

Contemporary Issues of Women Rights in Indian Context

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Abstract

Women are often viewed as the one who balances everything of the family with multitasking capabilities. It is during the olden days she was restricted to stay inside the house with lot of responsibilities, but in 21st century women are empowered to become an ardent competitor to men in every field like medical, engineering, information and technology, army, navy, politics, astronaut, advocate, education, sports, service sector, art and culture etc. This is one side of the coin, whereas the other side depicts the discrimination in every field women are facing these aforementioned problems. As per Indian Constitution there is no difference between the rights of men and women, but this patriarchal dominated society is discriminating the women at lower stage. There are so many perceptual differences regarding the women rights. This research is an attempt to understand the type of problem that women are facing of their rights and to let her know about her rights.

Keywords: Glass Ceiling, Gender Discrimination, Women Rights, Sexual Harassment, Domestic Violence, Empowerment.

Introduction

In Indian culture women has given lot of importance, she treated as Shakthi (goddess) before 18th century. However, women were restricted to take care of household duties she is not allowed to work in the society because Indian tradition have lot of customs, being a woman she should obey all those. It is after 18th century women got empowered and started working in her interested field, but she started facing antagonistic problems like glass ceiling, gender discrimination, unequal pay, sexual harassment, domestic violence, female infanticide, female feticide, etc. The unknown fact is that our Indian Constitution guaranteed Indian women equality right (Article 14), no discrimination by the state (Article 15(1)), equality of opportunity (Article 16), equal pay for equal work (Article 39(d) and Article 42), wherein most of the women are not even aware of their rights. In case she knows about her rights, she is not allowed to fight against her rights because

from the beginning she taught by her parents and society that male can do anything but not the women. Moreover she is not allowed to work or enjoy her life as men do. However, women have the capacity to work dedicatedly and she have multitasking capabilities, even she can take better decision, but this patriarchal society do not allow the women to participate in decision making, wherein she started facing harassment in innumerable ways.

Literature Review

A research study conducted by Asha Begum in 2018 stated that in spite of the fact that women constitute half of the aggregate populace of the world, their social, monetary and political status is lower than that of men and they are subjected to the oppression and abuse of a specific request for a considerable length of time and accepted even today. In addition to this, a study conducted by Gopal Krishna, Sultana and Reddy indicated that in the previous decade, women were compelled to participate in any social exercises and not considered piece of any basic leadership process in the family. The states of women in provincial and remote zones were still more terrible (Gopal Krishna, Sultana & Reddy, 2017). In any case, with the evolving times, women are engaged with wage producing exercises, yet another research conducted by Rosamma indicated that empowerment of women through Ages an Analysis is a much bantered about point in the contemporary society. The idea of women empowerment all through the world has its underlying foundations in women's development. Today, the world has proceeded in its material advance. Innovations have progressed toward becoming promoted, groups have turned out to be balanced out and individuals have turned out to be advanced (Rosamma, 2013). In addition to this, a study by Suguna indicated that women education in India has been a noteworthy distraction of both administration and common society and as instructed women can assume a critical part in the advancement of the nation. Education is point of reference of women empowerment since it empowers them to reacts to the difficulties, to stand up to their customary part and change their life. Moreover, we cannot disregard the significance of education in reference to women empowerment India is ready to getting to be superpower, a created nation by 2020, the development of women's education in rural zones is moderate (Suguna, 2011). Yet another research conducted by Morely in 2011 indicated that more concrete problems are also addressed regularly. For instance, demands from male teachers for sexual services from female students in order for them to receive a valid examination certificate from their studies, with continuation of the research. According to Das geographically, people share a similar space, yet wherever on the planet, women are concurred a lower status than men, the North Eastern Region of India has been considered as a regressive locale regarding development in per capita wage (Das, 2013). Another research study by Nandal and Rajnish in 2014 revealed that the status of women is one of vital angles to think about in each time. In Ancient Indian society status of women is some degree attractive. Lately, the part of women has experienced some intense changes because of globalization and

corporate greed this paper examine whether the status of women in present day Indian society with respect to equality, education, health, employment, marriage and family life, race and gender, religion and culture are kept up or crumbled.

