provide for stringent punishment along with mandatory compensation to survivors. By reorganising and modernising penal provisions, the BNS strengthens substantive protections while retaining continuity with established criminal jurisprudence concerning women's bodily integrity and dignity.

Grave offences like rape, gang rape, and aggravated circumstances of marital rape are covered under Sections 71 to 76 and stipulate far more severe punishment including life imprisonment and even the death penalty in case of repeat-offenders. Also, item 77 provides a measure against trafficking of women and girls to practice prostitution and other forms of exploitation hence expanding protection given in the shape of criminal law. In sum, the BNS has established a more progressive legal system by intensifying penalties, broadening definition and addressing changing social issues relating to the rights of women and their safety.

### **B. Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023**

The Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 which replaces the Criminal Procedure Code (CrPC) provides a series of progressive procedural reforms making the delivery of justice more focussed on the victim. In cases of sexual offences, it requires the statements of victims to be taken in the presence of a woman magistrate with sensitivity and dignity. The BNSS has a provision of video recording the evidence as well as examination to prevent the victims of repeated trauma. With the increasing demands of the speedy justice, the law mandates notes that investigations in rape matter should be completed within two months which addresses the constant delays that usually withhold the intended reprieve to victims. In addition, the BNSS also adds witness protection in order to prevent intimidation of the victims and the complainant and also witness protection ensures that increased participation of women police officers is in the recording of complaints and inquiries in the offences against women. The aim of the reforms is to minimize secondary victimization, build confidence among survivors and improve the overall success of criminal justice machinery to respond to gender-based violence.

### **C. Special Legislations for Women's Protection**

#### **1. The Protection of Women against Domestic Violence 2005**

This law was adopted to combat the widespread problem of domestic abuse, a problem which was always either underreported or not prosecuted in the criminal realm. The Act enables the protection of women including an award of protection order, rights of residence and monetary remedy so that the victims no longer have to depend solely on the criminal prosecution under Bharatiya Nyaya Sanhita (BNS). It also acknowledges that domestic violence is manifested by physical, emotional, verbal, sexual and economic abuse and therefore it gives women the confidence to find relief quickly through readily available vehicles like the Protection Officers, Magistrates.

#### **2. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act)**

The POSH Act came as a direct legislative action to the Supreme Court Vishaka Guidelines and that made workplace safety a legal right to women. It requires that in each organization, the internal complaints office (ICCs) should be developed and maintained. The Act does not just discuss salaried employment but also applies some protection to women in informal and unorganized sectors. Through institutionalization of gender sensitization, the POSH Act plays a useful role in establishing inclusive and safe working environment among women.

#### **3. The prohibition of Dowry Act, 1961**

Dowry is one of the most deeply rooted social vices in India that has led to domestic and even dowry related deaths. Dowry Prohibition Act renders the receipt and the delivery of dowry a criminal offense and demonizes crimes associated with dowry. Although enforcement is a problem, the Act has been instrumental in creating a foundation in putting into question the tradition of patriarchal societies which view women as products to be auctioned off in marriage. The fact that it interacts with clauses in the BNS that deal with cruelty and dowry deaths gives this law adequate backing to help protect women against these vices.

#### **4. Prevention of Child Marriage Act, 2006**

Child marriage acts as a setback to the education, health and overall empowerment of women. This Act not only makes child marriages voidable, but it also punishes people who facilitate, promote and even solemnize child marriages. By increasing the marriage age, and creating more suitable punishment, it tries to save young girls against early motherhood, exploitation, and the deprivation of their opportunities. It can also complement policy in the education and empowerment of the socio-economic origins of child marriage.

#### **5. The Immoral Traffic (Prevention) Act, 1956**

This Act criminalizes commercial sexual exploitation of minors and trafficking through illegal operations like running of brothels, solicitation and pimping. It aims at preventing the coercion of women and children into sex work as well as offering them a chance of rescue, rehabilitation, and return into the society. Although there are criticisms related to its narrow concentration in the area of rehabilitation, the Act is an important development that helps eliminate the abuse of vulnerable women and makes sure that their dignity and human rights are respected.

