



Firoz Ansari, 2. DR. D.
C. Mishra

An Overview Of Historical Perspective Of Gender Justice

Research Scholar, 2. Professor & Head, Faculty of Law, Agra College, (Dr. B.R. Ambedkar University, Agra) Agra (U.P.) India

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E-mail : firozansari104@gmail.com

Abstract: *Gender justice refers to the fair and equitable treatment of individuals regardless of their gender, ensuring equal rights, responsibilities, and opportunities for all. This paper explores the historical evolution of gender justice, tracing the roots of gender inequality through various cultural, religious, legal, and socio-political frameworks. From ancient patriarchal structures to the rise of feminist movements, the historical perspective reveals a gradual but significant shift toward recognizing and upholding women's rights. It examines landmark legal reforms, societal transformations, and the role of influential figures and movements that contributed to the advancement of gender equality. The study emphasizes how the historical context shaped contemporary understandings of justice and highlights the ongoing struggles and progress in achieving true gender parity. Understanding this evolution is crucial for framing present and future policies aimed at establishing a more just and inclusive society.*

Key words: Gender Justice, Historical Perspective, Feminist Movements, Patriarchy, Legal Reforms.

INTRODUCTION- Despite the ongoing transformation in conventional perspectives, the "prison boundaries" have yet to be dismantled. Identifying women employed outside their residences is not a novel trend. It is acknowledged that during the post-Vedic period, only women from lower social strata engaged in external employment. Women began seeking jobs in estates and mines from the early years of this century. A significant transformation transpired following India's independence in 1947. The Constitution of independent India provided that there shall be no discrimination in the employment of women. Opportunities for women's employment expanded, resulting in a notable increase in the employment rate, particularly among educated women in higher socioeconomic strata.¹

STATUS OF WOMEN IN INDIA- Ancient India: The extant evidence and manuscripts concerning life in ancient India depict "women as subordinate, as these texts extensively delineate the roles of Aryan men while neglecting women, categorizing them among other subordinate castes. The revered Indian scripture Bhagavad Gita categorizes women, Vaisyas, and Sudras inside a singular grouping. According to another source, the penalty for killing either a lady or a Sudra is identical.² The woman was never regarded as an autonomous character. The subjugation of women by men is explicitly depicted in the Manu Smriti."³

Other documented evidence suggests "that during the Vedic period, women held an equivalent position as men. They were allowed to reflect on the Vedas and engage in philosophical discussions. Indeed, several hymns of the Rig Veda were composed by women. Upon completing their education, ladies might either embark on married life or dedicate themselves to religious and mystical pursuits, akin to males.⁴ Vedic customs stipulate that the bride must be a mature lady, fully developed in both body and intellect. She is recognized as a Kanya, who selects a partner for herself. Religious sacred texts and narratives not only consider the equal status of husband and wife but also emphasize her dignity and respect in both social and personal spheres."⁵

Social Status: The Aryans have portrayed the creation of the universe as the union of Prakriti and Purusha. Woman embodies Prakriti, while man represents Purusha; their union has established both the household and the world. Historically, the spouse is regarded as the other half of an individual, and hence, without her, he is deemed incomplete. The epic literature similarly illustrates that "a man's counterpart is his wife; so, she is referred to as ardhangani. In ancient India, a wife was referred to as Sahadharmini, signifying her spiritual and emotional unity with her husband. In the Vedic period, women participated in all religious rites and had the same advantages as men. Her excellence and co-activity were essential in the implementation of religious customs and rites. The Rigveda references Ghosha and Lapamudra, who are also knowledgeable in the Vedic mantras. A man could not achieve completeness unless accompanied by his spouse. Consequently, during the era of the Samhitas and Brahmanas, the religious standing of women was equivalent to that of men. In Manu Smriti, a woman is perpetually essential to her husband, as a man is not regarded as whole in society without a partner. In her absence as his companion in religious rites, he was unable to fulfill his spiritual obligations. Although Manu held a low esteem for women's intellect, he maintained that she should be acknowledged. Manu assigns the utmost respect to mothers and asserts that a mother should never be excluded, regardless of her moral failings.⁶ The Mahabharata asserts that one



seeking success must honor and esteem a lady, perceiving her as the goddess of fortune.⁷ Buddha emphasizes the notion of reciprocity. Buddha conveys that both the woman and her partner have mutual responsibility towards one other. The corresponding weight of duty and responsibility reflects Buddha's perspective on the role of women in familial life".⁸

