

A Case Study on the Level of Awareness about Constitutional and Legal Rights Among Women of Village Bahari, District Una, H.P.

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Although, gender discrimination has been banned by the Constitution and women have been guaranteed political equality with men, yet there is a difference between the constitutional rights and the rights enjoyed in reality by women. What are the reasons for this sorry state of affairs? Issues may be various and varied, however, a few basic issues deserve specific mention: Lack of awareness, Lack of social and economic empowerment, Lack of political will, Feebleness of accountability mechanisms, Lack of enforcement by the police force, Lack of gender culture.

Generally, the answer to how women should be empowered is suggested in the form of 'reservation'. However, a mere reservation will not solve the problem unless and until women become more conscious and aware of their rights and duties.

This study will provide a detailed overview of a topic; attempt to understand the perception of women in society and understanding of women regarding various rights and laws. This paper presents some results from a study of the level of awareness about constitutional and legal rights among women of village and p.o. Bahari, Tehsil Bangana, District Una, H.P. This paper suggests measures for effective programme and policies for awareness about laws, rights and policies among women at grass root level.

KEYWORDS: Awareness, constitutional and legal rights, empowerment, women.

In Indian society, woman occupies a vital position and venerable place. The Vedas glorified women as the mother, the creator, and one who gives life and worshipped her as a 'Devi' or Goddess. But their glorification was rather mythical for at the same time, in India women found her totally suppressed and subjugated in a patriarchal society. Indian women from the countries remained subjugated and oppressed because society believed in clinging on to orthodox beliefs for the brunt of violence—domestic as well as public, Physical, emotional and mental. Women once venerated as the mother and the perpetuating angel of mankind has come to be looked upon as 'the unblessed creature of God' in India, thanks to the club-and-drag caveman attitude of the traditionally male-dominated society.

However, after independence, the principle of gender equality is enshrined in the Indian Constitution in its preamble, fundamental rights, fundamental duties and directive principles. The Constitution not only grants equality to women but also empowers the state to adopt measures, a position; indiscriminate in favour of women. Within the framework of a democratic polity, our laws, developmental policies, plans and programmes are aimed at women's advancement in different spheres. India has also ratified various international conventions to secure rights of women. The women's movement and a widespread network of Non-Government Organisations (NGOs) having a strong grass-roots presence and deep insight into women's concerns have contributed to inspiring initiatives for the empowerment of women. Women today are trying to understand their position in the society. Women have become increasingly aware of sexual inequalities in every sphere of life and are seeking ways to fight them.

The present study is conducted to know whether the womenfolk of our society is aware of their constitutional and legal rights. As a democratic country, India gives priority to the principles of liberty, fraternity, equality and justice. Indian constitution provides various rights necessary for securing women's empowerment. In this regard some constitutional and legal provisions for women may be mentioned below:

Article 14- Equal rights and opportunities for men and women in political, economic and social spheres.

Article 15(1) - Prohibits discrimination against any citizen on the grounds of religion, race, caste, sex etc.

Article 15(3) – Empowers the state to make affirmative discrimination in favour of women

Article 16 – Provides equality of opportunity for all citizen in matters relating to employment or appointment to any office under the state

Article 39 (a) – The state shall direct its policy towards securing all citizens men and women equally the right to means of livelihood

Article 39 (d) – Equal pay for equal work for both men and women

Article 42 – Directs the state to ensure provisions for the just and humane condition of work and maternity relief.

Article 46 – The state to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation

Article 47 – The state to raise the level of nutrition and the standard of living of its people and the improvement of public health

Article 51 (A) (e) – Mandates every citizen to renounce practices derogatory to the dignity of women

Article 243D (3) – Not less than one third (including the number of seats reserved for women belonging to the scheduled castes and the scheduled tribes) of the total number of seats to be filled by direct election in every Panchayat to be reserved for women and such seats to be allotted by rotation to different constituencies in a Panchayat

Article 243D (4) – Not less than one-third of the total number of offices of Chairpersons in the Panchayats at each level to be reserved for women.

