

THE HINDU CODE BILL AND WOMEN EMPOWERMENT

Rajni Bala¹, Ph. D. & Alisha Gill²

¹Assistant Professor, Ramgarhia College of Education, Phagwara, Punjab

E-mail Id: rb_rce@yahoo.com

²Researcher, Chitkara University, Rajpura, Punjab E-mail Id: drgill9988@gmail.com

Abstract

Dr. Ambedkar was one of the greatest personality of 20th century, born in India. He was determined fighter and a deep scholar who made significant efforts to lead the society on the path of liberty, equality, and fraternity. He was the first Indian to break down the barriers in the way of advancement of women in India. His life was a great saga of suffering, sacrifice, and struggle. His life was a great struggle for the welfare of backward people of the society. He was a great thinker of women and their rights. Being a pioneer of social justice, he always worked for the women emancipation. So Dr.B.R Ambedkar introduced the revolutionary measure in the constituent assembly in 1950's i.e The Hindu Code Bill. The principal aim of the bill was to broaden the freedom of the individual and the equality of men and women. The bill mainly covered right to property, the order of succession to the property and maintenance, marriage, divorce, adoption, minority, and guardianship. The tenets of the bill were in harmony with the constitutional philosophy of men and women. Ambedkar's principal aim was to build up a society based on social justice. He also tried an adequate inclusion of women's right in the political vocabulary and constitution of India.

Keywords:----*Dr. B.R Ambedkar, Hindu code bill, India, social justice, equality, relevance, women rights.*



Scholarly Research Journal's is licensed Based on a work at www.srjis.com

Objectives, methods, and materials:

The present paper is an attempt to highlight Dr. Ambedkar's view on women rights and problems and the relevance of his ideas in the present scenario of India. Secondary data was collected from the internet, newspapers, published papers and books.

Introduction

Dr. Ambedkar-the incredible contender and a profound mastermind, has attempted huge endeavours on the way of freedom. He was the only India who cut the boundaries of Hindu philosophy which was dominated by the Bhraminism. His principal aim was to give the equal rights to women and downtrodden in the society. He believed that without giving rights to those people it is not possible to make the nation aware. He gave his life for the welfare of women. Above all, he was a pioneer of social equity. He established the not only the social equity but he established the various laws for the women and under privileged people by

creating the constitution of India. Ambedkar was a guide to the motivation of numerous classes of society. He struggled his entire life for the improvement of Indian culture just as condition of women and other under favoured people. He worked for the welfare of the general population. He developed mindfulness among poor, illiterate women and enlivened them to battle against the unjustifiable practices. In total, Ambedkar was taking care of his exceptionally regular self, and warrior and this is brought out in great measure in his memorable fight for the Hindu Code Bill in Provisional Parliament. He included various privileges for women in the constitution of India. Ambedkar was not just the father of Indian constitution, he was an opportunity contender, political pioneer, logician, mastermind, financial expert, editor, social reformer, Pentecostal of Buddhism or more all he was a pioneer for backward classes. He expressed that women of Indian culture should be given equivalent chance and equivalent offer with their male counterpart.

Manuwaad and position of women

Manu was a opponent of Buddhism. The principles of liberty, equality and brotherhood which the Buddha gave to woman, did not liked by Manu. Manu wanted to revive Bhraminism. So he decided to crush Buddhist philosophy. He made such religious laws for the woman that women was dishonoured from birth. There was no authority given to the woman. Manu did mental violence against Indian women. Hindu apologists consider the Manusmriti as the divine code of conduct and, accordingly, the status of women as depicted in the text has been interpreted as Hindu divine law. While defending Manusmriti as divine code of conduct for all including women, apologists often quote the verse: “*yatr naryasto pojyantay, ramantay tatr devta [3/56]*(where women are provided place of honor, gods are pleased and reside there in that household), but they deliberately forget all those verses that are full of prejudice, hatred and discrimination against women.

Here are some of the ‘celebrated’ derogatory comments about women in the Manusmriti :

1. “Swabhav ev narinam” – 2/213. It is the nature of women to seduce men in this world; for that reason the wise are never unguarded in the company of females.
2. “Avidvam samlam.....” – 2/214. Women, true to their class character, are capable of leading astray men in this world, not only a fool but even a learned and wise man. Both become slaves of desire.
3. “Matra swastra” – 2/215. Wise people should avoid sitting alone with one’s mother, daughter or sister. Since carnal desire is always strong, it can lead to temptation.