In ancient India, a Hindu marriage was intended to be indissoluble, persisting significantly into the afterlife. "The Rig Veda and Atharva Veda espoused elevated ideals regarding the sanctity of marriage. The Sutra text condemns the act of division. The Apastamba states that if the marital vow is breached, both partners will undoubtedly descend into hell. Manu, on the whole, did not advocate for separation. Although there is a singular mention to the remarriage of women, the Manu Smriti has ample discourse indicating a general opposition to remarriage. Manu and Yajnavalkya both assert that a man may relinquish his wife if a serious sickness was not disclosed by her family before to marriage or if there is a loss of virtue on her part. Women were not provided with standardized savings; if her husband divorced her, she was ineligible for any alimony. We have the grave situation involving the consort of King Rama, who abandoned his wife only based on the provocation of a washerman, who questioned the fidelity of Rama's spouse (Sita) without providing any substantiated evidence. The remarkable King Rama has relinquished his consort without providing her any social security.⁹ Simultaneously, Manu allowed a woman to abandon her husband if he was insane (unmatta), impotent (kliba, abija), or afflicted with an incurable or contagious disease (paparogi). The Manu Smriti delineates five situations of lawful consent. A spouse is allowed to marry another husband if her current spouse is missing (nashta), deceased (mrta), has become an ascetic (pravrajita), is impotent (kliba), or has been outcast (patita).¹⁰ Kautilya also discussed dissolution (moksha), which might be attained solely in the case of mutual hostility between the partners. He asserts that the union of the Arsha and Prajapatya structures cannot be dissolved".

The female population has several challenges when leaving their partners. The religious sacred scriptures and societal norms imposed severe restrictions on women in the event of a husband's death or abandonment. She must endure for an extended period; she is deprived of the rights that women in contemporary India have. The Yajur Veda states that a woman shall remain bound for several years to her second marriage if her husband abandoned her without explanation and disappeared to an unknown location or is presumed gone. The Narad Smriti states, "A woman may remarry if her spouse is deceased, absent, impotent, or ostracized." The Brahmin woman will patiently await her husband, who has traveled abroad; if she has no difficulties, she will endure for an extended period.¹¹

The status of widows has significantly evolved since the era of the Rig Veda, marked by confusion regarding widow remarriage, as it failed to delineate the criteria for such unions and the rights of widows concerning their deceased husband's property. Nevertheless, the custom of Nagoya persisted, allowing the husband's discretion in remarriage. Nonetheless, the widow's marriage outside her deceased spouse's household remained prohibited. The Atharv Veda cannot be aligned with the Rig Veda, as it remains silent on the issues of widow rights and remarriage. The era of "Dharmasastras might be characterized as a time of disorder and the onset of the violation of women's rights. The Manu Smriti and other significant texts of the era, such as the Dharmasutra, are inadequate for women's rights, as they simultaneously affirm and contradict these rights in different contexts. The standards about remarriage in the Arthashastra intently follow those set down in Dharmasutras. They permit the remarriage of a woman whose spouse is deceased, has become an ascetic, or has relocated to another country, following a waiting time that varies based on specific circumstances. The Dharmasastras, including Manu and Yajnavalkya, prohibit widow remarriage; however, Narada permits it. Subsequently, much later, texts such as the Parasara Smriti and Agni assert that a woman may remarry even during her husband's lifetime if he is deceased, has become an ascetic, is impotent, or is an outcaste. This remarriage was referred to as Punarbhu".¹²