At the same time Government of India has also been provided legal rights for women in order to achieve gender equality. Among the major legislation- the Hindu Succession Act was enacted to give daughters equal rights as sons in ancestral property. In order to stop human trafficking, the Immoral Traffic Prevention act has been launched to take stringent action against the traffickers. Various laws and legislation have been implemented for women including Sati Prevention Act, Dowry Prohibition Act, the Protection of Women from Domestic Violence Act in the year 2005 and most effective and landmark amendments were made in Cr.P.C., I.P.C. and Indian Evidence Act after Nirbhaya's case. To ensure equal rights to counter social discrimination and various forms of violence, atrocities and to provide support services especially for women, following legal provisions have been made:

- The Employees State Insurance Act 1948
- The Plantation Labour Act 1951
- The Family Course Act 1954
- The Special Marriage Act 1954
- The Hindu Marriage Act 1955
- The Maternity Benefit Act
- The Medical Termination of Pregnancy Act 1971
- The Contract Labour (Regulation and Abolition) Act 1976
- The Equal Remuneration Act 1976
- The Criminal Law (Amendment) Act 1983
- The Factories (Amendment) Act 1986
- Indecent Representation of Women (Prohibition) Act 1986

Apart from these measures, various initiatives have been launched in India from time to time. The Ministry of Women and Child Development has set up a support system for working women hostels and crèches to help working women. To provide shelter and care services Swadhar and short stay homes have been set up for women. For economic empowerment, Rashtriya Mahila Kosh (RMK) was established in 1993 to ensure micro-credit facilities. Some other initiatives are:

National Commission for Women: In January 1992 the Government set up this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary etc.

Reservation for Women in Local Self-Government: The 73rd constitution amendments Acts passed in 1992 by Parliament ensure one-third of the total seats for women in all elected offices in local bodies whether in rural areas and urban areas.

The National Plan of Action for Girl Child (1991-2000): The Policy of Action is to ensure survival, protection and development of the girl child with the ultimate objective of building up a better future for the girl child.

National Policy for Empowerment of Women 2001: The Department of Women and Child Development in the Ministry of Human Resource Development has prepared a National Policy for Empowerment of women in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women.

OBJECTIVES: The following objectives are formulated for the present study-

1. To find out the awareness level of women about their constitutional and legal rights.
2. To highlight the importance of awareness for capacity building and skill development necessary for their empowerment.
3. To understand the correlation between education and awareness building.

RESEARCH QUESTION: The Research Questions for this study are:

1. Whether the respondents are aware of their constitutional and legal rights?
2. Whether the respondents have ever been benefitted from these rights?

METHODOLOGY:

Universe, Sampling and Research Tool: Keeping in view the socio-legal nature of the problem, the research methodology has been chosen in such a manner as to effectively coordinate the data derived from different discipline and areas and to establish linkage between them in order to highlight the different issues. The study shall make use of both primary and secondary data. The researcher has used multi-prolonged approach to collect as much as relevant information through the primary and secondary sources. The study would be purely exploratory and evaluative in nature.

The universe of the study is village Bahari, Tehsil Bangana, Una, Himachal Pradesh, India. The village is situated in tehsil Bagana on the way to the famous temple of Sada Shiv.

Primary data has been collected through the administration of the questionnaire to the respondents by picking up the random sample of 10 % of the universe to generate the information to access and evaluate their views. Interview schedule contained both types of close and open-ended questions including the variables such as gender, age, educational.

Secondary data has been gathered from the literature available in the libraries, data of NGOs, Court Judgments, Reports of EIA, Newspapers, reports, articles, research papers and other relevant documents including review of books, legal and extra-legal relevant literature has been studied, surveyed and scanned for the present study.

TABLES AND FIGURES: The Researcher chose a 10% of a random sample of the population for "Questionnaire Schedule" by using Simple Random Sampling Method. The nature of the study is exploratory. Interview schedule contained both types of close and open-ended questions including the variables such as Working status and economic background.

The variables chosen by the Researcher for the purpose of Data Analysis are:

- Working status; and
- Economic background.

Table 1: Socio-economic Characteristics on the basis of working status of Women

Sr. no.	Status of Women	Number	Percentage
1.	Working	9	22.5
2.	Non-working	31	77.5

After analyzing the sample chosen, i.e. 10% of the population, the Researcher found that the total number of respondents selected rare 40, out of which 9, i.e. 22.5% of the total sample selected are working females and 31, i.e. 77.5% of the total sample selected are non-working females as shown in Table number 1.

Table 2: Socio-economic Characteristics on the basis of Economic background of the Victims

Sr. no.	Economic background	Number	Percentage
1.	High	0	0
2.	Middle	26	65
3.	Low	14	35

Table 2 shows that out of the total sample chosen, none of the sample chosen belongs to the high class, 26, i.e. 65% of the sample chosen belong to middle class and 14, i.e. 35% of the sample chosen, belongs to the low class.

ANALYSIS OF THE SAMPLING: The response of the Respondents to how far they know their rights and to what extent they are using it and being benefitted from these areas:

1. Power to women at home:

Table 3: Power to women at home

Power to women at home	Number	%age
Yes	3	7.5
No	32	80
To a limited extent	5	12.5

Table 3 shows the distribution of answers to the Question in the questionnaire, asking whether the respondent feel any power at home, only 3 (7.5 %) respondents of the sample chosen, out of the total sample chosen by the Researcher said that yes to this question, while 32 (80) of the sample chosen, said no to it and 5 (12.5%) said that they enjoy this power only to a limited extent.

