

## The Role of Law in Bringing about Reforms in the Life of Women in India

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**Abstracts:** The Constitution of India guarantees the equality before law and equal protection of laws within the territory of India. The Constitution gives the special protection to women. The aim of the present paper is to analyze the role of law in the bringing about reform in the life of Indian women, keeping in view the provisions of Constitution of India and the other legislations passed for the protection of the women. The author has done doctrinal research on the basis of available secondary sources like Books, Journals and websites.

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### 1. Introduction:

Law is an important tool for social change and reform. It can directly, as a norm setter, or indirectly provides institutions which accelerate social change by making it more acceptable. It is capable of establishing an equitable and transparent framework for the functioning of a civilized society and for protecting the rights of vulnerable groups including women. Legal systems have throughout the centuries has treated women as subordinate to men. It is only in recent times that women have been granted equal rights.

Indian women too have been continuously battling for social justice and equal rights. Three distinct phases are evident in Indian women's struggle for equality. The first phase was in the 19<sup>th</sup> century when social reformers like Raja Ram Mohan Roy, K.C Sen., Ishwarchand Vidyasagar, Swami Vivekananda, Swami Dyaynand and others crusaded against social evils like sati, child marriage, infanticide, and oppression of widows and tried to apply rational and humanitarian criteria to these problems. The second phase marked the large scale participation of women in the national movement. Since the mid 1970s has emerged the third and a more vibrant phase of the Indian movement; which emphasizes the empowerment women in all areas of life. And law has an important role to play in this regard. Social reformers in the 19<sup>th</sup> century, women in the independence movement, and activists in the contemporary women's movement, all have fought for women's rights and law reform. All placed faith in laws ability to deliver social change.

The position of women in the law changed dramatically after Independence as the Constitution of India sought to ensure social justice and equality, both of which subsume gender justice. Gender justice is a composite concept, it is the human right of women to enjoy equality with men, the inhibited and free opportunity to be 'she' and to unfold her full faculties, eliminating from the social milieu all sex prejudices,

sex bias, sex servitude. Indian constitution recognizes equality before the law and prohibits discrimination on the basis of sex. Statutory laws aim to reform discriminatory customary practices, and an active judiciary to further protect women's social, economic, and political rights. In India the legal framework has sought to protect the interests of women, the Constitution prohibits discrimination on the basis of sex, although it upholds the application of customary laws to personal matters. Women have obtained equal access to property and are able to participate freely in economic activities.

In the present paper, the author has tried to focus on social reform movement regarding the status of women in the Indian society and how law has been instrumental in uplifting the status of women.

### 2. Women in Indian Society: A Historical Perspective:

The status of women in our country is culture, region and age specific. The status of women in Hindu society has changed from time to time. In the early societies generally the males were playing an active role while the females played only a passive part. The societies were generally male dominated and the females were considered only a thing of enjoyment for men. However there are contradictory views regarding the status of the women in the ancient period. While one group has placed women as "equal of men", the others are of the view that women were not only disrespected but were subject to cruelty and positive hatred also during those days.

During the Vedic period the women were said to be enjoying better status, power and freedom in all spheres of life. They were given due respect and weightage in the family and society. They were given all types of freedom and rights to act according to their own choice. No pardah system was prevalent then. They have got the right to education and most of the social evils were not allowed to exist. All these played

a crucial role in placing the women in a place which they deserve.

Post Vedic period mainly refers to Brahmanic period, the puranic period and the Buddhist period. During the Brahmanic and puranic period the status of women was lowered and certain social evils came to rule the society badly affecting the dignity of women. Education was denied and pre-puberty marriage was practiced and they have no religious or any social duties to perform. They were also denied a share in the property as it was maintained that "a wife and a slave cannot own properties". Various reasons are attributed for such low status of women which include imposition of Brahmanic austerities on the entire society, rigid restriction imposed by the caste system, lack of education, joint family system, foreign invasion etc. But Buddhism which came as a reaction to Hinduism bestowed certain rights to women in field of religion. In other fields no remarkable change was noticed among the women folk however, they came to occupy a distinct and superior place in the religious field during this period.