The "post-Vedic era, particularly with Dharmasutras, demonstrated the decline in women's status: her financial, social, and political rights were significantly undermined by the prevailing social customs and political structures of the period. The birth of a daughter was perceived as the onset of suffering, whereas the birth of a son was regarded as a coveted desire. Manu asserts that providing financial benefits to a Kanya (Daughter) contravenes societal standards and expectations. Although he opposed dowry, he maintained that this astute practice constitutes a financial transaction that commodifies women. Manu asserts that a woman should be honored and adorned by her father, siblings, husband, and brothers-in-law. In places where women are esteemed, divine entities are appeased; conversely, where they are disregarded, no sacred ritual produces any reward. A house that fails to respect women is condemned and ultimately destroyed. Whether as a young woman or a mature mother, she will not accomplish anything autonomously. In her childhood,



she is subject to her father, subsequently to her husband, and at her husband's demise, to her offspring; women should remain dependent. Manu perceived that women were embellishments of the household that were to be preserved and treated with utmost care and diligence. Manu assigns certain responsibilities to women”.

- A woman should regard marriage as a sacred commitment and relinquish the responsibilities appropriate to her life.
- For a woman in India, her partner should encompass all aspects of her life.
- As a wife, she must consistently exhibit loyalty to her husband, refrain from actions that may dishearten him, honor his memory posthumously, and never contemplate another man.

Manu delineates “the circumstances under which a woman is likely to stray, identifying six factors contributing to her downfall: excessive drinking, consorting with immoral individuals, estrangement from her husband, wandering, late sleeping, and cohabiting with other men. In the presence of such women, no sacred rituals should be conducted. Manu has conceptualized the subordinate condition of women. He asserts that a woman must love her husband as she would God and that she lacks the freedom to leave the confines of her home; should she do so, she may face punishment. Manu Smriti posits that a woman, in her roles as daughter, spouse, and widow, is entirely dependent on the male, and an ideal woman is defined as an exemplary wife. The social, legal, and religious standing of women was markedly inferior to that of men. There is no direct mention of sati, or self-immolation, in Vedic texts. Some argue that the practice of widow burning was prevalent during the early Vedic and Post-Vedic periods. Nonetheless, as Altekar has asserted, the customs of niyoga and remarriage have increasingly grown objectionable since the inception of the Christian era. A widow was regarded as a burden and received little compassion from society; if she remained in her deceased husband's community, she was compelled to work as a day labourer. In the event that she resided alone, she was granted an allowance for her upkeep”.¹³

Economic Status: In ancient India, the inheritance and property rights were complicated. The rights of a daughter, sister, spouse, or widow over her father's or husband's property are not mentioned in any way in the holy texts of the time. There are no records of women in ancient India holding their own property or conducting business. In addition to being granted equal property rights with their spouses, women were also granted the opportunity to share in their father's property with their siblings. In any event, when one considers women's independent status or independent financial rights, confusion may result. At the time of marriage, the spouse was expected to make a solemn vow that he would never infringe upon his partner's rights or interests when it came to money matters. In Vedic India, a wife was typically considered to be co-proprietor of the family property with her husband. In order to create the illusion that women may actually claim property, Jamini makes references to the Taittiriya Samhita, which views the wife as the mistress of the family property. They used to receive Purinahya, or bridal endowments, “which became known as Stridhana”. However, “the Vedic texts do not support a wife's rightful claim to her husband's property. According to the sacred texts of Jainism, women are considered companions in all respects. In the selection process, she was granted the same authority and power as the spouse, living or deceased. She is fully entitled to her five types of stridhana. The confusion around Hindu women's property rights is also seen in Kautilya's Arthashastra. Although he made a clear reference to women's rights over their deceased spouse's property, he excluded those rights from protecting women's settlement and husband property in the unlikely event that she disapproves of the husband her father-in-law selected and chooses a different spouse”.¹⁴