2. Perceptions of Subordination:

Table 4: Perceptions of Subordination

Perceptions of Subordination	Number	%age
feel subordination	35	87.5
don't feel any subordination	0	0
no idea	5	12.5

Table 4 shows the distribution of answers to the Question in the questionnaire, asking what the perceptions of subordination of the respondents are. 35, i.e. 87.5 % of the respondents feel subordination at home, while none of the respondents doesn't feel any subordination at home and 5 (12.5 %) of the respondents do not have any idea about it. **Parent's unhappiness at the birth of girl child:**

Table 5: Parent's unhappiness at the birth of girl child

unhappiness at the birth of girl child	Number	%age
Yes	33	82.5
No	2	5
Take it as their luck	5	12.5

Table 5 shows the distribution of answers to the Question in the questionnaire, asking what parents are happy with the birth of girl child. 33, i.e. 82.5 % of the respondents feel unhappiness, while 2, i.e. 5 % of the respondents answered in negative and 5, i.e. 12.5 % of the respondent said that they take it as their luck.

3. Awareness and understanding of Constitutional and Legal Rights:

Table 6: Awareness and understanding of Constitutional and Legal Rights

Awareness and understanding of Constitutional and legal Rights	Number	%age
Aware	15	37.5
No idea	10	25
Aware but can't use	15	37.5

Table 6 shows the distribution of answers to the Question in the questionnaire, asking whether the respondents are aware of their constitutional and legal rights. 15, i.e. 37.5 % of the respondents answered in positive, while 10, i.e. 25 % of the respondents answered in negative and 15, i.e. 37.5% of the respondent said that they are aware of their rights but can't use them.

4. Awareness about women empowerment:

Table 7: Awareness about women empowerment

Awareness about women empowerment	Number	%age
Yes	30	75
No	10	25

Table 7 shows the distribution of answers to the Question in the questionnaire, asking whether the respondents are aware of women empowerment. 30, i.e. 75% of the respondents answered in positive, while 10, i.e. 25% of the respondents answered in negative.

5. Right to Equality:

Table 8: Right to Equality

Right to Equality	Number	%age
Observe	0	0
Doesn't observe	35	87.5
No idea	5	12.5

Table 8 shows the distribution of answers to the Question in the questionnaire, asking whether the respondents enjoy right to equality. None of the respondents answered in positive, while 35, i.e. 87.5 % of the respondents answered in negative and 5, i.e. 12.5% of the respondent said that they have no idea about it.

6. Freedom of Speech and Expression:

Table 9: Freedom of Speech and Expression

Freedom of Speech and Expression	Number	%age
Observe	2	5
Doesn't observe	38	95
No idea	0	0

Table 9 shows the distribution of answers to the Question in the questionnaire, asking whether the respondents enjoy right to freedom of speech and expression. 2, i.e. 5 % of the respondents answered in positive, while 38, i.e. 95 % of the respondents answered in negative and none of the respondents said that they have no idea about it.

7. Knowledge of Government schemes for women empowerment:

Table 10:

Knowledge of Government schemes for women empowerment	Number	%age
Yes	2	5
No	34	85
Have idea, but don't use	4	10

Table 10 shows the distribution of answers to the Question in the questionnaire, asking whether the respondents have knowledge of Government schemes for women empowerment. 2, i.e. 5 % of the respondents answered in positive, while 34, i.e. 85 % of the respondents answered in negative and 4, i.e. 10% of the respondent said that they have idea about it, but don't use.

8. Protection under Domestic Violence Act:

Table 11:

Protection under Domestic Violence Act	Number	%age
Knowledge and understanding	5	12.5
Idea but no understanding	33	82.5
No idea	2	5

Table 11 shows the distribution of answers to the Question in the questionnaire, asking whether the respondents have knowledge of protection under the Domestic Violence Act. Only 5, i.e. 12.5 % of the respondents answered that they have knowledge and understanding of this Act, while 33, i.e. 82.5 % of the respondents answered that they have idea of the Act but does not understand how it works and 2, i.e. 5% of the respondent said that they have idea about it.

9. Awareness of laws against sexual exploitation:

Table 12:

Awareness of laws against sexual exploitation	Number	%age
Yes	20	50
No	3	7.5
Have idea, but don't use	17	42.5

Table 12 shows the distribution of answers to the Question in the questionnaire, asking whether the respondents are aware of women empowerment. 20, i.e. 50% of the respondents answered in positive, while 3, i.e. 7.5% of the respondents answered in negative and 17, i.e. 42.5% of the respondents said that they have known about these laws but don't use it.