\* **Position of Women in Medieval Period:**

The period includes the Rajput period and Muslim era. During the rule of rajputs the cultural life of the Hindu women remained static but it was not bad as was during the puranic age. But the Muslim era marked a significant change in the attitude towards women. The condition of the Indian women in general and of Hindu women in particular, began to deteriorate after the Muslim conquerors settled in India. By and large, women lost opportunities and freedom and became increasingly dependent on the men. This was largely due to social response to a natural social response to the challenged by disturbed condition following foreign invasion.

In Mughal period the position of women in general was subordinate to men. The girls were considered liability right from the birth. A mother giving birth to a number of girls in succession was despised. Amongst the Rajput clans the girls were killed at the time of birth. Economically the Hindu women were completely dependent on men folk. They were not entitled to any share in the property. On the other hand the economic condition of Muslim women was much better. They were entitled to definite share in the inheritance and were free to dispose of the property. Female education was practically non-existent among both Hindus and Muslims and they were forced to remain under seclusion. *Parda* system become prevalent and the other evils like child marriage and *sati pratha* prevailed. However, towards the latter part of the Islamic rule i.e., during the fifteenth century some saints led by *Ramanujacharya* organized *bhakti* movement which to some extent has been possible in bringing new trends in the social and the religious life

of women. This movement tried to bring back the lost glory of the women which they have in the vedic period. The saints like Chaitanya, Nanak, Kabir, Ram das, Meerabai, Tulsidas and Tukaram through their religious scriptures and dedication succeeded to a great extent in providing some sort of religious freedom to women.

\* **Position of Women in British Period:**

The position of women was not satisfactory in the early period of British rule. Women lacked freedom in socio-economic life, deprived of education and confined to the four walls of the house. The attitude, behavior and living patterns of Hindu society changed drastically during British regime due to education and western impact on socio-cultural life in India. The social reformers like Raja Ram Mohan Roy and Swami Dayanand Saraswati fought the struggle of upbringing the social status of Hindu women and tried hard to get laws enacted for the eradication of social evils concerning Hindu woman. After centuries of social stagnation, serious efforts were made by social reformers with the help of British government for the eradication of social events and make people sensitive to the injustice perpetrated on woman.

Indian society was in the grip of many social evils like *sati*, temple prostitution, *pardah*, dowry system, female infanticide and the evil practices of polygamy and polyandry. It was due to the efforts of Raja Ram Mohan Roy that the British government adopted definite stand to abolish *sati* and in 1829 *Sati Abolition Act* was passed. After abolition of *sati*, another social evil that attracted the attention of almost every social reformer was the miserable plight of widows and restriction on their remarriage and finally in 1856 the Hindu widow's remarriage act was passed, the credit of this enactment largely goes to Ishwar Chandra Vidyasagar. The social reform movement also targeted the child marriage and they were successful only when government of India passed the *Child Marriage Restraint Act*, popularly known as *Sharda Act* of 1929. The act was not very effective as people living in the villages were not aware of it and government lacked adequate means to enforce it. The *pardah* system which was the direct result of the Muslim invasion was also attacked by the social reformers.

In the matrimonial matters, there was a shift from the sacramental character of marriage. Hindu women left husbands place for the matrimonial guilt or fault of their husband. The court in such cases also granted separate residence and maintenance to wife. The Baroda state government was the first to pass an act in 1942 against the polygamy, The Bombay prevention of Hindu bigamous marriage act, 1946 and Madras Hindu (bigamy prevention and divorce) act, 1949 were other enactments which provided improvement in the marital life of Hindu women. So far as property rights are

concerned, the Hindu women's Right to Property Act, 1937 and other enactments granted right of inheritance to Hindu women but it was restricted to their life time only. During this period an awareness of the need to remove social disabilities was created and women were fighting against all sorts of odds and social taboos alongside men.

\* **Position of Women after Independence:**

The Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favour of women for neutralizing the cumulative socio-economic, education and political disadvantages faced by them. The preamble to the constitution of India declares that social, economic and political justice should accrue to all citizens, which means everybody both men and women should not be denied the fruits of justice. Preamble is gender neutral. It aims to provide justice to all sections of society irrespective of their sex, class etc. part third of our constitution deals with fundamental rights which provides certain provision for the women. Article 14 provides equality before law i.e. no person in the state shall be denied equality before law or equal protection of the law. Thus women in Indian society enjoy the same protection and treatment as a man which is guaranteed by the constitution. Article 15 prohibits any sort of discrimination against women when it declares in clause 1 that "the state shall not discriminate against any citizen on the grounds only of religion, race, caste, sex, place of birth or any of them". Article 15(3) provides that, "nothing in this article shall prevent the state from making any special provision for women and children". This means that whenever any need arises due to peculiar characteristic the women enjoy, the state will not hesitate to meet their special needs by enacting laws for them. Its object is to strengthen and improve the status of women.