In order to honor her Stridhana, a woman was reliant on her husband's authority. According to Manu, “women should never own property that is common to many people or their own property without their spouse's consent”. According to Yajnavalkya, “a wife has rights over her husband's property. He maintained that, even in the event that the property is divided during her spouse's lifetime, the Stridhana spouse has a legitimate promise and can make an analogous offer to her child. However, Yajnavalika opposed women's financial independence and wrote that a wife could perhaps secure her husband's property if she follows his instructions closely after he has abandoned her”.¹⁵

Katyayana made more enhancements to the Smriti laws on Stridhana. He lists numerous forms of Stridhana, such as those presented to women by their siblings, grandmothers, and grandfathers, as well as those given to them prior to the marital fire and during the bride parade. Widows and sonless women are not entitled to any property rights, according to Manu and Katyayana's composition. According to the Vedic literature, girls who are not married are not entitled to inherit. Usually, daughters may get property simply as gifts from their family members during or after their marriage. However, it was believed that the primary beneficiary would be a sister without a brother. Thus, from a religious perspective, a Vedic father could see



a daughter as being no different from a child. Smritis and Putrika both make mention of a daughter's rights while she lives with her father; for all intents and purposes, whether material or spiritual, the daughter or her child is considered to be the father's.¹⁶ “The primary exception we discuss is a single mention in the Rigveda's content of a brotherless girl occasionally returning to live with her family. In the Mahabharat, there are a few allusions to daughters inheriting kingdoms. To place the daughters of the deceased monarchs in their royal positions, the great Yudhishtira of the Mahabharata epic was called upon. The writings of the Buddha and Jain Agama are essentially silent on a daughter's inheritance rights. Yajnavalkya also extends an offer to the daughter who has no brothers on her father's land”.¹⁷

Women were granted few privileges in the financial sphere, according to an analysis of ancient Indian legal and religious texts. According to the law of inheritance, women had no claim to their husbands' property in the unlikely event that they became widowed or that their significant other abandoned them, despite the fact that “they were considered to be the better half of their husbands and the primary managers of the home”. Women's property rights were limited to the right to Stridhana, as it were, because the male members of their household had complete control over them.

Political Status: Aside from a passing allusion to women's roles in ancient Indian governance, the cumulative political demands and socio-religious traditions have failed to acknowledge women's existence in social life. Because of the masculine desire to benefit from female relatives, ancient Indian society's dynastic and monarchical framework restricted Indian women to the positions of princesses and sovereigns. Prayers to God on behalf of her husband's prosperity or physical assistance to her male companion were the extent of the woman's labour. Narada, Kautilya, and Sukra were among the ancient Indian political thinkers who advocated for the exclusive transmission of the throne to male heirs. As a result, the annals of ancient Indian history are devoid of any female kings or administrators. Although Kautilya was strongly against giving women political and administrative roles in the Epic Age, we can see examples of women in these roles in the Vedic period. Manu gave women the permission to testify, but only in exceptional circumstances where male observers were unavailable. Yajnavalkya and Vasistha did not allow women to appear as witnesses.¹⁸

In “later Vedic literature, women were primarily confined to the family, but in the royal family, the Mahishi (Chief Queen) was seen as an extension of the state. She was among those who backed the king and kept it in power, together with the Purohita, Rajanya, Suta, Gramini, and Samgrahitri. This demonstrates how the royal women, particularly the Mahishi, Vavata, and Parivrikti, continued to exercise their influence as advisors to the king. In the Hindu Commonwealth, Ratnins functioned as a chamber to counsel the King and help him organize the Sabha (assembly). When the King passed away and the heir to the throne ascended, the influence of ratnins was most evident.”¹⁹ It seems that political rights and religion were mixed together in Buddhist literature. “A few queens, such as Mahaprajā Gautami, Kshema Bhadda, Kundalakesa, and others, who supported Buddhist requests, appeared in religious texts as a result of the blending of religious and political life. In terms of women's political standing, opinions about Lord Buddha continued to be mostly negative, and he detested the idea of women being involved in political matters”.