4. “Naudwahay.....” – 3/8. One should not marry women who has have reddish hair, redundant parts of the body [such as six fingers], one who is often sick, one without hair or having excessive hair and one who has red eyes.
5. “Nraksh vraksh” – 3/9. One should not marry women whose names are similar to constellations, trees, rivers, those from a low caste, mountains, birds, snakes, slaves or those whose names inspires terror.
6. “Yasto na bhavet” – 3/10. Wise men should not marry women who do not have a brother and whose parents are not socially well known.
7. “Uchayangh.....” – 3/11. Wise men should marry only women who are free from bodily defects, with beautiful names, grace/gait like an elephant, moderate hair on the head and body, soft limbs and small teeth.
8. “Shudr-aiv bharya.....” – 3/12. Brahman men can marry Brahman, Kshatriya, Vaish and even Shudra women but Shudra men can marry only Shudra women.
9. “Na Brahman kshatriya..” – 3/14. Although Brahman, Kshatriya and Vaish men have been allowed inter-caste marriages, even in distress they should not marry Shudra women.
10. “Heenjati striyam.....” – 3/15. When twice born [dwij=Brahman, Kshatriya and Vaish] men in their folly marry low caste Shudra women, they are responsible for the degradation of their whole family. Accordingly, their children adopt all the demerits of the Shudra caste.
11. “Shudram shaynam.....” – 3/17. A Brahman who marries a Shudra woman, degrades himself and his whole family ,becomes morally degenerated , loses Brahman status and his children too attain status of shudra.
12. “Daiv pitrya.....” – 3/18. The offerings made by such a person at the time of established rituals are neither accepted by God nor by the departed soul; guests also refuse to have meals with him and he is bound to go to hell after death.
13. “Chandalash” – 3/240. Food offered and served to Brahman after Shradh ritual should not be seen by a chandal, a pig, a cock,a dog, and a menstruating women.
14. “Na ashniyat.....” – 4/43. A Brahman, true defender of his class, should not have his meals in the company of his wife and even avoid looking at her. Furthermore, he should not look towards her when she is having her meals or when she sneezes/yawns.
15. “Na aiyanti.....” – 4/44. A Brahman in order to preserve his energy and intellect, must not look at women who applies collegium to her eyes, one who is massaging her nude body or one who is delivering a child.

16. “Mrshyanti.....” – 4/217. One should not accept meals from a woman who has extra marital relations; nor from a family exclusively dominated/managed by women or a family whose 10 days of impurity because of death have not passed.
17. “Balya va.....” – 5/150. A female child, young woman or old woman is not supposed to work independently even at her place of residence.
18. “Balye pitorvashay.....” – 5/151. Girls are supposed to be in the custody of their father when they are children, women must be under the custody of their husband when married and under the custody of her son as widows. In no circumstances is she allowed to assert herself independently.
19. “Asheela kamvrto.....” – 5/157. Men may be lacking virtue, be sexual perverts, immoral and devoid of any good qualities, and yet women must constantly worship and serve their husbands.
20. “Na ast strinam.....” – 5/158. Women have no divine right to perform any religious ritual, nor make vows or observe a fast. Her only duty is to obey and please her husband and she will for that reason alone be exalted in heaven.
21. “Kamam to.....” – 5/160. At her pleasure [after the death of her husband], let her emaciate her body by living only on pure flowers, roots of vegetables and fruits. She must not even mention the name of any other men after her husband has died.
22. “Vyabhacharay.....” – 5/167. Any women violating duty and code of conduct towards her husband, is disgraced and becomes a patient of leprosy. After death, she enters womb of Jackal.
23. “Kanyam bhajanti.....” – 8/364. In case women enjoy sex with a man from a higher caste, the act is not punishable. But on the contrary, if women enjoy sex with lower caste men, she is to be punished and kept in isolation.
24. “Utman sevmansto.....” – 8/365. In case a man from a lower caste enjoys sex with a woman from a higher caste, the person in question is to be awarded the death sentence. And if a person satisfies his carnal desire with women of his own caste, he should be asked to pay compensation to the women’s faith.
25. “Ya to kanya.....” – 8/369. In case a woman tears the membrane [hymen] of her Vagina, she shall instantly have her head shaved or two fingers cut off and made to ride on Donkey.