Article 16 guarantees equal opportunity in matters of public employment as article 16(1) declares that "there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state". In the case of C.B Muthamma v. Union of India, where the rules requiring female employees to get permission before marriage and denial of right to employment to married women were held discriminatory and violative of article 16 of the constitution. Article 19 guarantees to all citizen both men and women the "right to freedom of speech and expression". Thus everyone has a fundamental right to form his own opinion on any issue or general concern.

Besides fundamental right, the constitution in part fourth under directive principle of state policy also directs the state to take certain remedial measure for the welfare of the women. Article 39 clause (a) says "that the citizens, men and women equally, have the right to an adequate means of livelihood". Article 39(d)

provides "that there is equal pay for equal work for both men and women" and Article 39(c) says "that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age and strength". Again equal justice and free legal aid to everyone men and women has been provided in Article 39A. Article 42 directs that "the state shall make provisions for securing just and human conditions of work and for maternity relief".

Part IV-A contains fundamental duties which is obligatory on the part of citizen to do and respect. Article 51-A deals with such duties and clause(e) relates particularly to women which says that "it shall be the duty of every citizen of India: to promote harmony and the spirit of common brotherhood among all people of India transcending religious, linguistic and regional or sectional diversities to renounce practices derogatory to the dignity of women". Besides all these articles 243-D and 243-T brought through 73<sup>rd</sup> and 74<sup>th</sup> amendment to the Constitution on year 1992 provides for reservation of seats for women in Panchayat and municipalities respectively.

**3. Women's Right to Property:  
Under Hindu Law**

In Hindu law property held by women before codification in 1956 could be divided into two categories according to the source from which property was inherited-

(1) stridhan or property of which she is the absolute owner,

(2) Non-stridhan or the women's estate or the property of which she is the limited owner.

Under the Hindu law women's right to property act, 1937, greater rights were conferred on women, i.e. rights of inheritance to their husband's property, even where the husband left the male issue. Rights were also conferred on the widows of a deceased coparcener but the interest was only a limited interest. The parliament enacted the Hindu succession act, 1956 to amend and codify the law relating to intestate succession among Hindus. The main scheme of the act is to establish equality between a male and female in regard to rights to property and hence the limited estate of a female under the old Hindu law was completely abolished. Section 14 (1) of the act provided Hindu women a proprietary status. The female were allowed to stand on the same podium and to be recognized an equal footing. This section gives her the following rights:

- I. the right to possession;
- II. the right to its management;
- III. the right to its exclusive enjoyment;
- IV. the right to disposal by intervivos or will at pleasure;

V. On the death of owner the property should devolve by succession on the owners own heirs.

The Hindu succession (amendment) act, 2005 has been passed and the new provisions have effectively changed the course of Hindu law and the earlier concept of Hindu women's right property being limited as compared to their male counterpart would no more be operative. According to the new section of Hindu succession act, in a joint Hindu family governed by the mitakshara law the daughter of a coparcener shall by birth become a coparcener in her own right in the same manner as the son and she shall have the same rights in the coparcenary property as she would have had if she had been a son. The objective is to provide equal rights to women in matters of inheritance succession and share in joint property in the same manner as given to male members.

#### **Under Muslim Law**

Islamic law as applied in India, treated women quite reasonable as far as the right to hold property was concerned. Their position appeared to be quite comfortable in Muslim law and the proprietary status of the Muslim female was comparatively far better than Hindu women. The rights of Muslim women in respect of property are as follows:

#### **Daughter**

In inheritance, the daughters share is equal to one half of the sons in keeping with the concept that a woman is worth half a man. She has full control over this property and she can manage, control, and dispose of, as she wishes in life or death.

#### **Wife**

In Islamic law a women's identity, though inferior in status to man is not extinguished in husband when she marries. She can retain control over her goods and properties. Wife also inherits from husband to the extent of one eighth if there are children or one fourth if there are none.

#### **Mother**

In case of divorce or widowhood, she is entitled to maintenance from her children. Her property is to be divided according to the rules of Muslim law. She is entitled to inherit one-sixth of her deceased child's estate.