Medieval India: In conjunction “with the socio-religious, political, and economic framework of medieval India, the status and rights of women may be delineated into four distinct categories. One of these groups consists of Hindus belonging to the upper caste and affluent society, while the other comprises Hindus from the lower caste and less privileged class. The third group comprises exceptional women hailing from esteemed Muslim families, while the fourth group consists of Muslim women from more modest backgrounds and lower-income households. A number of distinguished women from Muslim households explored the realms of trade and commerce. There is a conspicuous absence of evidence suggesting that women from the lower and middle classes, belonging to Hindu and Muslim communities, participated in trade and commerce during the Middle Ages in India”.²⁰

The socio-religious differences within Indian culture were largely responsible for the economic well-being of women during the Middle Ages. The caste and class of women played a significant and pernicious role in medieval Indian society; even if they were granted certain advantages because of their caste and class, they were also denied many other advantages because of their caste and class. Despite the fact that the perception of women in Indian society has altered because to the economic and political euphemisms of Muslim women. However, since women's roles were limited in relation to far larger roles in ancient India, no major advancements occurred at this time. In the Mughal courts, royal women held a heightened status. These ladies had access to financial comforts and opportunities for both mental and spiritual growth. Additionally, their magnificence had access to the highways of trade and business. Some of



the women from the sovereignty even received political administration and combat training. The rights enjoyed by tip-top women during the Vedic and ancient periods were lost to women under Hindu monarchs. Women from wealthy Hindu households were gradually deprived of social and economic rights that were available to women from lower castes in Hindu culture, in contrast to the women of Muslim royalty.²¹

In medieval India, as in ancient India, women were still regarded as mothers and were cherished by both Muslims and Hindus. Mothers and other elderly women received the highest respect in all spheres of Hindu society, and their directives were always carried out. In particular, the Rajputs showed their mothers a great deal of respect and never tried to interfere with their wishes. Several examples demonstrate that the Rajput kings always sought their mothers' advice before acting. One such example is "Rana Sangram Singh of Mewar, who always ate his meals after praising his mother. The Muslims also showed remarkable respect for their mothers".²²

Modern India: This is a very important development that is typical of India after independence. This alteration can be attributed to a variety of sources. The most important factor had been socio-economic emancipation. The changes in people's mindsets are also important. The real progress that has been done during this time, according to Desai, "is actually in the upheaval that has been realized in the standpoint as to the origination of the status of women and her job in society." Women are no longer seen as domestic prostitutes and childbearing machines. She gained access to a different social structure and position.²³

Experts and laypeople have had mixed reactions to the hiring of women. It is well known that societal changes can elicit more negative emotions than favorable ones. Even social researchers in general had a bad opinion about women's employment. Physicians made disparaging comments. Lundberg and Farnham conveyed a particular detrimental development. Some sociologists would also generally associate women's growing employment with other trends, such as higher rates of separation, more delinquency, and more misbehavior. For instance, Bossard adopted a strong negative stance, arguing that such job was extremely inconvenient for young people. Many people who were looking for a simple explanation of the many and intricate social problems hypothesized that the employment of women was the primary cause of the problems we face today. It was proposed that women should be prohibited from working. More importantly, the provincial structure allowed women to participate in the organized sector of the economy as well as the modern economic sector. In the factories, mining, plantations, teaching, and pharmaceutical industries, women were taught and employed. One of the new professions that Indian women were able to pursue in the late 1800s was medicine. The demand for women clinical experts quickly grew, with 68,000 clinical experts, 30,000 employed in logical and instructional disciplines, and 6000 in business and law. In any event, the manufacturing sector employed the most women, both in established factories and plants and in smaller industrial facilities like tailoring and the production of vegetable oil. "The number of residential labourers was 7,37,000. About 2,50,000 women were employed in factories in 1928; 58,000 of them were employed in cotton plantations, and 55,000 in jute mills. An additional 2,50,000 women, or 27% of the total, were employed in tea gardens".²⁴