26. “Bhartaram.....” – 8/370. In case a women, proud of the greatness of her excellence or her relatives, violates her duty towards her husband, the King shall arrange to have her thrown before dogs at a public place.
27. “Pita rakhshati.....” – 9/3. Since women are not capable of living independently, she is to be kept under the custody of her father as child, under her husband as a woman and under her son as widow.
28. “Imam hi sarw.....” – 9/6. It is the duty of all husbands to exert total control over their wives. Even physically weak husbands must strive to control their wives.
29. “Pati bharyam” – 9/8. The husband, after the conception of his wife, becomes the embryo and is born again of her. This explains why women are called Jaya.
30. “Panam durjan.....” – 9/13. Consuming liquor, association with wicked persons, separation from her husband, rambling around, sleeping for unreasonable hours and dwelling -are six demerits of women.
31. “Naita rupam.....” – 9/14. Such women are not loyal and have extra marital relations with men without consideration for their age.
32. “Poonshchalya.....” – 9/15. Because of their passion for men, immutable temper and natural heartlessness, they are not loyal to their husbands.
33. “Na asti strinam.....” – 9/18. While performing namkarm and jatkarm, Vedic mantras are not to be recited by women, because women are lacking in strength and knowledge of Vedic texts. Women are impure and represent falsehood.
34. “Devra...sapinda.....” – 9/58. On failure to produce offspring with her husband, she may obtain offspring by cohabitation with her brother-in-law [devar] or with some other relative [sapinda] on her in-law’s side.
35. “Vidwayam.....” – 9/60. He who is appointed to cohabit with a widow shall approach her at night, be anointed with clarified butter and silently beget one son, but by no means a second one.
36. “Yatha vidy.....” – 9/70. In accordance with established law, the sister-in-law [bhabhi] must be clad in white garments; with pure intent her brother-in-law [devar] will cohabit with her until she conceives.
37. “Ati kramay.....” – 9/77. Any women who disobey orders of her lethargic, alcoholic and diseased husband shall be deserted for three months and be deprived of her ornaments.

38. “Vandyashtamay.....” – 9/80. A barren wife may be superseded in the 8th year; she whose children die may be superseded in the 10th year and she who bears only daughters may be superseded in the 11th year; but she who is quarrelsome may be superseded without delay.

39. “Trinsha.....” – 9/93. In case of any problem in performing religious rites, males between the age of 24 and 30 should marry a female between the age of 8 and 12.

40. “Yambrahmansto.....” – 9/177. In case a Brahman man marries Shudra woman, their son will be called ‘Parshav’ or ‘Shudra’ because his social existence is like a dead body.

Shudras and women were the two classes of the society who were discriminated by the Bhramins. Women were considered only to satisfy the physical desire of male. They didn’t have any right in the society. According to Manu, women was not considered as individual. She should be survived on the will of male. By seeing the discrimination against the women, Gautaum Buddha was the first pioneer who raised his voice for the equality of women in the society. He taught various women so that they became the great teachers of their time. After Gautaum Buddha, many philosophers were come who followed his philosophy of equality. Mahatama Jyoti Rao Phule who was highly influenced by the philosophy of Buddha, opened the first school for girls in 1848 in India. In his school , firstly he taught 9 girls from them 6 were Bhramins. His wife, Savitri Rao Phule was the first trained lady teacher of India. They both suffered a lot to fulfil their dream to educate the women of the Indian culture. But at last the succeed in their mission. Various other philosophers followed the philosophy of Gautaum Buddha. They were Shatrpati Shahu Ji Maharaj, Sant Kabir Ji, Sant Ravidas Ji, Guru Nanak Dev Ji, Guru Angad Dev Ji and most importantly Dr. B.R Ambedkar as he was the father of Indian constitution and the founder of Neo- Buddhist movement. He was highly influenced by the philosophy of Gautaum Buddha. He served his entire life for the welfare of women. He believed that without giving the equal rights to Indian women it was not possible to make the nation aware. Through law he gave the equal status to women in the society. He made various privileges in the constitution for the welfare of the women.