#### **4. Divorce Law and Women:**

In Hindu law there was no concept of divorce as the marriage was regarded as sacramental union. But with the passage of time this concept changed and the Hindu marriage act, 1955 was passed which provides grounds for the divorce of the marriage. Prior to 1976 amendment there were two grounds of divorce under section 13(2) but now following four grounds are available to women under the section 13(2) of the act:

- i. bigamy;
- ii. deviant sexual conduct: rape, sodomy or bestiality by husband;

- iii. a court order of maintenance to the wife followed by a one year period of non-cohabitation;

- iv. Repudiation of marriage.

#### **Under Muslim Law**

Under the Muslim law, the dissolution of marriage takes place in two ways. The dissolution may be effected as per "the dissolution of Muslim marriage act, 1939" or through an act of repudiation known as "talaq" by husband in exercise of his power, conferred on him. Following are the rights which are available to Muslim wife under dissolution of Muslim marriage act 1939:

- i. Disappearance of the husband for four years;
- ii. Lack of maintenance for two years;
- iii. Imprisonment for seven years or more;
- iv. Impotency of the husband;
- v. Insanity for two years;
- vi. Leprosy;
- vii. Venerable diseases;
- viii. Repudiation of marriage;
- ix. Cruelty;
- x. Failure to perform marital obligation for three years.

#### **Right of Maintenance**

All personal laws accept the basic idea of women having some right to support in the event of dissolution of marriage. The Hindu adoption and maintenance act, 1956 is the established law regarding the maintenance of Hindus and the act defines maintenance as "provision for food, clothing, residence, education and medical attendance and treatment". Section 18 of the act specifically deals with the maintenance of wife. Sub-section (1) of this section says that "subject to the provision of this section, a Hindu wife, whether married before or after the commencement of this act, shall be entitled to be maintained by her husband during her life time". The obligation of husband to maintain his wife does not arise out of any contract, express or implied, but out of the status of marriage, out of the jural relationship of husband and wife.

According to Muslim law a husband is bound to maintain his wife as the right to maintenance of the wife is absolute. The obligation of the husband to maintain his wife can be studied under two heads:

- Maintenance during subsistence of marriage,
- Maintenance on divorce.

Under Muslim law, the husband is bound to maintain his wife as long as she is faithful to him and obeys his lawful and reasonable orders. The marriage however should be a valid marriage and not one which is void or irregular. As regard to maintenance of divorced Muslim women section 3 of the Muslim women (protection of rights on divorce) act says that the divorced women is entitled to have a reasonable and fair provision and maintenance from her husband within the period of iddat and in case on divorce the

husband has failed to deliver, the wife may sue the husband by making an application before the magistrate and also action against that defaulting husband has been stipulated.

### **Maintenance under Section 125 of Criminal Procedure Code**

The maintenance to wife is also provided under section 125 of the criminal procedure code. According to section 125 (1) of the code of criminal procedure the wife is entitled to claim maintenance if she is unable to maintain herself. She may be of any age-minor or major. The term wife includes a woman who has been divorced by or has obtained divorce from her husband and has not remarried. The section applies to wives belonging to any religion except Muslim and it has no relationship with the personal laws of the parties.

### **5. Women and Dowry Prohibition Law:**

Dowry is a deep rooted social evil. In present day societies it has taken firm roots and has become a kind of bargain assuming scandalous proportions. Therefore, in order to tackle the problem and to provide for legal sanctions in the form of its prohibition and punishment, the Dowry Prohibition Act, 1961 was enacted which has further been amended twice, first in 1984 and then in 1986. The object of the act is to prohibit the evil practice of giving and taking dowry. Section 4 of the act makes penal provisions for demanding dowry. The very purpose of this section is to discourage the demand of dowry i.e. property or valuable security as a consideration for the marriage between the parties. If any person demands, directly or indirectly any dowry from the parents guardians or relatives of bride or bridegroom shall be punished with a imprisonment of six months which may extend up to two years with a fine extending up to ten thousand rupees.