Factory enactment, which was designed to enhance working conditions for women, received discussion from several sources in the final part of the nineteenth century. In the latter part of 1870, the British government established a "seven-member government" advisory panel to study "the situation of working women". Despite all of the hostility in the area, this group recommended the first Factory Act, which was passed into law in 1881.²⁵ Another significant development for working women occurred in 1891 with the amendment of the Factory Act of 1881 and the enactment of the New Factory Act 1891, which prohibited women from working in the evenings and limited their ability to work lengthy shifts to eleven hours.²⁶

When compared to the rate of growth in the female population, the number of opportunities for Indian women to participate in economic activities expanded far more slowly for the majority of the 20th century. The status of women's labour power as a percentage of the population rapidly declined between 1911 and 1951. Like the various facets of a culture, religion determines the ideology and justification for women's status and institutionalized employment. It is obvious that the various restrictions placed on women and our conceptions of their proper roles in the home and in society have been greatly impacted by religious origins regarding their primary traits, expected excellences and customs, and other things, all of which are supported by various myths and legends. Women had more independence under Buddhism and Jainism, and the religions' teachings were quickly integrated thanks to imperial assistance. Women's social roles have changed as a result of the Bhakti and Nationalist movements, modernization processes, the influence of Western culture, and other factors. Nevertheless, there is a keen regard for the changes that have occurred in



the status of women in India throughout the years. Some people believe that these changes are important and unavoidable. Although they highlight the advancements made to their legal standing, some argue that women's status has hardly altered and that Indian society is still mostly a male-dominated society.²⁷

Throughout the entire history of women's emancipation, the transition from the traditional role of women as subservient to men to the neo-customary stage, where women have been up in the rebel against a wide range of abuses and reaffirm their equality with men in all fields of rights and obligations ranging from education, employment, wellbeing, and institutionalized government assistance offices, along with the support of women at various degrees of social and national activity, should, in the best case scenario, be referred to as a tertiary stage. An unusually advanced society will surely emerge at that time due to friendly relationships that permit no abuse, whether it be intellectual, economic, or otherwise, and the removal of all customs that have led to the restriction of women's lives to specific social circles. The fact that he is the provider is undervalued, which is another reason why men are preferred to women. Contrary to expectations, the Advisory Group on Status of Women discovered that our society's model has evolved while traveling around India. They discovered that women are often the primary breadwinners. In fact, the Board of Trustees on the Status of Women discovered that our society's model has evolved while traveling around India. They discovered that women are often the primary breadwinners. In any case, a woman usually does not receive the money from her husband to maintain the household when he is working. Even in the lower white-collar class, where women were not expected to work, things have rapidly changed.²⁸ Before 1997, a victim of sexual harassment at work had to report the incident under Sections 354 and 509 of the Indian Penal Code 1860.

“Bhanwari Devi was a saathin (social labourer) for the Women’s Development Program in Bhatari (Rajasthan, India), working on a battle to end child marriage. Bhanwari announced a family from the Gujjar people group to the police. They were arranging the marriage of a one-year old infant. Annoyed with the intervention, the family defied Bhanwari. In the wake of attempting to segregate her from her locale, five men Ram Sukh Gujjar, Ram Karan Gujjar, Gyarsa Gujjar, Badri Gukkar and Shraavan Sharma went to her home. Her spouse was assaulted and restrained, while she was assaulted. Bhanwari and her significant other went to the police for help. No careful investigation was propelled and police deferred taking proclamations regarding what had occurred. Before the police advised her to get back, she was approached to desert her skirt as proof. Bhanwari was likewise compelled to look for clinical consideration in Janipur. At the point when she showed up, the specialist just recorded her age leaving out any reference to assault in his report. Fifty-two hours went before a clinical examination was led”.