Dr. B.R Ambedkar and empowerment of women

Women lost their individual identity and even their basic human right. Empowerment is a multi-faceted, multi-dimensional and multi-layered concept. Women’s empowerment is a process in which women gain greater share of control over resources material, human and intellectual like knowledge, information, ideas and financial resources like money - and access to money and control over decision-making in the home, community, society end nation, and to gain ‘power’. Her placing in the society was not at par with other human
Copyright © 2017, Scholarly Research Journal for Interdisciplinary Studies

beings. She has no rights. She cannot move nor do anything at her will. In Hindu Shastras, she has been branded just like animals or some Objects of enjoyment. From the verses of Ramayana as written by Tulsi Das, “Dhol, ganwar, shudra, pashu, naari - Ye sab tadan ke adhikari”, In ‘Manusmriti’ the ancient Hindu Code-book, the status granted to women is quite visible and she was put to the lowest rug of humanity as she was treated at par with the animals and slave by the proprietors of Hindu Dharma. That is why Dr. Ambedkar, the father and architect of Indian Constitution, was of the firm opinion that until and unless, we defy the Hindu Dharma-Shastras, nothing much can be changed. In the name of sanskaras, the Hindu women are tied to bondages of superstitions, which they carry till their death. They are also responsible for inculcating certain wrong notions learnt through baseless traditions and preaching of the Shastras, in the budding minds of their offspring.

Although Ambedkar proved, himself to be a genius and was known as a great thinker, philosopher, revolutionary, jurist – par excellence, prolific writer, social activist and critic and strode like a colossus in the Indian sociopolitical scene unto his death. His thoughts were always criticised by the upper caste people because their dominance was crushed by the revolutionary thoughts of Dr. B.R Ambedkar. For Indian women’s movement, Ambedkar provided a powerful source of inspiration to formulate a feminist political agenda which simultaneously addresses the issues of class, caste and gender in the contemporary sociopolitical set up, which still keep conservative and reactionary values in many respects, particularly on gender relations. Ambedkar saw women as the victims of the oppressive, caste- based and rigid hierarchical social system.

He also suggested strategies for emancipation from oppression. He found their emancipation in Buddhist values, which promotes equality, self-respect and education. Ambedkar believed that Buddha treated women with respect and love and never tried to degrade them like Manu did. He taught women Buddha Dhamma and philosophy. Ambedkar cited women like Vishakha, Amrapali of Visali, Gautami, Rani Mallika, Queen of Prasenajjth who approached Buddha, as evidences of Buddha’s treatment of women as equals. (Paul, 1993 : 383-84) it was mainly the Hindu culture and social customs, which stood in the headway of women’s empowerment. Since Ambedkar himself was a victim of oppression and discrimination in all its severity, his views about women’s oppression and equal rights are more useful than anybody else’s theory based on mere observation for the feminist movement to strengthen its strategy for approaching the systemic challenges and contradictions in a more pragmatic way to bring women to the mainstream.

According to Ambedkar, the society must be based on reason, and not on atrocious traditions of caste system. He found education, intercaste marriage and interline as methods, which may eliminate caste and patriarchy, maintained through endogamy. In 1918, Ambedkar demanded separate electorate and reserved seats for the Depressed Classes in proportion to their population. After fifty years of the working of the Indian Constitution, the Indian women's demand for political reservation and the lower status of other disadvantage sections proves that his theory is correct. Ambedkar started his movement in 1920. He started fierce propaganda against the Hindu social order and lunched a journal Mook Nayak in 1920 and Bahishkrit Bharat in 1927 for this purpose. He devoted his life fully to work for the depressed classes including women. He was firmly committed to the ideals of equality, liberty and fraternity. In Ambedkar's movement lunched from 1920 onward, women actively participated and acquired the confidence to voice their issues on various platforms. Venbai Bhatkar and Renubai work for the socio- political equality of depressed people and promoting their economic interests. In Ambedkar's vision of India, all citizens would be equal before law; they have equal civic rights, equal access to all institutions, conveniences and amenities maintained by or for the public; they possess equal opportunities to settle or reside in any part of India to hold any public office, or exercise any trade or calling. He pleaded for special privileges and safeguards for the Dalits as scheduled Castes. In short, he demanded equality, which would not only lead, to the redressal of the part wrongs but also provide sufficient leverage, may be by way of compensation, as seabed to ensure their levelling up.