10. Action against husband against cruelty:

Table 13:

Action against husband against cruelty	Number	%age
Yes, if situation prevails	2	5
No	19	47.5
Ashamed of using it	10	25
No idea that they can take action	9	22.5

Table 13 shows the distribution of answers to the Question in the questionnaire, asking whether the respondents are aware that they can take action against husband's cruelty. Only 2, i.e. 5% of the respondents answered in positive, while 19, i.e. 47.5% of the respondents answered in negative, 10, i.e. 25% said that they feel shame in using such laws and 9, i.e. 22.5% said that they have no idea that such laws prevail.

11. Membership of Women's organisations:

Table 14:

Membership of Women's organisations	Number	%age
Yes	0	0
No	40	100
No idea of such kind	0	0

Table 14 shows the distribution of answers to the Question in the questionnaire, asking whether the respondents have the membership of Women's organisations. None of the respondents was a member of any women organisation nor they have any knowledge about it.

RESULT AND DISCUSSION: The result of the research and discussion on it is as:

Majority of women whether working or non-working (70) had the positive attitude towards the importance of empowering womenfolk. They are in favour of women empowerment as well as their emancipation for the eradication of violence, discrimination against women and protection of their rights.

Even in this 21st Century most of the women do not have any power even in their homes and their basics rights are not fully enjoyed by them till this date which is clear from this survey as:

1. Majority of the women whether they are working or non-working or belongs to any class does not have any power at home.
2. A large no. of respondents feels subordination in their lives. There are respondents who do not even had any idea about it.
3. The feeling of "parents becoming unhappy at the birth of girl child" still prevails, however, they took it as their luck.
4. The larger segment of the respondents does not feel free in expressing her desire.
5. Highly educated women have more awareness and understanding of constitutional rights than the women with no education.
6. A majority of respondents agree that women should be treated equally as men.
7. A large no. of respondents has no idea of Domestic violence act. And those who have heard about it do not have knowledge and understanding of this act.
8. Majority of the respondents have less awareness about government schemes for the development.
9. Majority of the respondents feel shame in taking any kind of action against her husband in case of cruelty because society does not like such women even if her husband beats her.
10. Majority of respondents face sexual exploitations or remarks at one time or another and they want strict actions against such persons but are not ready to come forward. And they are not even aware of the laws against any kind of sexual exploitation.
11. Most of the women do not prefer to take decisions on important matters but leave them to their menfolk's discretion.
12. Education is found to be positively related to active participation in decision making in the family.
13. Majority of the respondents recognize economic insufficiency as one of the important barriers to empowerment.

CONCLUSION: The survey of this study has led to following conclusions:

No doubt, women empowerment is a continuous process of several inter-related and mutually dependent components among which awareness building is a basic one. And awareness can be gained by education which will awaken women about their rights and opportunities, the importance of these facilities and also make them aware how to seek these facilities for themselves.

One thing is clear from this study that educated women is more aware of her rights but whether educated or not women are still hesitant in using their rights and also there is lack of awareness regarding the legal process or where to approach for the infringement of rights or to enforce their rights. Even education has failed to change the mindset of people. Even modern women have to carry the bonds of tradition and till this date, she is being exploited on the name of traditions. For proper dissemination of knowledge and information of women's rights, both education and media should be used effectively because in the present scenario need is to educate and spread awareness among not only women but men also so that status of women can be improved. Women themselves have to grow conscious of their dignity and needs only then they can emancipate themselves. It is necessary to motivate women so that they can raise their voices against any kind of exploitation and media can play important role in it. Women can be empowered in true sense only by spreading awareness and eradicating violence.

One thing is clear from the above discussion that the respondents are mostly sufferers in this whole scenario, however, a number of policies and programmes has been launched but they are not effective in absence of awareness about them and their use. In order to implicate the policies, policy and programme frames, implementation and development agencies, law enforcement machinery and the judiciary, as well as non-

governmental organization, should come forward to shoulder their responsibility. There must be a close link among Govt., NGO's, and the general public as well as other organization to make all these programmes fruitful. Following measures need to be undertaken to implement already existing policies:

1. Promoting social awareness on gender issues and women's human rights.
2. Review of curriculum and educational materials to include gender education and human rights issues.
3. Removal of all references derogatory to the dignity of women from all public documents and legal instruments.
4. Use of different forms of mass media to communicate social messages relating to women's equality and empowerment.

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