Fundamental Rights & Legal Frame Work of Women about Her Rights

The Articles under Part III of the constitution of India, relating to the Fundamental Rights, which try to improve the status of women and provide equal opportunities for them are stated as follows:

According to Article 14 of the Constitution of India - All individuals are equal in the eyes of law. They are also entitled to enjoy equal protection of laws within the territorial jurisdiction of India. It signifies that all persons irrespective of gender should be treated equally in similar circumstances. The states of India should not make any discrimination between one person and another, wherein the law should be administered equally.

Article 15 of the Constitution of India deals with prohibition against discrimination - It prohibits the state to make any types of discrimination against any citizen on grounds of race, caste, gender, ethnicity, religion, place of birth and socio-economic background. It states that all citizens are entitled to enjoy equal rights regarding access to shops, hotels, restaurants, banks, infrastructure, public places etc. However, the state has the right to make any special provisions for women and children, scheduled castes, scheduled tribes and other backward classes.

According to Article 16 of the Constitution of India - All citizens will enjoy equality of opportunity in matters of public employment, irrespective of their gender, races, castes, ethnicity, religions and socio-economic backgrounds. There are certain exceptions, i.e., Parliament may prescribe by law that residence within the state is required for a particular employment. The state is empowered to reserve certain posts for backward classes, scheduled castes and scheduled tribes and appointment in connection with a religious organization may be reserved for persons belonging to that religion.

As per Article 17 of the Constitution of India - The System of untouchability is eliminated and Untouchability (offence) Act of 1955 was enacted by the parliament. This Act was amended by Untouchability (offence) Amendment Act 1976, to make the law more stringent to remove untouchability from the society.

According to Article 19 of the Constitution of India, every citizen have the right to freedom of speech and expression, to assemble peacefully and without arms, to form unions or associations, to move freely throughout the country, to reside or settle down in any part of the country and to practice any profession or to carry on any lawful trade or business in accordance to one's own aspirations.

As per Article 21 of the Constitution of India - No person shall be deprived of life or personal liberty, except according to the procedure established by law. This right to life, includes right to live with dignity, right to privacy, etc. The domestic violence against women is also derogatory to Article 21 of the Indian Constitution because it weakens the self-respect and dignity of women, who are victims.

According to Article 21A of the Constitution of India - The state shall provide free and compulsory education to all children, who are between the ages of six to fourteen years in a manner, as the state may determine by law.

To provide facility to the women accused - As per Article 20 of the Constitution of India, no person shall be convicted of any offence except for violation of a law and any person shall not be prosecuted and punished for the same offence more than once. Any person should not be accused of any offence, he or she shall be compelled to be a witness against himself or herself.

To prevent immoral trafficking in women and girl child Article 23 of the Constitution of India - Prohibits the traffic in human beings and forced labor. In pursuance of this Article, Parliament has passed the Suppression of Immoral Trafficking in Women and Girls Act, 1956, which is now renamed as the immoral Trafficking (Prevention) Act 1956, for punishing the actions, which result in trafficking in human beings.

To prohibit child labor, especially girl child as per Article 24 of the Constitution of India - Employment of children, below the age of fourteen years in factory or mine or engaged in any other hazardous employment is prohibited.

Under Article 25 of the Constitution of India - All persons are equally entitled to freedom of conscience and the right of freedom to profess, practice, and propagate religion.

Legal Framework of Women Rights

Human rights are generally understood as being those rights that are intrinsic to all human beings. The concept of human rights acknowledges that each individual is entitled to exercise his or her rights without any forms of discrimination regarding areas such as, caste, creed, race, color, gender, language, religion, political or other opinion, national or social origin, property, birth, background and status. Human rights are lawfully guaranteed by the national constitutions and laws, regional and international treaties and documents. They safeguard the individuals and groups against activities that impede within the course of their fundamental freedom and human dignity.