Constitutional provisions

Being India's first Law minister and chairman of drafting Committee of the Constituent Assembly, Dr. Ambedkar thought it appropriate, rather his duty, to free women from the age old thralldom by reforming the Hindu social laws created by Manu. He, therefore, took initiative to draft and introduce the Hindu Code Bill in the Constituent Assembly. Dr. Ambedkar tried an adequate inclusion of women's right in the political vocabulary and constitution of India. i.e., Article 14 - Equal rights and opportunities in political, economic and social spheres. Article 15 prohibits discrimination on the ground of sex. Article 15(3) enables affirmative discrimination in favour of women. Article 39 - Equal means of livelihood and equal pay for equal work. Article 42 - Human conditions of work and maternity relief. Article 51 (A) (C) - Fundamental duties to renounce practices, derogatory to the dignity of women. Article 46 - The state to promote with special care, the educational and economic interests of weaker section of people and to protect them from social injustice and

Copyright © 2017, Scholarly Research Journal for Interdisciplinary Studies

all forms of exploitation. Article 47 – The state to raise the level of nutrition and standard of living of its people and the improvement of public health and so on. Article 243D (3), 243T (3) & 243R (4) provides for allocation of seats in the Panchayati Raj System. The principle of gender equality of the Indian constitution in its preamble, fundamental rights, fundamental duties and directive principles laid down the foundation of social justice and there can be no social justice without equality. He encouraged women to organize themselves.

His contribution was great in the field of women's empowerment who advocated for the liberation of women and gender equality in India. If there any persons worked for women's liberation in India, they were none other than Buddha, Dr. B.R.Ambedkar, EV Ramasamy Periyar, Jyoti Rao Phule, Savitri Bai Phule, sant kabir and sant Ravidas. Without Dr. B.R.Ambedkar, at least whatever so changes the position of women today in India, would be only question mark. There were many leaders fought for the women's right in India. But Dr.Babasaheb Ambedkar was one of them who changed the effort via law. Women are the victims of this evil caste system. Women carried caste from one generation to another generation. While drafting the constitution of India, Dr. Babasaheb Ambedkar was the prime mover of the welfare of women. He gave the special provisions to women by presenting Hindu Code Bill.

Hindu Code Bill

In 1948 when the Hindu Code Bill was introduced in parliament and debated on the floor of the house, the opposition was strong against the Bill. Ambedkar tried his level best to defend the Bill by pointing out the Constitutional principles of equality, liberty and fraternity and that in the Indian society characterized by the caste system and the necessary for a social change in which women have equality in a legal frame system and the oppression of women, since women are deprived of equality, a legal frame work is necessary for a social change in which women have equal right with men. However, the Bill could not withstand the opposition from the Hindu orthodoxy. In reality, the Bill was a threat to patriarchy on which traditional family structure, was bounded and that was the major reasons behind the opposition. Therefore, on the eve of the first elections in 1951 Prime Minister Jawaharlal Nehru dropped the Bill by saying that there was too much opposition. On this issue the then Law Minister Dr. Ambedkar resigned. His explanations for resignation show how the parliament of independent India deprived its women citizens of even basic rights. His resignation letter dated 27th September 1951. Although most of the provisions proposed by Ambedkar were later passed during 1955-56 in four bills on Hindu 'marriage' succession, *Copyright © 2017, Scholarly Research Journal for Interdisciplinary Studies*

minority and guardianship and maintenances and later in 1976 some changes were made in Hindu law.

Provisions of Hindu Code Bill

Women and Legislative Measures :

Some of the legislations passed over the years to vouchsafe the interests of women are being outlined in succeeding paragraphs.

Post-Independence Legislations :

1) The Special Marriage Act,1954 :

This Act permits Marriage of –

1. People from different religious faith without changing their religion and
2. Stipulates minimum age of marriage as 18 years for girls and 21 years for boys.

2) Hindu Marriage Act, 1955 :

This Act fixes (a) minimum age for marriage as 18 years for girls and 21 year for the boys. The salient feature of this Act is that it makes monogamy as Universal.