In order to make the provisions of the act more stringent, the act has been amended. New sections 113-A and 498-A have been inserted into the Indian evidence act, 1872 and Indian penal code, 1860 respectively to give more teeth to the offences relating to dowry. Section 498-a of the Indian penal code which was inserted to it along with the section 113-A of the Indian evidence act has made "cruelty" by the husband or his relative to the formers wife, a penal offence punishable with imprisonment for a term which may extend to three years and fine. Dowry death has been included as an offence by incorporating section 304-B in the Indian penal code, and section 113-B in the evidence act. Section 304-B of the Indian penal code says:

(1) where the death of a women is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of marriage and it shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with,

any demand for dowry, such death shall be called "dowry death" and such husband or relative shall be deemed to have caused her death.

(2) Whoever commits dowry death shall be punished with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life.

Section 113-B of the Indian evidence act relating to the presumption as to dowry death says that "when the question is whether a person has committed the dowry death of a women and is shown that soon before her death such woman had been subjected by such person to cruelty or harassment for, or in connection with, and demand for dowry. The court shall presume that such person have caused the dowry death". The intention of legislature in incorporating the provisions in the Indian penal code and the Indian evidence act is very clear as the main mooto was to curb the menace of dowry death which is considered to be a barbarous act.

### **6. Labour Laws for Women Workers:**

In the sphere of labour and industrial laws there are several protective legislations particularly which provides special benefit to the women workers. The constitution of India, guarantees equal protection of all and contain provisions debarring discrimination against women in order to protect the interest of the women workers. Article 39 of the Indian constitution specifically speaks of equal work for both men and women. this has meant to serve the purpose of women workers who are placed in the similar position and discharging similar duties but getting differential treatment as regard the scale of pay is concerned, to remove this disparity while respecting the constitutional provision, the government enacted the "Equal Remuneration Act, 1976" to provide equal remuneration to men and women thereby preventing discrimination in employment basing on grounds of sex.

The Maternity Benefit Act, 1961 was enacted by the government to fulfill the constitutional obligation as provided in article 42 which speaks that the state has to make provisions for securing just and human conditions of work and for maternity benefit. The act aims to regulate the employment of women in certain establishment for certain period before and after the child birth and to provide for maternity benefit and certain other benefit.

In order to protect the workers from health hazard the law has imposed additional statutory restrictions on the employment of women workers. The factories act, 1948, the mines act, 1952 and the Plantation Labour Act, 1951 prohibits the employment of women except between 6a.m and 7 p.m. The Mines Act, 1952 prohibits the employment of women on any part of mine which is below the ground. The Factories Act prohibits the employment of women in part of a factory

for pressing cotton in which a cotton opener is at work. It further prohibits the women to clean, lubricate or adjust any part of a prime mover or any transmission machinery while the prime mover of transmission machinery is in motion. The factories act, mine act, and the plantation act provide for special provision for women regarding health safety and welfare. These provisions, inter alia includes separate provision for latrines and urinals, washing facilities, crèches, rest rooms etc. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is a good step for giving protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

#### 7. Female Foeticide and Law:

The practice of determining the sex of the child followed by abortion has been held to be illegal and constitutes a penal offence. In medical usage abortion means the termination of pregnancy before the foetus has attained viability that is, becomes independent extra-uterine life. Indian law considers abortion to be an offence and provide punishment for the act. Section 312 of the Indian penal code provides that, "whoever, voluntarily causes a women with child to miscarry, shall, if such miscarriage be not caused in good faith for the purpose of saving the life of the women, be punished with imprisonment of either description for a term which may extend to three years or with fine, or both and, if the women be quick with child, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine." The medical termination of pregnancy act, 1971 was the first law to regulate the termination of pregnancy. The act provides that termination can only be possible if in the opinion of medical practitioner:

- Pregnancy would involve a risk to life of pregnant women or cause grave injury to her physical or mental health; or
- There is substantial risk that the child if born would suffer from such physical or mental abnormalities which may lead to seriously handicap the child.

The pre-natal diagnostic techniques (regulation and misuse) act, 1994 was enacted by parliament. In the year 2003, the government amended the said act to make certain changes. The act has been brought "to provide for the prohibition of sex selection before or after conception and for regulation of pre-natal diagnostic techniques for the purposes of detecting genetic abnormalities or metabolic disorder or chromosomal abnormalities or certain congenital malformations or sex linked disorders and for prevention of their misuse for sex determination

leading to female foeticide and for matters connected therewith or incidental thereto."