#### **6. Maternity Benefit (Amendment) Act, 2017**

Understanding the double burden of women both as professionals and mothers, the Act has made improvement in maternity benefits, which include: a non-derogatory entitlement of 26 weeks of paid maternity leaves and introduction of crche facilities and flexible working. It will safeguard against discrimination against pregnancy or motherhood during employment. The act has helped to minimize workplace inequality because workplace policies have been modified to gender-sensitive practices that benefit feminine rights.

## **VII. JUDICIAL INTERPRETATIONS STRENGTHENING WOMEN'S RIGHTS**

### **A. Vishaka v. State of Rajasthan (1997)**

This historic case was when the Supreme Court of India obviated the statutory gap and designed the Vishaka Guidelines to prevent sexual harassment at the workplace.

The verdict interpreted sexual harassment as a transgression of the Articles of the Constitution 14, 15, 19 and 21, thereby connecting company dignity with the basic rights. Such instructions culminated later into the POSH Act being enacted, and thus the case marked a milestone in gender jurisprudence of India and was one of the instances of judicial activism to secure the rights of women.

#### **B. Laxmi v. Union of India (2014)**

It was in this case that it was brought to light the increased threat of women facing acid attacks and the poor effect that the current laws had in managing these attacks. The Supreme Court gave elaborate directions, such as ban on sale of acid, compensation to the affected victims, medical treatment and counseling. This decision highlighted the roles of the state in safeguarding women against this kind of heinous crime and playing a victim-centered justice, which also dominoes into legislative and administrative reforms.

#### **C. Independent Thought v. Union of India, (2017) 10 SCC 800**

In the case, the Supreme Court interpreted down the marital rape exception of the then IPC (current BNS), observing that, sexual intercourse, between a minor wife and a man, constituted rape. The sentence was a step in the right direction on supporting the capacity of girls to get their own bodies as well as breaking the patriarchal notions of marriage regulations. It widened the protection system of vulnerable minor children and affirmed the constitutional doctrine that a child cannot give any legal consent to sex even in marriage.

#### **D. State of Punjab v. Gurmit Singh (1996)**

This case marked an important development in how courts approach rape trials. The Supreme Court emphasized that the testimony of a rape victim should not be viewed with suspicion and that undue emphasis should not be placed on corroboration. It called for a more sensitive, victim-centric approach in handling sexual offense cases, ensuring that the dignity and credibility of the survivor remain intact. This judgment strengthened women's access to justice and contributed to transforming judicial attitudes in rape prosecutions.

## VIII. INTERNATIONAL COMMITMENTS

As a partner of the world community, India has taken various steps in terms of ensuring protection and promotion of the rights of women as it has ratified and complied with the major international conventions and declarations. These commitments have been important in framing the domestic laws and policies that have been targeted at empowering women and made gender equal. Some of the biggest international commitments made by India are as follows:

### A. 1948 Universal Declaration of Human Rights (UDHR)

The declaration of the UDHR became the first statement of equal rights and inherent dignity to all human beings on a world level. The articles one, two and seven specifically pinpoint on equality before a court of law and non-discrimination on grounds of sex. As a founding member of the United Nations, India incorporated these guidelines in its constitutional fabric especially in the form of Fundamental Rights embodied in Articles 14, 15 and 21 of the Constitution. UDHR has served as a moral guide to the domestic Indian initiatives of securing equal protection and avenues to women.

### B. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 1979

This is also commonly referred to as the International Bill of Rights of Women and CEDAW requires signatory nations to do away with discrimination against women in respect and areas like political, social, economic and cultural. India became the part of CEDAW in 1993, although with the reservation regarding personal laws. However, it has informed wider public law and policy, such as the formulation of the Protection of Women against Domestic Violence Act, 2005, and the enhancement of anti-harassment provisions at work. The progressiveness of the rights of women in Indian courts has often been based on the provisions of CEDAW.