Women in India represent over 32 percent of the economically active population of the second most populated country in the world. The Indian constitution guarantees equality for women before the law and institutional support for women seems advanced, with many laws to protect the right of women at work. The labor laws in India, can be industry specific, region specific or centralized. The Acts have been stated as follows:

Equal Remuneration Act, 1976 - This law aims to prevent gender discrimination of wages, hiring, promotion, or training, and can be circumvented through wage reclassification of skilled and unskilled workers. Often, regardless of the type or skill level of a job, women are placed in the unskilled, lower paid wage category, while men are placed in the skilled, higher wage category. The Act includes, equal pay to men and women workers for same or similar work performed. There should not be any discrimination in recruitment and service conditions, except where employment of women is restricted by the law, such as night hours or industry specific constraints.

National Commission for Women Act, 1990 (Act of Parliament) - Creates a National Commission for Women to review existing statutory protection of women, prepare periodic reports to Central Government on matters relating to protections for women's rights, scrutinize grievances relating to the deprivation of these rights and financially assist in the litigation of issues affecting women.

Constitutional (74th Amendment) Act, 1992 - Women in political power at the local level have struggled for mass literacy programs and for control over resources such as, water. It is because the functioning of office has become progressively affluent, parties only put forth few women candidates and these are often relatives. While these women are getting promoted, overall there are still not many women in national politics. The Amendment mandates one-third reservations or quotas for women in local governing bodies in state or public institutions.

The Protection against Sexual Harassment of Women at the Workplace Bill, 2010 - This bill, would create a definition of sexual harassment within the workplace and make it mandatory for every organization with over 10 employees to create committees, headed by women to administer sexual harassment grievances. These committees could gather evidence and would be equivalent to Civil Courts, although problematically, members do not need to have a legal background. In addition, penalties would be created for employers that include fines.

Maternity Benefits Act, 1961 – This act permits a woman to 12 weeks of leave with full pay associated with the birth of a child and there is no adoption benefit. It is unlawful for an employer to discharge or suspend a woman during or because of maternity leave. A woman worker must be permitted to take two nursing breaks, in addition to normal breaks, until her child is 15 months old.

Factories Act, 1948 - According to the act, the employer must provide child care facilities for children below the age of six years at the workplaces, wherein more than 30 women workers are employed. The prosecution against an employer for violating the Factories Act is infrequent and supervisors seldom examine the number of women workers employed or the mandatory creche or child care centers. In fact, on record, there is not a single case known, whereas an observer or a supervisor went to a worksite to check on the number of women employees. Also, employers bypass the Factories Act by employing less than 30 women or using part-time and / or contract labour.

Beedi and Cigar Workers (Conditions of Employment) Act, 1966 - Provides for the well-being of the workers in beedi and cigar factories by regulating the conditions of work including maximum hours and safety of working environment. In addition to this, child care facilities must be available for working mothers. This act requires the mandatory appointment of women to the advisory and central advisory committees.

The Plantation Labor Act, 1951 - Every plantation with more than fifty women workers must provide child care, including for those women workers, employed by a contractor. The plantation must also provide child care, wherein women employees have in aggregate more than twenty children and ensuring women workers get breaks in between work to feed their children.

Employee's State Insurance (General) Regulation, 1950 - Maternity benefits are made available on the date a medical certificate is issued for miscarriage, pregnancy-related, sickness, bed rest, or pre-term birth.

The Contract Labor (Regulation & Abolition) Act, 1970 – Day care must be provided, wherein 20 or more women work on contract regularly.

Prohibition of Child Marriage Act, 2006 - The Prohibition of Child Marriage Act, 2006, which is the national law against child marriage, which does not allow the question of consent in case of minors and treats child marriage as a punishable offence. However, it creates misperception by declaring some marriages invalid and some others voidable. The marriage of a minor formalized by use of force, fraud, deception, enticement, selling and buying or trafficking a void marriage, while all other child marriages are voidable at the option of parties into marriage. Hence, marriage stands valid until they are invalidated by the court. Furthermore, if the law does not attribute consent to a child, it must render all child marriages invalid, as all child marriages then become marriages that have taken place either through some form of pressure, intimidation or use of fraud, trafficking and such other illegal means or by influencing the mind-set of child.