The Hindu Marriage Act, 1955 and Special Marriage Act, 1954 were amended in 1976 to provide for the right of a girl to repudiate before attaining maturity. Marrying as child whether the marriage has been consummated or not, cruelty and desertion were added as grounds for divorce and mutual consent were recognized.

3) Hindu Succession Act,1956 :

Act confers the right of absolute ownership over property and the women can make will leaving her share of property to the heirs, section 10 of the Act provides for the property of an intestate being divided among the heirs in accordance with certain prescribed rules for the benefit of women.

Rule : (a) States that intestate widow or if there are more widows than one all the widows shall take one share.

Rule : (b) states that surviving son and daughter and the mothers of intestate shall each take one share.

Rule : (c) states that heirs in the branch of each deceased son or each pre-deceased daughter of the intestate are also entitled to get one share in the property.

4) Hindu Adoption and Maintenance Act, 1956 :

This Act makes it permissible any female Hindu

- (a) Who is of sound mind and

(d) Who is not minor and who is not maimed or if maimed whose marriage has been dissolved or husband is dead or has completely renounced the world or has ceased to be Hindu or has been declared by a court of competent jurisdiction to be of unsound mind, to take a son or daughter in adoption. The consent of father and mother is necessary.

5) The Suppression of Immoral Traffic in Women and Girls Act,1956. :

This Act prohibits trafficking in women and girls for purposes of prostitution as the organized means of living. The Act was amended in 1978 and further amended in September 1986 with the objective of making the penal provisions in the Act more stringent and effective. The Amendment Act is retitled as “The Immoral Traffic (prevention) Act 1986 and the salient features of this act are –widening the scope of act to cover all persons whether male or female who are sexually exploited for commercial purposes. Enhancement of period of imprisonment where offences are committed against minors and children appointed of trafficking police officers who will have the powers to investigate interstate offences prescribing punishment as laid down for rape under the Indian penal code or the seduction of victims of trafficking while in custody interrogations of women and girls removed from the brothel to be held by women police officers or in their absence in the presence of women social workers and setting up of special courts.

6) Hindu Minority and Guardianship Act 1956 :

Under this Act, consent of wife is required for adopting a son or daughter.

7) The Dowry Prohibition Act 1961 :

The Dowry Prohibition Act was first legislate in 1961. The Act was amended in 1984 to make the offence cognizable, to enhance the Penalty both fine and imprisonment and to widen the scope of the Act to make it more effective. The Act was further amended in 1986 to make the Penal Provisions more effective and stringent. The minimum Punishment for taking or abetting of dowry has been raised to 5 years and fine of Rs 15,000. The Advertisement In news papers periodicals etc. offering a share of property as condition officers by the state Governments. Offences under the Act have been made in non-bailable. A new offence of dowry Death has been included in the Indian Penal code consequential to the amendment in the Act

8) The Maternity Benefit Act 1961 :

This Act is applicable to every establishment Plantation mine or factory and Provides FOR payment OF maternity benefit at the rate of average daily wages for the period of women’s actual absence. The Act was amended in April-1976 to cover women who do not fall within
Copyright © 2017, Scholarly Research Journal for Interdisciplinary Studies

the purview of the employees state Insurance Act, 1948 A proposal to further amend the Act is under consideration of the Labour ministry It may be added here that the employees state Insurance Act 1948 Guarantees that all factories should provide the sickness benefit similarly Factories Act 1948, minies ACT, 1952, plantation Labor Act 1951, Bidi and cigar workers Act 1966, which have co – relationship with women benefit prohibit the employment of women 7-00 P.M. and 6-00 A.M in factories and plantation and regulates the working hours and certain and regulates the working hours and certain Provisions for women’s safety and welfare. The Government is authorised to fix the maximum load that they may be lifted by women and at open crèches also.

9) The Medical Termination of Pregnancy Act-1971 :

This Act makes its possible to have legal inducted abortion by qualified doctor on humanitarian and medical grounds. This is primarily a welfare measure to protect the health of women though it has also a family planning aspect.

10) The Factories ACT 1976 : (Amended) :

This Act provides for establishment of crèche where 30 women are employed (including casual labourers or contract labourers) as against one of every 50 hitherto.