“Bhanwari took her case to a Jaipur preliminary court because she was determined to receive justice for the severe crimes that were brought against her. In any case, all five guys were found not guilty by the court. The decision to dismiss the case was made when it was determined that it was highly unlikely for an uncle and his nephews to attack a woman simultaneously. They also found it hard to believe that Bhanwari's partner could have been restrained while he witnessed his wife being abused. Bhanwari's delayed police complaint and the lack of clinical evidence identifying the guys who had attacked her were among the other justifications the Court provided. The brutal attack and unfairness Bhanwari experienced would highlight the seriousness of workplace sexual harassment and the lack of protections for women”.²⁹

It was determined to be a violation of women's human rights in the historic ruling. The Court examined the case from the perspective of sex equality, acknowledging that workplace sexual harassment is a "social issue of significant extent" and a form of discriminatory violence against women. The Court pointed out that "sex equality" encompasses protection from sexual harassment, which is widely regarded as a fundamental human right.

In order to accomplish this goal, India's international human rights agreements were crucial, particularly as there were no domestic standards to deal with the matter at hand. The Court specifically mentioned “India's signing of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which forbids employment discrimination and specifies special state duties to eradicate it”:

- “Article 11(1)(a, f)”: The right to employment, as well as the right to safety and health protection in the workplace, including the preservation of the reproductive system.
- “Article 24”: States parties commit to implementing all national policies required to fully realize the rights outlined in the current Convention.
- The 19th General Recommendation: To eradicate violence against women.



The Court acted in line with “international human rights norms and standards to promote gender equality and non-discrimination in the workplace when domestic laws failed to sufficiently handle sexual harassment”.

Vishakha Guidelines- “In its judgment, the Court provided a set of guidelines for employers as well as other responsible persons or institutions to immediately ensure the prevention of sexual harassment. In accordance with Article 141 of Constitution of India, these guidelines were to be considered law until appropriate legislation was created”.

Employers and other responsible individuals in institutions have a duty to their employees. It is the responsibility of employers and other responsible parties in institutions to ensure a safe work environment free of sexual harassment, as well as to establish protocols for dealing with, resolving, or prosecuting allegations of sexual harassment. The eradication of violence against women, the “right to work”, and “health and safety in the workplace”, according to their respective priorities. After determining that “existing legislation did not adequately address sexual exploitation in the workplace, the Court adopted policies to promote gender equality and anti-discrimination in line with universal human rights benchmarks”.

Enactment of Social Legislations in India- The enacted laws pertaining to women relate to: Marriage, Adoption, Maintenance, Property and employment.

The marriage laws concentration on age of marriage, consent of marriage, remarriage, dissolution of marriage, form of marriage, and freedom in mate selection. The adoption laws concentration on women’s rights. Unmarried women and widows can take adoption. The important legislations enacted are, the Child Marriage Restraint Act, 1929; the Hindu Marriage Act, 1955; the Special Marriage Act, 1954 and the Hindu Adoption and Maintenance Act, 1956.

The property laws enacted are: Hindi Law of Inheritance, Hindu Women’s Right to Property Act, 1939; and the Hindu Succession Act, 1956. The 2005 Amendment granted daughters equal coparcenary rights to ancestral property.

The laws pertaining to employment are: the Factory Act, 1948; the Employees State Insurance Act, 1948, and the Maternity Benefit Acts. The 1948 Factory Act focuses on working laws, equal wages (for both men and women), load to be carried, sanitational facilities, creches and so forth. The Employees State Insurance Act provides five benefits; sickness, maternity, disability, dependent and medical.

CONCLUSION- Achieving gender justice is a continuous process. It calls for persistent efforts, policy, innovation and above all, a cultural shift in how society perceived and values women. Government initiatives and policies have been changed and implemented for the maximum advantage of women since India’s Independence. From 1947 to today, women have been on a lengthy path to reach equal standing. There are many more steps to take. From time to time, the special role of women in the economy and decision-making is safeguarded. Gender justice as a constitutional duty has been upheld in a number of significant divisions throughout the years.

If gender discrimination is rooted out then women will deliver her knowledge, skills, potential to develop a family, nation and ultimately to the whole world. A country without women participation cannot achieve its full development.

FOOTNOTE

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