Approval of the Universal Declaration of Human Rights in 1948 was the first step towards liberal and advanced codification of international human rights. The principles of Universal Declaration were translated into treaties. Thus, states that ratified them are legally bound by the terms and conditions of treaties. The eight international human right treaties have been adopted up to 2007, which are indicated below:

- International Convention on the Elimination of All Forms of Racial Discrimination (1965).
- International Covenant on Economic, Social and Cultural Rights (1966).
- International Covenant on Civil and Political Rights (1966).
- International Convention on the Elimination of All Forms of Discrimination against Women (1979).
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).
- Convention on the Rights of the Child (1989).
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (2002).
- Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities (2006).

Every World Health Organization (WHO) Member State has sanctioned, formally consented to be legally bound by at least one human rights treaty, all of which have a direct or an indirect impact on the promotion and safeguarding of right to health and health-related rights.

Need & Relevance

In the 21st century also women are facing so many antagonistic problems with her male counterparts at her workplace. Hence, to avoid such problems women should be aware of her rights. The women rights speak about her rights as per Indian Constitution, but the fact is women herself is unknown to her rights. Moreover, if she knows about her rights she can fight for the same in every aspect of her life. Thus, to make women aware of her rights there is a need for awareness programmes. There is a need to understand the problems faced by women in terms of violating their rights. This research study provides the information about women who are struggling at their workplace and in the society. Also, it attempts to facilitate women to know about her rights and make utilize of the same to fight for it.

Problem Statement

Women are not fully aware towards rights and problems faced by them at their work place and society.

Objectives

- To understand the awareness level of women rights
- To know the glass ceiling problems and sexual harassment rate of women at their workplace

Methodology

The present study adopted descriptive research design, wherein 50 women employees from Hyderabad City, Telangana State have been included using convenience random sampling method. The primary data collection has been conducted using online survey through a questionnaire, which comprised of 15 questions in 2 parts, wherein Part A consists of demographic characteristics like, employee name, address, age, educational qualifications, designations, kind of job, year of experience and Part B included questions related to gender bias, sexual harassment, glass ceiling, child marriages, female feticide and female Infanticide. The data analysis used simple percentages and interpreted accordingly.

Results & Interpretation

Table: 1 Socio-Demographic of Sample Distribution

Particulars	No. of Respondents	Percentage
Educational Qualification		
Graduate	22	42.00
Post-Graduate	28	54.00
Doctorate	2	4.00
Age Group		
18-25	24	46.00
26-30	10	19.00
30-35	8	15.00
36-39	6	11.00
40 and above	4	9.00
Designation		
Assistant Professor	13	24.00
Doctor	2	4.00
Nurse	1	2.00
Student	2	4.00
IT Professional	3	6.00
Teacher	3	6.00
HR	4	8.00
Entrepreneur	3	6.00
Professor	2	4.00
Bank Employee	2	4.00
Govt. Employee	1	2.00
Manager	3	6.00
Accountant	3	6.00
Others	10	18.00

The above table indicated that 44 percent are graduates, 54 percent of them have completed their post-graduation and only 4 percent are doctorates. It is to be noted that the majority (46 percent) of respondents belong to the age group of 18-25 years. This followed by 19 percent falling under the age group of 26-30 years, 15 percent belong to the age group of 32-35 years, 11 percent belong to the age group of 36-39 years and only a small portion (6 percent) of respondents belong to 40 years above. Also, it has been observed from Table 1 that 24 percent are Assistant Professors, 4 percent are Doctors, 2 percent are Nurses, 4 percent are students, 6 percent are IT Professionals, 6 percent are Teachers, 8 percent HR Professionals, 6 percent are Entrepreneurs, 4 percent are Professors, 4 percent Bank employees, 2 percent are Government Employees a Government Employee, 6 percent are Managers, 6 percent are Accountants and only 18 percent of the respondents fall under other professions.