11) The Equal Remuneration Act 1976 :

This act provide not only payments of equal wages for some work of a similar nature but also for a machinery for its implementation and advising the Government on measures to ensure increased employment to women . This act is under further review for the benefit of women.

12) The Child Marriage Restraint (Amendment) Act 1978 :

This act provides minimum age for marriage for girls to 18 years and boys to 21 years. The offences under this act made cognizable.

13) The Contract Labour (Regulation) Act 1970 :

The act regulates the working conditions of construct labour (which includes women) payment of wages and provides for welfare facilities.

14) Criminal Law (Amendment) Act 1983 :

The Indian evidence act the Indianpenal code and the criminal procedure code were amended in 1983 to make the crimes against women much more stringent and effective and also to make a new provision in the Indian penal code to make cruelty against women by the husbands and other relations punishable . The onus of proof of innocence would rest on theaccused of such offences.

15) The Family Courts Act 1984 :

An act was passed in 1984 for the setting up of family courts in the country with a view to promoting reconciliation in and securing speedy settlements of disputes relating to marriage and family affairs and matters connected therewith.

16) Indecent Representation of women (prohibition) Act , 1986

Under this act , representation of women in an indecent or derogatory denigrating manner in all advertisements and publications is prohibited. Offences under this act are made punishable with imprisonment of either description for a term extending to two years and fine extending to two thousand rupees on first conviction.

17) The Commission of Sati (prevention)Act,1987

Under this act commission of sati and its glorification and for matters connected therewith or incidental to such an abatement is punishable by the maximum penalty i.e. death or imprisonment of life.This act provides more effective presentation for a women (widow) being sacrificed as sati.

Conclusion:

The voice of women was always suppressed in our country and Hindu Code Bill was a step towards their empowerment. Therefore, Dr Babasaheb Ambedkar was keen to implement it to give women justice. We had a women-dominated society some 6,000 years ago in which freedom, equality and rights of every individual were safeguarded. India was a developed country in those days where democracy thrived, but the picture changed after the invasion by the Aryans. The new system that was in place after the invasion degraded women's position in the society. Dr. Ambedkar wanted to free women from inhumane customs, rituals and superstitions which lead the way for their liberation. He started women involving in the struggle for eradication the caste system. He realized that this could not be achieved without the women themselves. Towards all the women, irrespective of their religion, castes and class, Ambedkar had a particular humanitarianism view. He frequently raised his voice against all sorts of injustice towards women concerns and feelings for all round development of women are expressed from his each sentence. Thus it would be appropriate to call him- a true feminist of independent India.It still remains true that the basic rights of women have yet to be restored to them even after fifty years of the working of the Indian Constitution based on the principle of liberty, equality and justice to all Indian citizens. However, the Hindu code Bill helped the resurgence of feminist movement in India. Women are still fighting for issues such as rape, dowry death, communalism, fundamentalism, sexual harassment,

Copyright © 2017, Scholarly Research Journal for Interdisciplinary Studies

violence - domestic and social, poverty and so on. We all are continuously talking about the freedom of women and her developing status in the present society. But by analysing the daily cases covered by the media proved that the position of women in this era of globalization is still pathetic. Still women are brutally raped, harassed and murdered. We have various examples which prove the pathetic condition of women. In 2012, Nirbhaya was brutally gang raped in a moving bus in Delhi. NCRB said that 34,651 rapes were reported in 2015 across the country. In April 2017, a physically challenged minor girl was raped inside the Lord Jagannath Temple. An eight-year-old innocent girl was brutally raped for days in Kathua, named Asifa. In Nagaon district in Assam, an 11-year-old girl was raped and then burnt alive. A four-month-old baby was raped and murdered in the Rajwada area. The rape cases which were reported in 2008 were 21,467 ; in 2009 , 21,397 cases ; in 2010, 22,172 cases; in 2011, 24,206. In 2019, A woman from Agra was allegedly raped inside an apartment in Greater Noida by two men after she was brought there on the pretext of getting her a job. A three-year-old girl was allegedly raped by a 15-year-old youth at Barondha village in Madhya Pradesh's Satna district. Rape is considered to be, one of the most heinous crimes towards the individual and its individuality. Number of rape cases are increasing daily that shows crime against women is still unstoppable. In modern times, on one side everybody is talking about the empowerment of women and on the other side women are brutally raped. Thousands years ago man said that women should behave like the slave of man. Man should control woman; physically and mentally. And we all see the same thing happened with women in modern times. The condition of women is not changed. Still woman is trying to raise her voice for freedom and equality. Not only rape, there are other crimes which are regularly reported by the government against women. Murders, dowry deaths, honour killings, Female foeticide, and Sex-Selective Abortion, insult to modesty, Human Trafficking and Forced Prostitution, domestic violence, forced and child marriage, acid throwing, perpetration, kidnapping. Sexual offence, including its most extreme form, rape, in India is widespread. Today, time has come to re-think about the condition of women. If we are talking about the women empowerment then it is very important to analyse the situation which tell us that women is really empower or not.