#### 8. Immoral Traffic Prevention Act, 1956

The law defines prostitution as sexual exploitation or abuse of person for commercial purpose. The law does not treat prostitution per se illegal; it can be carried on with certain restrictions. The act prohibits:

- Keeping a brothel or allowing premises to be used as brothel.
- Living on earning of prostitution.
- Coercing, inducing or taking a person for the sake of prostitution.
- Caring on prostitution in or in the vicinity of public place.
- Seducing or soliciting in a public place.
- Seducing a person in custody, charge, care of or under the authority of such person.

#### 9. Indecent Representation of Women (Prohibition) Act, 1986

This act prohibits representation of woman through advertisements or in publications, writings, paintings, figures or in any other manner and for matters connected therewith or incidental thereto. No person shall produce or cause to be produced, sell, let to hire, distribute or send by post any book, pamphlet, paper slide, film, writing, drawing, photograph representation or figure which contain indecent representation of women in any form. However, wherever such depiction is in the interest of science literature, art, learning or other objects of general concern or for religious purposes or is an archeological remains etc, it shall not be deemed as violation of law.

#### 10. Reservation for Women in Panchayati Raj Institutions

The 73<sup>rd</sup> amendment of the Indian constitution provides for one-third reservation for women in the panchayats. It has led to upsurge of women in the political field. India is the first among all the nations to provide reservation to women in politics at grass root level. In India today there are one million elected women representatives in local government.

Thus we can say that, though there are many legislative and Constitutional provisions covering almost every aspect of the life women, yet the main concern is that after all this legislative exercise, what is required is the implementation of laws in the true spirit so that women can enjoy equal rights and status, as that of men.

#### Conclusion:

The paper unfolds the saga of social reform of Indian women through legal reforms. Law is an important tool of social reform and we have seen that how law has been instrumental in uplifting the position of women in a male dominated society. Social reform

movements have come a long way in helping the women to fight for their rights and have mostly resulted in legal reforms to change the status of women. The status of women has changed a lot due to the efforts of the social reformers and the legislations passed since the initiation in pre-independence India. The most happening reform which changed the status of women in the Indian society was the adoption of the Constitution, which provided equality before law to both men and women, and further it provided express denial to discriminate on the basis sex only.

It is true that the Constitution and other legislations had been passed, which covered all the aspects of women's life, including right to property, special grounds of divorce for women, maintenance, dowry prohibition, prohibition of female foeticide and regulation of working condition of women. Regardless of the fact that all these legislation aim at providing the equality of status and prohibition of discrimination; the ground reality is that even now after the 6 decades of independence women have not come close to their male counterpart in Indian society. Even now in the twenty first century, cases of sati, which was abolished back in the nineteenth century, are reported and likewise the evil of dowry is still in vogue, despite the fact that there are provisions relating to dowry in the Indian Penal Code and Indian Evidence Act, wherein the onus to prove his innocence lies on the accused himself. In the same manner all the other evils sought to be ostracized through law are still prevalent in society, and laws passed to upgrade the position of women are no more than a dead letter. Therefore as we have already discussed that there are enough statutes and policies for the upliftment and protection of women; the primary concern now should be the implementation of all the statutes and policies effectively and in the true sense so that women can actually reap their benefits. The function of policy implementation is the duty of the executive, and if they abdicate the same, the onus rests on the judiciary; it should play a proactive role and keep a close vigil on the implementation of legislations so that they can really benefit the womenfolk.

We can thus conclude that the position and status of women has been raised considerably and law has played an important role in the social reform of the women. Our ideal should be to reinstate the status and

position of women as it was in the Vedic period. For reforms to fructify (to move from de jure to de facto), we have to create legal awareness among women, and the way to that is through education, so as to enable them to take cognizance of their rights; and only then can they assert them. The Women's Organizations and Non-Governmental Organization should take the initiative of spreading awareness among women about their legal and social rights and help them to stand up against injustices meted out to them. Further they should co-operate with the state machinery in curbing the social evils which are still prevalent in the society. Ultimately, to accord real equality means to nullify the prejudices that exist in the collective conscience of society, and for that to happen, the egalitarian precepts enshrined in the Constitution have to reify. Meaning that the status of women as determined by law has to pass into popular perception and only then will the object of the law stand vindicated. Therefore a concerted effort is required on part of the whole society for purposes of affording 'real' equality to women; the tokenism of merely passing laws without bothering about their implementation is no more acceptable.

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