Table 2: Distribution of Responses In Accordance With Women Rights Awareness, Girl Child Abortion Problem, Child Marriage Issue, Indian Women Empowerment Feeling and Awareness on Government Policies towards Women Rights

Q. No.	Questions	Response	
		Yes	No
1	Are you aware of women rights?	45 (86.00)	7 (14.00)
2	Do you face any problem of aborting a girl child?	9 (17.00)	43 (83.00)
3	Did you face or observed child marriage issue around you?	16 (31.00)	36 (69.00)
4	Do you feel Indian women are empowered about their rights?	35 (67.00)	17 (33.00)
5	Are you aware of government policies with regard to women rights?	31 (60.00)	21 (40.00)

N=52

Table 2 indicated that a vast majority (86 percent) of respondents is aware of women rights and only 14 percent are unaware. Interestingly, 83 percent of the respondents revealed that they did not face any problem of aborting a girl child and only 17 percent have faced it. Furthermore, majority (69 percent) of the respondents did not observe any child marriage issues and only 31 percent have faced such issues around them. Surprisingly, 67 percent of the respondents mentioned that Indian women are empowered about their rights and only 33 percent do not possess that feeling. Moreover, 60 percent of the respondents are aware about government policies with regard to women rights and remaining 40 percent are unaware.

Table 3: Distribution of Responses In Accordance With Gender Discrimination, Sexual Harassment and Domestic Violence & Rights

Q. No.	Questions	Response				
		Always	Mostly	Sometimes	Frequently	Never
1	Do you feel there is gender discrimination at your work place?	3 (6.00)	1 (2.00)	27 (52.00)	5 (10.00)	16 (30.00)
2	Are you facing any sexual harassment at your work / educational places?	1 (2.00)	- (0.00)	8 (15.00)	1 (2.00)	42 (81.00)
3	Do you ever fight against the domestic violence and your rights?	12 (23.00)	4 (8.00)	15 (29.00)	2 (4.00)	19 (36.00)

N=52

From the above table it has been inferred that 6 percent respondents stated that they are always facing the problem, 2 percent revealed it as mostly facing problems, 52 percent revealed they are facing it sometimes, 10 percent indicated the problems are frequently faced by them and only 30 percent revealed they never faced problems. Also, a vast majority (81 percent) of the respondents responded they are not facing sexual harassment in their workplace, 8 percent revealed that they faced it sometimes, 2 percent responded that they faced it always and 2 percent indicated sometimes they faced in their workplace. Furthermore, the respondents stated about whether they fight against the domestic violence and their rights, wherein 23 percent responded that they always fight for their rights, 8 percent revealed it mostly, 29 percent indicated as sometimes, 4 percent mentioned frequently and 36 percent responded they never fight against their rights on domestic violence.

Table 4: Distribution of Responses In Accordance With Unequal Rights and Economic Growth

Q. No.	Questions	Responses		
		To Large Extent	To Some Extent	Never
1	Have you observed any unequal rights at your work place?	28 (53.00)	21 (40.00)	3 (7.00)
2	Do you feel women economic growth can stop the inequalities?	16 (31.00)	28 (54.00)	8 (15.00)

N=52

It is observed from the above table that respondents when asked about unequal rights at their work place, 53 percent respondents responded as to a large extent they are facing the problems, 40 percent revealed to some extent and remaining 7 percent responded 'not at all'. Also, when the respondents have been questioned that if they grow economically can they stop inequalities for which, 31 percent of

the respondents responded as to large extent, 54 percent revealed to some extent and only 15 percent responded 'never'.

Table 5: At what point of situation you faced glass ceiling problems at your work place?

Particulars	No. of Respondents	Percentage
Decision Making	20	38.00
Leadership	7	13.00
Promotion	9	17.00
Organizing	12	23.00
Transfer	4	9.00

N=52

It is inferred from the above table that when the respondents are asked about type of glass ceiling problems faced by them, 38 percent revealed it occurs only at the time of decision making, 13 percent indicated while giving leadership, 17 percent responded at the of promotion, 23 percent mentioned at the time of organizing and only 9 percent respondents indicated that it happens at the time of transfer.