References

Ahir, D.C. (1990). *The Legacy of Ambedkar*, Delhi.

Ambedkar, B.R. (1987). *Women and Counter Revolution. Riddles of Hindu Women in Dr. Baba Saheb Ambedkar: Writings and Speech, Vo. 3, Department of Education.*

Copyright © 2017, *Scholarly Research Journal for Interdisciplinary Studies*

- Paul, C. (1993). *Ambedkar : Budhika Vikasobhathinte Agnijwala*, Dalit Books, Thiruballa.
- Pandey, J.N. *Constitutional Law of India*.
- Empowerment of Women – An Article by Indu Malhotra, An Advocate of Supreme Court of India.*
Nyaydeep Law Journal.
- Government of India: The National Policy for the Empowerment of Women 2001, Department of Women and Child Development, Ministry of Human Resource Development, New Delhi, 2001.*
- Gupta, U.P. Mohini, *Makers of India Series*.
- Haksar, N. (1986). *Demystification of Law for Women*, Lancer Press, New Delhi.
- Indu Malhotra, *Advocate Supreme Court, Women empowerment*.
- Jatava, D.R., *B.R. Ambedkar – A Vision on Man & Morals*.
- Limaye, C. (1999). *Women Power and Progress*, B.R. Publishing Corporation, New Delhi.
- Mathew, T. (1991). *Ambedkar : Reform or Revolution*, Segment Books, New Delhi.
- Ranga, M.L., *B.R. Ambedkar, his life, work and relevance*.
- Sahay, Lalit K., *Dr. B.R. Ambedkar – Man of Millenium*.
- Sharma, Sanjay Parkash – *Dr. B.R. Ambedkar – A Crusader of Social Justice*.
- The National Policy for the Empowerment of Women, 2001.*
- Sudha, A. (1950). *The rise and falls of the Hindu Women, The Mahabodhi (Calcutta), 59.5-6, 139-151.*
- Women Gender Equality and the State, Deep and Deep Publications, New Delhi.2000.*
- Narake, Hari, Kasare,(Dr.) M.L., Kamble, N.G. ,Godghate, Ashoka (ed) (2003). *BAWS, Government of Maharashtra, Vol.17, Part two, pp.124-125.*
- Jatava, D.R. (2001). *Dynamics of Ambedkar Ideology, Sublime Publications, Jaipur, PP. 90-91.*
- Laxmi Devi, Crime, Atrocities and Violence Against Women and Related Laws & Justice.P.285*
- Kuril, Bhimrao(2010). *Dr Ambedkar Ka Shiksha Mein Yogdaan, Samyak Publication. New Delhi.*
- K, Sharma(2013). *Women Empowerment, Mahamaya Publications, Gya.*
- Bidisha,M. &Purusottam,N. (2013). *Gender Inequality In India, North Eastern Hill University.*
- Ramasami, Periyar E.V.(2000). *Women Enslaved, Critical Quest, Delhi.*
- Upadhayaya, N. (1990). *Women In India, past and present, Allahabad, Chugh Publications.*
- Virdi, S.L.(2003).*Bharti Aurat Di Dastan Da Dastavej, Dalit Sahit Academy. Punjab.*
- D. Keer, (1987). *Dr. Ambedkar: Life and Mission, Bombay.*
- Gunjal V.R. (2012). *Dr. Babasaheb Ambedkar and Women Empowerment, Social Work, Vol. XI (1), PP 84-85.*