### C. Beijing Declaration and Platform for Action, 1995

Adopted at the Fourth World Conference on Women, the Beijing Declaration is a landmark framework that identifies 12 critical areas of concern, including women and

poverty, education, health, violence, armed conflict, economy, and decision-making. India, as a signatory, has been working to integrate these concerns into national policies, such as the National Policy for Empowerment of Women, 2001, and the more recent policies on gender budgeting and inclusive governance. The Beijing Platform continues to influence India's socio-legal reforms to bridge gender gaps.

#### **D. International Covenant on Civil and Political Rights (ICCPR), 1966 and International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966**

These covenants, ratified by India in 1979, provide a comprehensive framework for the protection of civil liberties and socio-economic rights for women. While the ICCPR ensures rights to equality before the law, freedom from discrimination, and participation in public life, the ICESCR emphasizes the right to work, maternity protection, health care, and education. Together, these instruments have guided Indian legislations such as the Maternity Benefit Act, 1961 (as amended in 2017), and various labour welfare laws ensuring women's participation in the workforce with dignity.

#### **E. Sustainable Development Goals (SDGs), 2015**

As part of the UN 2030 Agenda for Sustainable Development, India has committed to achieving Goal 5 - Gender Equality. This goal emphasizes eliminating all forms of discrimination and violence against women and girls, ensuring access to education, healthcare, and equal participation in leadership and decision-making. India has integrated SDG targets into national schemes such as *Beti Bachao, Beti Padhao*, *Pradhan Mantri Matru Vandana Yojana*, and gender budgeting practices. The SDGs reflect India's ongoing pledge to harmonize international obligations with domestic action for women's empowerment.

## **IX. CONCLUSION**

Enforcement of the rights of women in India has developed by fusing together the statutory enactments, constitutional guarantees rights, court pronouncements and international commitments. Replacing the current Indian Penal Code with the

Bharatiya Nyaya Sanhita (BNS) and procedural reforms implemented under the Bharatiya Nagarik Suraksha Sanhita (BNSS) are an identification of a serious effort to reform criminal law and to make justice more victim oriented. These codes are complemented by a variety of special legislations, e.g. the Protection of Women against Domestic Violence Act, the POSH Act, the Dowry Prohibition Act and the Prohibition of Child Marriage Act that are specific structural challenges and society faced by women in particular.

The courts have always taken the opportunity to fill in the gaps here and there in legislations and have stretched the scope of rights and rights bound through case precedents as was witnessed in landmark cases, such as *Vishaka v. State of Rajasthan*, *Laxmi vs. Union of India*, and *Independent Thought. Union of India*. Moreover, the fact that India is a signatory to international conventions (CEDAW) and fulfills the Sustainable Development Goals indicates that the country is willing to change the national law according to international requirements concerning gender equality. Nonetheless, in spite of this strong legal and institutional structure, the issue of enforcement, patriarchal beliefs, and social obstacles all still hamper the achievement of gender justice. Consequently, reform initiatives should be focused not only on fortification of legislative and judicial measures, but also on making them operational, generating awareness and instilling gender-sensitivity culture. It is only at this point that the legal safeguards can effectively be converted into substance in the case of women equality and empowerment in India.

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2. *Bharatiya Nagarik Suraksha Sanhita*, 2023.
3. *Protection of Women from Domestic Violence Act*, 2005.
4. *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act*, 2013.
5. *Dowry Prohibition Act*, 1961.

#### **F. International Instruments**

1. *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)*, 1979.
2. *Universal Declaration of Human Rights*, 1948.
3. *International Covenant on Civil and Political Rights*, 1966.
4. *Beijing Declaration and Platform for Action*, 1995.
5. *UN Sustainable Development Goal 5: Gender Equality*, 2015