Table 6: Distribution of Respondents In Accordance With Gender Bias Issues

Particulars	No. of Respondents	Percentage
By Participating Conversation	7	13.00
Equal Pay	3	6.00
Equal Responsibilities	31	60.00
Fair Termination	2	4.00
No To Glass Ceiling	9	17.00

N=52

Table 6 revealed the responses towards 'how to eradicate gender bias issues', wherein 13 percent of respondents responded that by participating in conversations, 6 percent while equal pay, 60 percent mentioned by providing equal responsibilities, 4 percent indicated by fair termination and remaining 17 percent responded no to glass ceiling.

Table 7: Distribution of Respondents In Accordance With Suggestions towards Eradicating Gender Discrimination

Particulars	No. of Respondents	Percentage
Educational	28	54.00
Personal & Physiological	12	23.00
Prejudice	2	4.00
Socio-Cultural	10	19.00

N=52

The above table indicated respondents' responses about suggestion towards eradicating gender discrimination, wherein, 54 percent of the respondents revealed through education, 23 percent mentioned through strengthening personal and psychological behavior, 4 percent responded prejudice and only 19 percent expressed the possibilities through socio-cultural behaviour.

Table 8: Distribution of Respondents In Accordance With Suggestions on Women Rights

Particulars	No. of Respondents	Percentage
Women Rights should be Part of Academics	16	31.00
Government should Provide Awareness of Women Rights	23	44.00
Creating an Application to Know Women Rights and Get Suggestions	6	11.00
Establishment of NGOs To Promote Awareness	7	14.00

N=52

Table 8 revealed the responses towards suggestions about knowing women rights, wherein 31 percent responded as women rights should be part of academics, 44 percent indicated government should provide awareness of women rights, 11 percent revealed creating an application to know women rights and 14 percent respondents responded as establishment of NGOs to promote awareness.

Discussion

It has been observed from the results that 45 percent of the women were aware of their rights but they are not rising up their voice towards their rights. The economic growth of women can make her confident of handling all the situations, wherein some of the women still facing glass ceiling, sexual harassment and gender-bias issues. Hence, it deciphers that women should be educated and whistle blow at the appropriate time whenever she face such issues. Moreover, the government should take initiation for eradicating it because developing country's economic growth is based on women empowerment and development. The study also highlighted women were facing domestic violence, which is a long-standing issue. This can be curbed only by social sensation programmes enacted by government social welfare departments and have to be facilitated by non-governmental organizations. The precautionary measures have to be seriously advocated for promoting and protecting women for nation building and socio-economic sustenance.

Limitations

As the respondents are from all levels of women employees, there may be a possibility of gaps in terms of actual facts. Hence, the findings of this study cannot be generalized.

Suggestions

The findings of this study suggest the government to take meticulous steps in creating awareness among women about their rights by utilizing all the marketing Channels, local bodies, street plays and possible ways. Also, women rights can be included as a subject in academics. In addition to this, creation of proper mobile application to register complaints about her problems, wherein it can be resolved by women help centers in the nearby area. This will facilitate the women to gain confidence to work and fight for her rights. Apart from legal aids and DVC (Domestic Violence Cell) government has to work with local Non-Governmental Organizations (NGOs), which are into Domestic Violence, Women Education, Female feticide, Female Infanticide in rural and urban areas. Furthermore, the government should enact directives to all private organization to fill their employment in equal proportion (50(Men):50(Women)). Also, the women cells to be instituted under every organization, wherein appropriate action needs to be taken with regard to sexual harassment, gender bias, job inequalities, etc. faced by women.

Conclusion

Indian women are treated as goddesses in scriptures and temples, but when it comes to equal rights to that of men, they are often discriminated. This discrimination prevails even in the 21st century, when we deep-dive into the roots of equality and rights with regard to women communities at large, they are still viewed as incapable and inefficient. It is due to the patriarchal societal setup in a country like India, wherein men are often portrayed as higher order gender in dealing situations, getting job, running family, superior in society, etc. Hence, in order to overcome this situation, women have to take initiatives to know their rights and exercise it in all spheres of life. Also, they have to be facilitated through empowerment strategies and frequently encouraged by provision of adequate education, awareness on rights, job opportunities, women welfare schemes, protection measures, etc.

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